

LICENSING COMMITTEE

Tuesday, 13 September 2016 at 7.00 p.m.

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

The meeting is open to the public to attend.

<u>Members:</u>	<u>Ward Represented</u>
Chair: Councillor Rajib Ahmed	Lansbury;
Vice-Chair: Councillor Peter Golds	Island Gardens;
Councillor Khaled Uddin Ahmed	Bromley North;
Councillor Amina Ali	Bow East;
Councillor Sirajul Islam	Bethnal Green;
Councillor Mahbub Alam	St Dunstan's;
Councillor Shah Alam	Mile End;
Councillor Dave Chesterton	Blackwall & Cubitt Town;
Councillor Suluk Ahmed	Spitalfields & Banglatown;
Councillor Denise Jones	St Katharine's & Wapping;
Councillor Harun Miah	Shadwell;
Councillor Md. Maium Miah	Canary Wharf;
Councillor Joshua Peck	Bow West;
Councillor Candida Ronald	Blackwall & Cubitt Town;
Councillor Vacancy	

[The quorum for this body is 3 Members]

Contact for further enquiries:

Antoinette Duhaney, Democratic Services,
1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG
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E-mail: antoinette.duhaney@towerhamlets.gov.uk
Web: <http://www.towerhamlets.gov.uk/committee>

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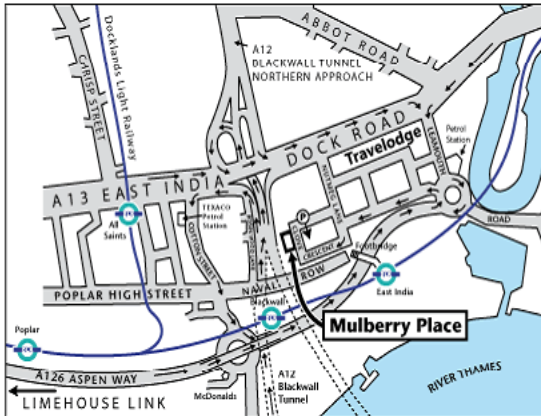
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APOLOGIES FOR ABSENCE

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.

	PAGE NUMBER	WARD(S) AFFECTED
2. MINUTES OF THE PREVIOUS MEETING(S)		

5 - 10

To confirm the minutes of the meeting of the Licensing Committee held on 14.06.16 as an accurate record of the proceedings.

3. RULES OF PROCEDURE - LICENCES FOR SEXUAL ENTERTAINMENT VENUES

11 - 20

To note the rules of procedure relating to determinations of licenses for sexual entertainment venues.

ITEMS FOR CONSIDERATION

4 .1 Local Government (Miscellaneous Provisions) Act 1982 (as amended) Application for a Sexual Entertainment Venue Licence for Metropolis, 234 Cambridge Heath Road, London E2 9NN (Pages 21 - 164)

4 .2 Licensing Act 2003, Application for a Premises License for Metropolis, 234 Cambridge Heath Road, London E2 9NN (Pages 165 - 286)

4 .3 Gambling Policy 2016 - 2019 (Pages 287 - 340)

4 .4 Update in relation to Prosecutions and Appeals- Quarter 1 - 2016/2017 (Pages 341 - 346)

5. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

Next Meeting of the Licensing Committee

Tuesday, 13 December 2016 at 7.00 p.m. to be held in The Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

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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:-

Melanie Clay, Corporate Director of Law, Probity & Governance & Monitoring Officer,
Telephone Number: 020 7364 4800

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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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING COMMITTEE

HELD AT 5.35 P.M. ON TUESDAY, 14 JUNE 2016

THE COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5
CLOVE CRESCENT, LONDON, E14 2BG

Members Present:

Councillor Rajib Ahmed (Chair)
Councillor Khaled Uddin Ahmed
Councillor Mahbub Alam
Councillor Shah Alam
Councillor Peter Golds
Councillor Dave Chesterton
Councillor Suluk Ahmed
Councillor Denise Jones
Councillor Candida Ronald

Other Councillors Present:

None

Apologies

Councillor Amina Ali
Councillor Amy Whitelock Gibbs
Councillor Harun Miah
Councillor Md. Maium Miah
Councillor Joshua Peck

Officers Present:

David Tolley	– (Head of Environmental Health and Trading Standards, Safer Communities, Communities Localities & Culture)
Tom Lewis	– (Team Leader - Licensing Services)
Paul Greeno	– (Senior Corporate and Governance Lawyer, Legal Services)
Agnes Adrien	– (Team Leader, Enforcement & Litigation, Legal Services, Chief Executive's)
Antonella Burgio	– (Democratic Services)

INTRODUCTIONS

The Chair welcomed new and returning members to the meeting and invited all present to introduce themselves.

1. TO APPOINT A VICE-CHAIR FOR THE MUNICIPAL YEAR

Councillor Khaled Ahmed nominated and Councillor Dave Chesterton seconded that Councillor Peter Golds be appointed Vice-chair of the Licensing Committee for the duration of the municipal year. There being no other nominations it was unanimously

RESOLVED

That Councillor Peter Golds be appointed Vice-chair of Licensing Committee for the duration of the municipal year.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

No declarations of disclosable pecuniary interests were made.

3. MINUTES OF THE PREVIOUS MEETING(S)

RESOLVED

That the minutes of the Licensing Committee held on 8 March 2016 be approved a correct record of proceedings.

4. ITEMS FOR CONSIDERATION

4.1 Licensing Committee, Terms of Reference, Membership, and Quorum

The Clerk introduced the report which set out the terms of reference, membership, quorum of the Licensing Committee and the scheduled dates of meetings for the municipal year 2016/17.

The Committee noted that following the Annual Council meeting, Councillor Amy Whitelock Gibbs had stood down from the Committee and had been replaced by Councillor Sirajul Islam via a proper officer appointment in accordance with the Council's constitution.

RESOLVED

1. That the Licensing Committee: terms of reference, membership and quorum as set out in appendices one and two be noted.
2. That the change of membership as reported at the meeting be noted.

4.2 Establishment of Licensing Sub Committees, Terms of Reference & Schedule of Dates

The Clerk introduced the report which asked the Committee to establish its Licensing Sub-Committees in accordance with paragraph 3.4 of the report and agree that these will determine applications under the Licensing Act 2003 and Gambling Act 2005 which have been contested.

The report also asked Members to note the terms of reference of the subcommittees, schedule of dates and rules of procedure as circulated at appendices one, two and three of the report.

RESOLVED

1. That the contents of the report be noted
2. That licensing subcommittees be established as set out in paragraph 3.4 of the report to determine applications under the licensing act 2003 and gambling act 2005 were representations have been made.
3. That the licensing subcommittees terms of reference, schedule of dates and rules of procedure as attached at appendices one, two and three be noted.

4.3 Proposed Rules of Procedure Governing Applications for Premises Licences and other permissions under the Licensing Act 2003 and Rules of Procedure Governing Applications for Sex Establishment Licences

Paul Greeno, Senior Corporate and Governance Lawyer, introduced the report informing Members that the Council's Constitution was currently being reviewed and as part of that review, the codes of conduct were also being considered. As part of this activity the rules of procedure for determinations discharged by the Licensing Committee and its Sub-Committees have also been reviewed and streamlined. The revised procedural rules were appended to the report and presented for consideration.

RESOLVED

1. That it be noted that there has been prepared a revised Licensing Code of Conduct and that this revised code of conduct incorporates rules of procedure governing applications for premises licences and other premises under the Licensing Act 2003 and Gambling Act 2005; and rules of procedure governing applications for sex establishment licenses under Section 2 of and Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended.
2. That it be noted that pursuant to Paragraph 1, Part One, Paragraph 4.02 of the Constitution, the adoption and amendment of the revised Licensing Code of conduct is a matter for Council.

3. That it be noted that in advance for Council adopting the revised Code of Conduct, that Licensing Committee can adopt its own rules of procedure
4. That the rules of procedure governing applications for premises licensing and other permissions under the Licensing Act 2003 and Gambling Act 2005 as set out in appendix 1 be adopted.
5. That the rules of procedure governing applications for sex establishment licenses under Section 2 of and Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982, as amended, as set out at appendix 2 to the report be adopted.

4.4 Proposed Revised Licensing Code of Conduct

Paul Greeno, Senior Corporate and Governance Lawyer, introduced the report which informed Members that, under the terms of the Local Government Act 2000 the Council was required to have a constitution and ensure that this was kept up-to-date. As part of this process a number of reviews of protocols, including the Licensing Code of Conduct had been undertaken. He asked Members to consider the draft revised code of conduct appended to the report which had been updated to better assist Councillors and aid understanding by bringing the code up to date and providing better consistency in terms of content style and structure.

RESOLVED

1. That the proposed revised Licensing Code of Conduct, as circulated at Appendix 1 of the report, be noted.
2. That it be noted that, as a member code of conduct, then pursuant to the terms of reference to the Standards (Advisory) Committee, that the revised Licensing Code of conduct will have to be considered by Committee so that it can advise Council on the adoption or revision of the code.
3. That it be noted that the draft revised Code will also go to General Purposes committee for consideration.
4. That it be noted that, pursuant to Part One, Paragraph 4.02 of the Constitution, the adoption and amendment of the proposed revised Licensing Code of Conduct is a matter for Council
5. That Members' general comments on the proposed revised code be made directly to Paul Greeno, Senior Corporate and Governance Lawyer so that they may be reflected in the document to be considered by Standards (Advisory) Committee and General Purposes Committee and then by Council.

4.5 Update in relation to Prosecutions and Appeals- Quarter 4 2015/2016

Agnes Adrien, Team Leader, Enforcement and Litigation, introduced the report which provided a quarterly update on enforcement activity. The Committee heard that no prosecutions had been issued in the period and three appeals, (two against decisions of the Licensing Sub-committees and one against a decision of the Licensing Committee respectively) had been concluded. Councillor Golds, commented that, where appeals were settled by consent or allowed, it would be appropriate that these decisions should then go back to Elected Members.

RESOLVED

That the outcomes in relation to prosecutions and appeals in the quarter 4 2015/16 be noted.

4.6 London Local Authorities Act 1991 - Application to increase licence fee for the London Tattoo Convention 2016

Tom Lewis, Team Leader Licensing And Safety Team introduced the report which asked the committee to approve the suggested fee for a massage and special treatment licence for the 2016 London Tattoo convention. The fee had been increased by 0.2% from the previous year to ensure that costs incurred by the Council in regard to administration and enforcement throughout the event could be recovered.

A Member of the Committee noted that the matter was considered annually but there was no means by which the applicant could address Members. He suggested that in the future the applicant should be permitted to make representations before the Committee before the fee is set and asked officers to investigate this.

RESOLVED

That the application fee for a massage and treatment licence for the 2016 London Tattoo Convention be set at £2872.

5. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT*Cumulative Impact Zone (CIZ)*

Councillor Chesterton enquired about a proposal to review the CIZ. Dave Tolley, Head of Environmental Health and Trading Standards informed the Committee that, at the annual Licensing training for Members, Counsel had recommended that the advice to members concerning CIZ should be reviewed, the current CIZ policy was not due for review until the next review of the Licensing Policy in 2018; the CIZ review would form part of the policy review at that time. Agnes Adrien, Team Leader Enforcement and Litigation agreed that she would follow up the advice given to Members at the training session and report back to members.

Touting

The Chair requested that a meeting to discuss possible courses of action with regards to touting in Brick Lane be arranged and that an invitation be extended to the Cabinet Members with responsibility for community safety and economic growth to discuss the impacts of touting on Brick Lane businesses. It was agreed that a meeting date be arranged and invitations issued.

Next Meeting

The Chair noted that the Committee would meet next on 13 September 2016

The meeting ended at 6.15 p.m.

Chair, Councillor Rajib Ahmed
Licensing Committee

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 Hearings Regulations'). The Procedures take into account the Licensing Act (Premises Licences and Club Premises Certificates) Regulations 2005.
- 1.2 Except where otherwise stated, references in this Code are to the Licensing Committee and its Sub-committees and the expression 'Licensing Committee' should be interpreted accordingly.
- 1.3 The Hearings Regulations provide (Regulation 21) that a Licensing Authority shall, subject to the provisions of those Regulations, determine for itself the procedure to be followed at a hearing.
- 1.4 These Procedures, therefore, set out the way in which Licensing Committee Meetings will be conducted under the Licensing Act 2003, following the requirements of the Hearings Regulations.
- 1.5 Proceedings will not be rendered void only as the result of failure to comply with any provision of the Hearings Regulations (Regulation 31) save that in any case of such an irregularity, the Licensing Committee shall, if it considers that any person may have been prejudiced as a result of the irregularity, take such steps as it thinks fit to cure the irregularity before reaching its determination (Regulation 32).

2. Composition of Sub-Committee

- 2.1 The Sub-Committee will consist of three (3) members and no business shall be transacted unless three (3) members of the Licensing Committee are present and able to form a properly constituted Licensing Sub-Committee. In such cases the Chair shall have a second or casting vote.

3. Procedure

- 3.1 The hearing shall take place in public save that the Licensing Committee may exclude the public from all or part of a hearing where it considers that, on balance, it is in the public interest to do so. The parties and any person representing them may be excluded in the same way as another member of the public. Any person so excluded may, before the end of the hearing, submit to the Licensing Committee in writing, any information which, they would have been entitled to give orally had they not been required to leave. Where there are a number of items on the agenda, the adjournment of that item for a short period, whilst another item is heard, may allow this process to be carried out effectively.
- 3.2 The Chair will begin by asking the parties to identify themselves and confirm whether or not they are represented.

- 3.3 The Licensing Committee should always satisfy itself that sufficient notice of the hearing has been given to all parties and if not satisfied, then the Licensing Committee should take such steps as it thinks fit to deal with that issue before reaching its determination and this could include adjourning that application to a later date.
- 3.4 The Licensing Committee will then consider any requests by a party for any other person to be heard at the hearing in accordance with the Regulations. Permission will not be unreasonably withheld provided proper notice has been given.
- 3.5 The Chair will then explain how the proceedings will be conducted, and indicate any time limits that may apply to the parties to the application. In setting time limits, the Licensing Committee will take into account the importance of ensuring that all parties receive a fair hearing, and the importance of ensuring that all applications are determined expeditiously and without undue delay. Further the Licensing Committee must have regard to the requirement to allow each party an equal amount of time.
- 3.6 If a party considers that any time limit is not sufficient then they should address the Licensing Committee and which will determine accordingly.
- 3.7 If any party has informed the Authority that they will not be attending or be represented at the hearing or any party does not give notice that they will not be attending but fails to attend and is not represented, the Licensing Committee may proceed in their absence or adjourn the hearing if it considers it to be necessary in the public interest. An adjournment will not be considered where due to the operation of the Hearing Regulations it would not be possible to adjourn.
- 3.8 If the Licensing Committee adjourns the hearing to a specified date it must specify the date, time and place to which the hearing has been adjourned and why it is considered necessary in the public interest.
- 3.9 If the Licensing Committee holds the hearing in the absence of a party, it will consider at the hearing the application, representation or notice given by that party.
- 3.10 The Chair will invite an Officer of the Licensing Section to present the report by briefly summarising the application and the number and type of the representations as set out in the papers circulated. The Officer will also advise of any discussions held with the parties; any amendments made to the application; any representations withdrawn; and any agreed conditions that the Licensing Committee is being asked to consider. The Officer shall not give any opinion on the application or ask the Committee to make an inference based on such an opinion.
- 3.11 Members of the Licensing Committee can then ask questions of clarification of the Licensing Officer or seek legal advice from the Legal Adviser to the

Licensing Committee if they require in respect of matters raised during the presentation by the Licensing Officer.

- 3.12 The Legal Adviser to the Licensing Committee will then give any relevant legal advice that the Licensing Committee need to take into consideration.
- 3.13 The Chair will then ask the applicant or their representative, if present, to present a summary of the nature and extent of the application. This should be brief, avoid repetition of material already available to the Licensing Committee in the Officer's report or otherwise, and include any reasons why an exception should be made to the Council's Licensing Policy, where appropriate, and respond to the written representations received. The submission may be followed by the evidence of any person who has been given permission by the Committee to give supporting evidence on behalf of the applicant or who has made a representation in favour of the application.
- 3.14 The application is to be presented within the time limit that has been set.
- 3.15 Where an applicant is unrepresented and having difficulty in presenting their application then the Legal Adviser to the Licensing Committee may ask questions of the applicant so that the relevant points are addressed and clarified for the Licensing Committee.
- 3.16 Members of the Licensing Committee may ask questions of the person presenting the case after their address as well as any other person who has spoken in support of the application. Members can also ask questions of the applicant as well as any other person present for the applicant who they consider can assist.
- 3.17 The Legal Adviser to the Licensing Committee may ask questions for the purpose of clarifying points for the Licensing Committee.
- 3.18 The Chair will then ask the persons who have made representations against the application to address the Licensing Committee within the time limit that has been set. They should not repeat what is already set out in their representations or notice or raise new matters. In their address they should provide clarification on any points previously requested by the Council. The submission may be followed by the evidence of any person who has been given permission by the Committee to give supporting evidence.
- 3.19 Members of the Licensing Committee may then ask questions of the persons making representations against the application and any other person who has spoken in support of such representation. Members can also ask questions of any other person present who they consider can assist.
- 3.20 The Legal Adviser to the Licensing Committee may ask questions for the purpose of clarifying points for the Licensing Committee.
- 3.21 Petitions will be treated as representations provided they meet the requirements for relevant representations set out in the Licensing Act 2003.

Members should proceed with caution when relying upon petitions used as evidence due to the structure and wording used.

- 3.22 The Licensing Committee will disregard any information given by a party, or any other person appearing at the hearing, which is not relevant to:
- a) their application, representation or notice; and
 - b) the promotion of the licensing objectives or the crime prevention objective where notice has been given by the police
- 3.23 The Chair will intervene at any stage of the hearing to prevent repetitious or irrelevant points being raised.
- 3.24 Cross examination of any party or any other person allowed to appear will not be allowed unless specifically permitted by the Chair.
- 3.25 There is no right for any party to sum up but they may be permitted to do at the discretion of the Chair and within time limits prescribed by the Chair.
- 3.26 The Licensing Committee will consider its decision in private save that the Legal Adviser and Democratic Services Officer will remain with them.
- 3.27 The Licensing Committee will normally return to open session to announce its decision but in cases where the prescribed time limit allows for a later determination and it is appropriate to determine the matter within that time then the Chair will advise the parties present that the decision will not be announced then but that the determination will take place within the prescribed time limit and that written notification will be dispatched to all parties advising them of the determination.

4. Exclusions

- 4.1 In addition to any exclusion under paragraph 3.1 above, The Licensing Committee may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may refuse to permit the person to return; or allow them to return only on such conditions as Licensing Committee may specify.
- 4.2 Any person so excluded may, before the end of the hearing, submit to the Authority in writing, any information which, they would have been entitled to give orally had they not been required to leave.

TOWER HAMLETS



LICENSING COMMITTEE

RULES OF PROCEDURE

GOVERNING APPLICATIONS FOR

SEX ESTABLISHMENT LICENCES

**UNDER SECTION 2 OF AND SCHEDULE 3 TO
THE LOCAL GOVERNMENT (MISCELLANEOUS
PROVISIONS) ACT 1982**

1. Interpretation

- 1.1 These Procedures describe the way in which hearings will be conducted under section 2 of and schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended.

2. Composition of the Licensing Committee

- 2.1 The Licensing Committee will consist of fifteen (15) members and no business shall be transacted unless at least three (3) members of the Licensing Committee are present and able to form a properly constituted Licensing Committee. The Chair shall have a second or casting vote.

3. Procedure

- 3.1 The hearing shall take place in public save that the Licensing Committee may exclude the public from all or part of a hearing where it considers that, on balance, it is in the public interest to do so. The parties and any person representing them may be excluded in the same way as another member of the public. Any person so excluded may, before the end of the hearing, submit to the Licensing Committee in writing, any information which, they would have been entitled to give orally had they not been required to leave. Where there are a number of items on the agenda, the adjournment of that item for a short period, whilst another item is heard, may allow this process to be carried out effectively.
- 3.2 The Chair will begin by asking the parties to identify themselves and confirm whether or not they are represented.
- 3.3 The Licensing Committee should always satisfy itself that sufficient notice of the hearing has been given to all parties and if not satisfied, then the Licensing Committee should take such steps as it thinks fit to deal with that issue before reaching its determination and this could include adjourning that application to a later date.
- 3.4 The Chair will explain how the proceedings will be conducted, and indicate any time limits that will be imposed on the parties. In setting time limits, the Licensing Committee will take into account the importance of ensuring that all parties receive a fair hearing, and the importance of ensuring that all applications are determined expeditiously and without undue delay. Further the Licensing Committee should allow each party an equal amount of time.
- 3.6 If a party considers that any time limit is not sufficient then they should address the Licensing Committee and which will determine accordingly.
- 3.7 If any party has informed the Authority that they will not be attending or be represented at the hearing or any party does not give notice that they will not be attending but fails to attend and is not represented, the Licensing Committee may proceed in their absence or adjourn the hearing.

- 3.8 If the Licensing Committee adjourns the hearing it should specify the date, time and place to which the hearing has been adjourned.
- 3.9 If the Licensing Committee holds the hearing in the absence of a party, it will consider at the hearing the application or objection given by that party.
- 3.10 The Chair will invite an Officer of the Licensing Section to present the report by briefly summarising the application and the number and type of the representations as set out in the papers circulated. The Officer will also advise of any discussions held with the parties; any amendments made to the application; any objections withdrawn; and any agreed conditions that the Licensing Committee is being asked to consider. The Officer shall not give any opinion on the application or ask the Committee to make an inference based on such an opinion.
- 3.11 Members of the Licensing Committee can then ask questions of clarification of the Licensing Officer or seek legal advice from the Legal Adviser to the Licensing Committee if they require in respect of matters raised during the presentation by the Licensing Officer.
- 3.12 The Legal Adviser to the Licensing Committee will then give any relevant legal advice that the Licensing Committee need to take into consideration.
- 3.13 The Chair will then ask the applicant or their representative, if present, to state their case. This should avoid repetition of material already available to the Licensing Committee in the Officer's report or otherwise, and include any reasons why an exception should be made to the Sex Establishment Licensing Policy, where appropriate; address, where appropriate, the matters stated in the Sex Establishment Licensing Policy that the Licensing Committee will take into account when considering applications; and respond to the written objections received. The submission may be followed by the evidence of any person who is giving supporting evidence on behalf of the applicant or who has made a representation in favour of the application.
- 3.14 The application is to be presented within any time limit that has been set.
- 3.15 Where an applicant is unrepresented and having difficulty in presenting their application then the Legal Adviser to the Licensing Committee may ask questions of the applicant so that the relevant points are addressed and clarified for the Licensing Committee.
- 3.16 The objectors (or their representative) will be invited to question the applicant.
- 3.16 Members of the Licensing Committee may ask questions of the applicant and/or their representative as well as any other person who has spoken in support of the application. Members can also ask questions of any other person present for the applicant who they consider can assist.
- 3.17 The Legal Adviser to the Licensing Committee may ask questions for the purpose of clarifying points for the Licensing Committee.

- 3.18 The Chair will then ask objectors against the application to state their case within any time limit that has been set. The objectors should not repeat what is already set out in their objections. In stating their case, the objectors should provide clarification on any points previously requested by the Council. The submission may be followed by the evidence of any person who is giving supporting evidence.
- 3.19 The applicant (or their representative) will be invited to question the objectors.
- 3.19 Members of the Licensing Committee may then ask questions of the objectors and any other person who has spoken given evidence in support. Members can also ask questions of any other person present who they consider can assist.
- 3.20 The Legal Adviser to the Licensing Committee may ask questions for the purpose of clarifying points for the Licensing Committee.
- 3.21 Petitions will be considered but Members should proceed with caution when relying upon petitions used as evidence due to the structure and wording used.
- 3.22 The Chair will intervene at any stage of the hearing to prevent repetitious or irrelevant points being raised.
- 3.23 The objectors (or their representative) will then be permitted to “Sum Up”.
- 3.24 The applicant (or their representative) will then be permitted to “Sum Up”.
- 3.25 The Licensing Committee will consider its decision in private save that the Legal Adviser and Democratic Services Officer will remain with them.
- 3.26 The Licensing Committee will normally return to open session to announce its decision but where they consider it appropriate for the determination to be given at a later time then the Chair will advise the parties present that the decision will not be announced then but that the determination will take place later and that written notification will be dispatched to all parties advising them of the determination.

4. Exclusions

- 4.1 In addition to any exclusion under paragraph 3.1 above, The Licensing Committee may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may refuse to permit the person to return; or allow them to return only on such conditions as Licensing Committee may specify.
- 4.2 Any person so excluded may, before the end of the hearing, submit to the Authority in writing, any information which, they would have been entitled to give orally had they not been required to leave.

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Agenda Item 4.1

Committee :	Date	Classification	Report No.	Agenda Item No.
Licensing Committee		Unclassified		

Report of : David Tolley Head of Environmental Health & Trading Standards Originating Officer: Mohshin Ali Senior Licensing Officer	Title: Local Government (Miscellaneous Provisions) Act 1982 (as amended) Application for a Variation of a Sexual Entertainment Venue Licence for Metropolis, 234 Cambridge Heath Road, London E2 9NN Ward affected: St. Peter's
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1.0 Summary

Applicants: **Steven Victor Martin, Victor Martin and Melanie Jane Graham**

Name and Address of Premises: **Metropolis**
234 Cambridge Heath Road
London
E2 9NN

Licence sought: **Local Government (Miscellaneous Provisions) Act 1982 (as amended)**
Application for a Variation of a Sexual Entertainment Venue Licence

Objectors: **Local residents**

2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

File Only

Mohshin Ali
020 7364 5498

3.0 Background

3.1 This is an application made by Steven Victor Martin, Victor Martin and Melanie Jane Graham for a variation of a Sexual Entertainment Venue licence under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by reg. 47 (4), Provisions of Services Regulations 2009 'the service regulations') and the Policing and Crime Act 2009 for Metropolis, 234 Cambridge Heath Road, London, E2 9NN.

3.2 This application seeks the following:

- to extend the area of the club to the roof terrace.
- to move existing activities from the current ground floor into the basement level which has not been used previously.
- to include internal works including refurbishment, new layout, raised flooring and a new staircase

3.3 A licence from the Council is required for the use of a premise as a sex Establishment. A sexual entertainment venue is any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer.

Relevant entertainment means:

- any live performance; or
- any live display of nudity;

which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).

3.4 The premises is currently granted a Sexual Entertainment Venue Licence under the Local Government (Miscellaneous Provisions) Act 1982 (as amended). A copy of the existing licence is enclosed as **Appendix 1**. The licence consists of the basic licence, plus additional conditions relevant to that premises only. In addition, the Tower Hamlets Standard SEV Conditions also apply and form part of the licence.

This licence was in force up to: 31st May 2016 or during the time that the licensee(s) is/are the occupier of the premises, whichever is the shorter period, or unless sooner surrendered or revoked. At the time of writing this report, the renewal application was due to be considered by the Licensing Committee. There were no representations against the renewal application.

The hours permitted are:

- Monday to Sunday from 09:00hrd to 05:00hrs (the following day)

The named management responsible for this premises are:

- Melanie Graham - Manager
- Wendy Kearey
- Michael Antick
- Faye-Marie Lyons

This licence is granted subject to conditions as follows:

1. The Standard Conditions of the London Borough of Tower Hamlets made under paragraph 13 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as revised on 23rd June 2015 and sent to the Licence Holder as part of the Decision Notice dated 17th July 2015. It is the duty of the licence holder to be aware of and abide by those conditions;
2. The following additional conditions specific to this Premises:
 42. The number of persons to be accommodated in the Premises at any one time shall not exceed the following: (a) Ground floor bar – 190 persons at any one time; (b) First and Second floors combined maximum of 80 persons at any one time; and (c) the overall capacity should not exceed 270 persons at any one time, excluding staff.
 43. The maximum number of members of the public permitted in the “screened off” segregated area on the ground floor (as shown on the attached plan) shall not exceed 12 at any one time.
 44. Notices will be displayed at each exit requesting customers to leave quietly and in an orderly fashion and staff are to ensure that patrons leaving the Premises do so in an orderly manner at all times.
 45. The two steel shutters sited at the exit doors shall be in the open position whenever the Premises is open to the public.
 46. The inward opening final exit door on the emergency exit route from the First Floor bar shall be locked in the open position whenever the Premises is open to the public.
 47. The pavement hatch exit flap should be kept clear and available whenever the Premises is open to the public.
 48. Standard Condition 27 is exempt in respect of the Shower Scene (/Car Wash Scenario) on the second floor of the Premises only in so far as audience participation shall be permitted but shall be limited to the use and operation of the toy spray guns which must be of such manufacture so as not to cause any injury or harm to the performers and be tested to the British Standard Kite Mark of Safety.

49. Clear signage shall be displayed forbidding the toy spray guns to be aimed or targeted towards the performers' genitalia, anus or eyes.

50. Performers must not encourage patrons to spray water at their genitalia or anus.

51. Performers must re-dress and / or have towels at the conclusion of a performance.

3.5 The current variation application is to permit the premises to operate as a sexual entertainment venue with opening hours as follows:

- Monday to Sunday from 09:00hrd to 05:00hrs (the following day)

3.6 The premises also holds a licence under the Licensing Act 2003. A copy of the existing licence is enclosed for Members' information as **Appendix 2**. The licence was originally granted on 24th August 2005.

The licence granted the following licensable activities:

Regulated Entertainment in the form of films, live music, recorded music, performance of dance (including striptease), entertainment of a similar description, provision of facilities for making music, dancing, or entertainment of a similar description:

- Monday to Sunday from 09:00hrs to 05:00hrs (the following day)

Late Night Refreshment:

- Monday to Sunday from 09:00hrs to 05:00hrs (the following day)

Sale by retail of alcohol (On and off sales):

- Monday to Sunday from 09:00hrs to 05:00hrs (the following day)

The opening hours of the premises:

- There are no restrictions on the hours during which this premises is open to the public

3.7 A copy of the variation application is enclosed as **Appendix 3**.

3.8 Maps of the premises location are available in **Appendix 4**.

3.9 Members should note that the two regimes run concurrently therefore the premises licence could effectively run without the SEV in operation, if alcohol, regulated entertainment and late night refreshment was solely taking place.

4.0 **Layout of the Premises**

- 4.1 Layout plan (showing position of CCTV cameras) of the premises is available in **Appendix 5**. The premises was visited on Monday 20th June 2016 by a Licensing Officer with one of the licence holders and a manager. A checklist of questions was completed for the renewal application and a copy of that checklist used at the meeting is available in **Appendix 6**. Following the variation application, a site meeting was conducted on the 9th August 2016 and the licence holder confirmed that the same measures are still in place as from the previous visit.

The checklist covered the following points:

- The Code of Conduct for performers
 - The House Rules
 - The Performer Safety Policy
 - Retention of performers' personal details
 - Details of Door Staff attending each evening
 - The venue interior and exterior (for example, whether the interior of the premises is visible from the outside)
 - Public access areas and approved access to dressing rooms
 - CCTV Coverage
 - Functionality of the CCTV
 - Advertising, both externally to the premises and online
 - Information on tariffs, including both dances and beverages
- 4.2 In conclusion from the visit, some of the works to the premises had started but the remaining works were due to be completed in due course and subject to the grant of the variation application.
- 4.3 Photographs of the premises are available in **Appendix 7**.

5.0 **Adverts and Flyers**

- 5.1 The applicant has stated on the form that they have “no business cards or flyers” and they “drive billboard around non London Borough of Tower Hamlets Road.
- 5.2 It was noted that there were no adverts at the exterior of the premises. The premises does however have a website, available at: <http://www.metropolisstripclub.com/> . There is no ‘Over 18’ entry tab.

6.0 **Standard Conditions**

- 6.1 The Council has adopted Standard Conditions that were revised on 23rd June 2015, which act as default conditions that are attached to all Sexual Entertainment Venue Licences. These are available as part of the licence in **Appendix 1**.

7.0 Codes of Conduct and Policies

7.1 The applicant has provided Codes of Conduct and policies as required by the Standard Conditions, see **Appendix 8**, namely:

- Code of Conduct for Performers
- Code of Conduct of Customers
- Dancers' Welfare Policy

7.2 During the compliance check visit (Monday 20th June 2016), it was confirmed that the Code of Conduct for Performers was available in the dressing rooms. It was also confirmed that the House Rules was available in the public area of the premises.

7.3 Members have discretion to modify the standard conditions or add appropriate conditions.

8.0 Assessment and information for the vicinity

8.1 **Appendix 9** is a map of the Licensing Service's determination of the vicinity around the premises, set at 100meters from the premises. It is noted that there has been no significant changes since the original application.

8.2 Determination of the "use" of other Premises in the "vicinity" - vicinity" is likely to be a narrower and smaller area than the "relevant locality" much will depend upon the physical location of the premises, its appearance and upon the nature and hours of its operation.

8.3 Below is a list of notable premises within vicinity as observed by Licensing Officer visiting the area on foot and using GIS maps:

Residential accommodation	<ul style="list-style-type: none">• Cambridge Court on the corner of Parmiter Street and Cambridge Heath Road• Seth Court, Parmiter Street• Charmeuse Court, Parmiter Street• Bethnal Student Living, Parmiter Street• First floor accommodation above 2 storey premises 3 to 15 Bishop's Way• 2 Bishops Way, 2 storey premises flat 1-10.
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Schools	None
Premises used by children and vulnerable persons	<ul style="list-style-type: none"> • Edward Gibbons House, 1 Parmiter Street, part of Providence Row Housing Association, a hostel providing temporary accommodation for single homeless men and women with high support needs connected to drinking. • Drug Intervention Centre, 228 Cambridge Heath Road,
Youth community and leisure centres	<ul style="list-style-type: none"> • Bethnal Student academy (private language school), Bishop's Way.
Religious centres and public places of worship	None
Access routes to and from premises listed above	<p>Corner of cross roads – Hackney Road/Bishop's Way and Cambridge Heath Road.</p> <p>Cambridge Heath Overground station is opposite</p> <p>There a number of bus routes including night buses</p> <p>Bethnal Green tube station is about 5 to 10 minutes' walk away.</p>
Existing licensed premises in the vicinity	<p>Cambridge Heath Road same side as premises</p> <ul style="list-style-type: none"> • Takeaway Lemon Spice, 240 Cambridge Heath Road • Wholesaler Bestway Cash & Carry Ltd, 260-278 Cambridge Heath Road <p>Cambridge Heath Road opposite side as premises</p> <ul style="list-style-type: none"> • Mini-grocer Shop and Savers, 475-477 Cambridge Heath Road, • Restaurant Al Amin Tandoori Restaurant, 483 Cambridge Heath Road, • Café: The Café Chantant, Arch 300, Cambridge Heath Road, London E2 9HA

	<ul style="list-style-type: none"> • Chicken shop: Perfect Chicken, 491 Cambridge Heath Road, London E2 9BU • Mini-Market/off licence: Kivre Food Centre, 497- 499 Cambridge Heath Road, London E2 9BU <p>Hackney Road</p> <ul style="list-style-type: none"> • Takeaway Perfect Fried Chicken, 509 Hackney Road • Restaurant Raizes, 460 Hackney Road,
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9.0 Assessment and information for the Locality

9.1 **Appendix 10** contains the Ward Profile of St Peters to provide members with details in relation to the locality of the premise. It should be noted that this is the most up-to-date available, though it dates to 2014.

9.2 In regards to the “relevant locality” :

- The relevant locality was assessed as being within a 100 metre radius centred on the premises, 234 Cambridge Heath Road.
- The premises sits on corner of the cross roads – Hackney Road/Bishop’s Way and Cambridge Heath Road. Hackney Road/Bishops Way is a major route through to the East London and Essex suburbs.
- Cambridge Heath road is part of the A107 that runs from Hackney south through Bethnal Green. It is a busy north south route.
- The vicinity is overwhelming commercial, with a smattering of accommodation.

9.3 The character of the locality is predominately commercial:

- The premises are in St Peter’s ward and a ward profile has been downloaded from the Council’s web site.
- St Peter’s Ward has about 7.3% of the Borough’s residents.
- The area has been assessed as:-

- Around the premises it has a predominately commercial character.
- Away from the main roads, it changes character to more residential
- Opposite the premises are businesses operating in the arches underneath the viaduct carrying trains into Liverpool Street.
- The premises sits at a busy cross roads.
- The street level premises are mainly retail units.
- There is residential accommodation as described.
- There is accommodation catering for homeless single men and women who have support needs on account of problem drinking in the block adjoining the premises.

10.0 Other Sexual Entertainment Venues

10.1 The following premises have applied for Sexual Entertainment Venues under the new licensing Regime

- **Club Enviee (now Flamingos)** 30 Alie Street, London, E1 8DA
- **Metropolis** 234 Cambridge Heath Road, London, E2 9NN
- **Nags Head** 17-19 Whitechapel Road, London, E1 1DU
- **Whites Gentleman's Club** 32-38 Leman Street, London, E1 8EW
- **White Swan** 556 Commercial Road, London, E14 7JD

11.0 Consultation

11.1 The application has been consulted on in accordance with the Local Government (Miscellaneous Provisions) Act 1982 (as amended) and the Tower Hamlets Sexual Entertainment Policy.

This has included:

a) A site notice at the premises displayed by the applicant during the required period. A copy of the notice is appended as **Appendix 11**.

b) A press advert was placed in the Docklands and East London Advertiser on the Thursday 21st July 2016 by the Applicant, which again is appended as **Appendix 12**.

11.2 The following is a list of those also consulted in regards to the application:

- The Police
- The Fire Brigade
- Building Control
- Health and Safety
- Ward Councillors
- Development Control Team
- Local residents living within 50m of the premises

12.0 Responses to the Consultation

12.1 The Police were consulted, please find below a summary of their comments.

- None

12.2 The Fire Brigade were consulted, please find below a summary of their comments.

- None

12.3 The Council expects the premises to have planning consent for the intended use and hours of operation, or otherwise have lawful planning status before making an application for a new licence. Building Control were consulted, please find below a summary of their comments.

- None, therefore it is assumed that all planning permissions are acceptable.

12.4 Health and Safety were consulted, please find below a summary of their comments.

- None

12.5 Ward Councillors were consulted, please find below a summary of their comments.

- None

12.6 Development Control Team were consulted, please find below a summary of their comments.

- None

13.0 Local Residents

13.1 Local residents living within 50m of the premises were consulted, please find below a summary of their comments (redacted copies all representations are available in **Appendix 13**). In summary, the two objectors have stated the following:

- Variation will increase foot fall to a busy premises & encourage antisocial behaviour in a residential area.
- The area immediately surrounding the premises is a densely populated residential area with many families with children.
- The venue does not currently control dispersal of customers effectively.
- Customers frequently leave the venue and make lots of noise in the early hours as they walk from the venue to taxis and/or their own cars.
- The venue is not a good neighbour.
- If the venue is to continue running it would be much more appropriate for the hours to be reduced from those sought in the current application.

13.2 A person making a representation must clearly state their name, address, and the grounds for objecting to the application. Copies of redacted representations were available to the applicant prior to the publication of this report.

13.3 The Council will not consider objections that are frivolous or vexatious or which relate to moral grounds (as these are outside the scope of the Act). All the representations received have been included in this report; Members may wish to assess the validity of the content of the two objections.

14.0 Licensing Authority Recommendations Following Consultation

14.1 There have been no representations from any of the authorities that have been consulted. The application has received representations from two local residents. Members are asked to consider these representations when determining the variation application.

15.0 Summary of Premises and Licence History

15.1 A copy of the existing premises licence is available in **Appendix 1**.

15.2 The current licence holders are Steven Victor Martin, Victor Martin and Melanie Jane Graham.

15.3 The current Designated Premises Supervisor is Melanie Graham.

16.0 Complaints and Enforcement History

16.1 The premises has received the following complaints in the last 24 months:

Date	Complainant	Nature of Complaint
09/11/2015	Police	Allegation of male assaulted by bouncers at the Metropolis Club on 8 th November 2015. Police on scene. Complaint dealt with by Police.
16/09/2014	Local Resident	Complaint of noise of premises. CCTV looked at by PLH believe noise was from people from a nearby hostel.

16.2 The premises has received the following visits by the Local Authority:

Date	Authority (TS/Lic)	Nature of visit
9/08/2016	Licensing	Variation application site meeting. Licence holder confirmed that all the previous measures are still in place. Some works have started but the remaining to be completed in due course.
20/06/2016	Licensing	SEV renewal application inspection visit. A Licensing Officer met with the licence holder and the manager and found the premises to be compliant with the SEV and the Licensing Act.
02/06/2016	Licensing	SEV notice check, satisfactory
06/11/2015	Licensing, Trading Standards and Police	Licence compliance check, all ok
10/02/2015	Licensing	SEV Compliance Visit, all ok.
27/01/2015	Licensing	SEV Compliance Visit, mainly ok, some minor CCTV blind spots.

16.3 The premises has been subject to the following enforcement actions:

Date	Authority (TS/Lic)	Nature of Enforcement
None	N/a	N/a

17.0 Policy - Appropriate Number of Sexual Entertainment Venues

17.1 The Council has determined that there are a sufficient number of sex shops, sex cinemas and sexual entertainment venues currently operating in the borough and it does not want to see an increase in the numbers of premises that are currently providing these activities.

17.2 The Council intends to adopt a policy to limit the number of sexual entertainment venues in the borough to nil however it recognises that there are a number of businesses that have been providing sexual entertainment in Tower Hamlets for several years. The Council will not apply this limitation when considering applications for premises that were already trading with express permission for the type of entertainment which is now defined as sexual entertainment on the date that the licensing provisions were adopted by the authority if they can demonstrate in their application:

- High standards of management;
- A management structure and capacity to operate the venue;
- The ability to adhere to the standard conditions for sex establishments.

17.3 The Council will consider each application on its merit although new applicants will have to demonstrate why the Council should depart from its policy. Furthermore if any of the existing premises cease trading there is no presumption that the Council will consider any new applications more favourably.

18.0 Home Office Guidance

18.1 The Home Office issued guidance to local authorities in March 2010 to assist local authorities in carrying out their functions under the Act.

18.2 The Council can refuse applications on grounds related to an assessment of the relevant locality. A licence can be refused if either, at the time the application is determined the number of Sexual Entertainment Venues, or Sexual Entertainment Venues of a particular kind, in the relevant locality is equal to or exceeds the number that the authority considers appropriate for that locality; or that a Sexual Entertainment Venue would be inappropriate having regard to the character of the relevant locality, the use to which any premises in the vicinity are put or the layout, character or condition of the premises. Nil may be the appropriate number.

18.3 The decision regarding what constitutes the 'relevant locality' is a matter for the Council. However, such questions must be decided on the facts of the individual application.

18.4 Once the Council has determined the relevant locality, it should seek to make an assessment of the 'character' of the relevant locality and how many, if any, Sexual Entertainment Venues, or Sexual Entertainment Venues of a particular kind, it considers appropriate for that relevant locality.

19.0 Licence Conditions

19.1 Once the Council has decided to grant a licence they are able to impose terms, conditions and restrictions on that licence, either in the form of conditions specific to the individual licence under paragraph 8 of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, or standard conditions applicable to all Sexual Entertainment Venues, or particular types of Sexual Entertainment Venues.

19.2 Where the Council decides to produce standard conditions under paragraph 13 they will apply to every licence granted, renewed or transferred by the authority unless they have been expressly excluded or varied.

19.3 Most sexual entertainment venues will require a Licensing Act 2003 licence as well as a Sexual Entertainment Venue licence. Where this is the case, local authorities should avoid duplicating licence conditions and should ensure that conditions imposed on the each licence are relevant to the activities authorised by that licence. For example, conditions relating to the sale of alcohol should only appear on a premises licences or clubs premises certificate and should not be imposed on sexual entertainment venue licence. Likewise, conditions relating the provisions of relevant entertainment should appear on the sexual entertainment venue licence and not a premises licence or club premises certificate. Local authorities should also avoid imposing conditions on either licence that are contradictory.

19.4 In many cases licences granted under the 2003 Act to existing operators will contain conditions that relate expressly and exclusively to the provision of relevant entertainment. Such a condition might prohibit contact between a performer and customer during a lap dance. In these cases, in order to avoid duplication, where conditions on premises licences or club premises certificates relate only to the provision of relevant entertainment, they shall be read as if they were deleted from the 3rd appointed day onwards.

19.5 In cases where conditions on a premises licence or clubs premises certificate are inconsistent with, and less onerous than, the conditions in the licence granted under the 1982 Act they shall likewise be read as though they have been deleted.

20.0 Sexual Entertainment Venues and Determination

20.1 Tower Hamlets Licensing Authority has received advice in relation to the determination of an application, Members would be wise to take a ten-point approach and provide answers to the following:

1. Determine the extent, nature and content of the “Relevant Entertainment”
2. Consider the Mandatory Grounds of refusal – are these engaged?
3. Discretionary Grounds (Internal): the ‘people’: Consider the suitability of the Applicant and other persons involved; are they suitable to hold and operate a Sexual Entertainment Venue licence?
4. Discretionary Grounds (Internal): the ‘premises’: Consider the suitability of the premises for a Sexual Entertainment Venue licence; is the premises suitable for the operation of the proposed relevant entertainment?
5. Discretionary Grounds (External): What is the “vicinity” in respect of the current application?
6. Discretionary Grounds (External): What are the uses of other premises in the vicinity in respect of the current application?
7. Discretionary Grounds (External): What is the “relevant locality” in respect of the current application?
8. Discretionary Grounds (External): What is the “character” of the relevant locality in respect of the current application?
9. Is a Sexual Entertainment Venue of the type contemplated in the application appropriate having regard to (i) the premises; (ii) the character of the relevant locality and (iii) the use of premises in the vicinity?
- 10.a Discretionary Grounds (External): What is the appropriate number – regardless of the LBTH/Policy Presumption – of Sexual Entertainment Venues (collectively & by type) in the relevant locality of the current application?
- 10.b Is the LBTH/Policy engaged by the current application? (b) Where the LBTH/Policy is engaged has the applicant established that the current application is an exception to that policy?

20.2 A copy of LBTH Sexual Entertainment Venue Policy is produced in **Appendix 14** for Member’s information.

21.0 Legal Comments

- 21.1 This report is asking the Licensing Committee to consider an application for the variation of a SEV Licence at premises trading as Metropolis at 234 Cambridge Heath Road, London E2 9NN. Members will be aware that such licences are granted in accordance with Schedule 3 to the London Government (Miscellaneous Provisions) Act 1982 (as amended).
- 21.2 As this is an application relating to an SEV Licence, Members are aware that frequently in such applications they are confronted with moral objections. Members are reminded that they must not take into account any moral objections, as the Licensing Committee is not a tribunal of morals. The decision whether or not to grant a licence must be based solely on either legal or administrative grounds and not on any other grounds such as moral ones. An example of this is seen in the judgement given in *R v Somerset County Council ex parte Fewings (1995) 1 WLR 1037*. Although the *Fewings* case was not a licensing case – in fact, it dealt with hunting - it was a case where a Local Authority acted on moral rather than administrative grounds. The Court advised that such was unlawful and therefore it is an indicator of how the Courts consider such cases.
- 21.3 Members are therefore advised that any objections along the lines that striptease etc. is morally wrong or that it is degrading to women or that it is an undesirable activity are not relevant considerations as far as determining whether to grant the licence are concerned and must be disregarded. If a Member therefore has a moral objection to striptease and that this moral objection means that they do not consider that they will be able to determine the application on legal or administrative grounds only then they should not participate in the meeting.
- 21.4 As this is an application for a variation, Members are not making a decision as to the current licence but merely on grant of a licence for the extension requested. The mandatory grounds for refusal are as follows:
- (a) the applicant is under the age of 18;
 - (b) that the applicant is for the time being disqualified from holding a licence;
 - (c) that the person is a person other than a body corporate, who is not resident in the U.K. or was not resident in the U.K. throughout the six months preceding the date of the application;
 - (d) that the applicant is a body corporate which is not incorporated in the U.K; or
 - (e) that the applicant has been refused a sex establishment licence for the premises within the twelve months preceding the date of the application and the refusal has not been reversed on appeal.

21.5 The Committee has discretion to refuse the application if any of the following grounds for refusal apply :

- (a) the applicant is unsuitable to hold a licence by reason of having been convicted of an offence or for any other reason;
- (b) that if the licence were to be granted, renewed or transferred, the business to which it relates would be managed by or carried on for the benefit of a person other than the applicant who would have been refused a licence if they had applied themselves;
- (c) the number of sex establishments exceeds the number or is equal to the number which the council consider is appropriate for that locality; or
- (d) the grant or renewal of licence would be inappropriate because of:
 - i. the character of the relevant locality;
 - ii. the use to which the premises in the vicinity are put; or
 - iii. the layout, character or condition of the premises, vehicle, vessel or stall.

(In relation to premises, 'the relevant locality' means the locality where the premises are situated).

21.6 In considering the objections Members are advised that if such objections are founded on a demonstrable misunderstanding of the true factual position, or otherwise indicate no more than an uninformed reaction to a proposal then they carry no weight whatever and must be ignored. Further Members are advised that it has been held that the mere number of objections irrespective of their content can never be a good reason for refusing an application.

21.7 Also in considering the objections, it may well be that hearsay evidence is presented. Members are advised that the strict rules of evidence do not apply in licensing applications and therefore hearsay is admissible before a Licensing Committee. Indeed, it has been held that hearsay might by its source, nature and inherent probability carry a greater degree of credibility than first hand evidence. What must be discounted however, are gossip, speculation and unsubstantiated innuendo. In considering hearsay evidence, it should only be admitted where it can fairly be regarded as reliable although Members must give the other side a fair opportunity of commenting on it and contradicting it.

21.8 Finally as to objections, Members should only consider those comments within the letters etc. of objection or made orally at the hearing which are relevant to the mandatory and/ or discretionary grounds for refusal.

21.9 The rules governing applications and which are contained at the introductory papers to this report cover this determination of the application. Members are also advised that these proceedings must also comply with Article 6(1) of the European Convention of Human Rights. This is an 'absolute' right and provides that '*In the determination*

of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgement shall be pronounced publicly but the press and public may be excluded from all or part of the trial in the interest of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.'

- 21.10 It has been held that a licence can be a 'civil right' (see *Tre Traktoer Aktiebolag v Sweden* (1989) 13EHRR309 and *Axelsson v Sweden* (1990) 65DR99) and therefore an application for a licence or for the grant of a licence would be a determination within the meaning of this Article.
- 21.11 As to what is a 'fair hearing' before an 'independent and impartial tribunal', the rules of natural justice would apply. There are two principles to the rules of natural justice. Firstly, all parties must be given a chance to put their case and under conditions that do not put one party at a substantial disadvantage to the other party. This means that all parties should be given sufficient notice of the hearing. The applicant should have disclosure of the nature of the objections as well as who is objecting. Objectors would have the right to cross-examine applicants and vice versa. Members would also have the right to question both applicants and objectors and any witnesses they may call.
- 21.12 Secondly, a person who has an interest in a matter must be disqualified from considering it. In essence there can be no subjective bias. In considering this both the European Courts and the English Courts have held that it is not necessary to show that there was actual bias but that a person could perceive that bias might have taken place. This means that it is not necessary to show that there was actual bias but that a person could perceive that bias might have taken place (see *R v Diggines ex parte Rahmni* (1985) 2 WLR 611; the decision of the House of Lords in the Pinochet case; and *Taylor and another v Lawrence and another* [2002] 2 All ER 353; *Georgiou v Enfield London Borough Council (Cygnet Healthcare Ltd. and others, interested parties)* [2004] LGR 497).
- 21.13 In view of the above, the Committee must be impartial both subjectively, the lack of actual bias, and objectively, the lack of appearance of bias. Indeed in the Georgiou case it was held that in considering the question of apparent bias, it was necessary to look beyond pecuniary or personal interest and to consider in addition whether, from the point of view of the fair-minded and informed observer, there was a real possibility that the Committee, or some of its members, were biased in the sense of approaching the decision with a closed mind and without impartial consideration of all relevant issues.

21.14 If a Member therefore considers that they cannot consider the application in an unbiased way or that they have some form of relationship or interest that could give rise to an apparent bias then they should declare it and not participate in the meeting. This would include retiring with Members when determining whether or not to renew the license.

21.15 The Committee meeting should be in public except that Members can retire in private when considering their decision. Once the decision has been reached then it is to be given in public and the Committee should also give full reasons for its decision

21.16 The Council's legal officer will give advice at the Hearing.

22.0 Finance Comments

22.1 The Chief Finance Officer has been consulted and there are no direct financial implications arising from this report.

23.0 Appendices

Appendix 1	A copy of the existing SEV Licence (including the LBTH Standard Conditions)
Appendix 2	A copy of the existing Premises Licence
Appendix 3	A copy of the application
Appendix 4	Maps of the premises showing the site location
Appendix 5	Location plan and internal layout plans of the premises
Appendix 6	Compliance Visit Checklist
Appendix 7	Photographs of the premises
Appendix 8	Code of Conduct for Performers, Code of Conduct for Customers (House Rules) and Dancers Welfare Policy
Appendix 9	Vicinity Map
Appendix 10	Ward Profile of St Peters
Appendix 11	Copy of Site Notice
Appendix 12	Copy of Press Advert
Appendix 13	Representations by Members of the Public
Appendix 14	Copy of LBTH SEV Policy

Appendix 1

LICENCE FOR A SEXUAL ENTERTAINMENT VENUE

Licence Number: 19572

The LONDON BOROUGH OF TOWER HAMLETS under provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, in relation to the licensing of sex establishments, as amended by section 27 of the Policing and Crime Act 2009, grants, in accordance to its Licensing Policy:

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

(1) Steven Victor Martin (2) Victor Martin and (3) Melanie Jane Graham

to use premises:

Postal address of premises, or if none, ordnance survey map reference or description Metropolis 234 Cambridge Heath Road	
Post town London	Post Code E2 9MN
Telephone number [REDACTED]	

as a Sexual Entertainment Venue.

This licence is in force up to: **31st May 2016** or during the time that the licensee(s) is/are the occupier of the premises, whichever is the shorter period, or unless sooner surrendered or revoked.

The hours permitted are: **Monday to Sunday from 09:00hrd to 05:00hrs (the following day)**

The named management responsible for this premises are

Melanie Graham - Manager
Wendy Kearey
Michael Antick
Faye-Marie Lyons

This licence is granted subject to conditions as follows:

1. the Standard Conditions of the London Borough of Tower Hamlets made under paragraph 13 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as revised on 23rd June 2015 and sent to the Licence Holder as part of the Decision Notice dated 17th July 2015. It is the duty of the licence holder to be aware of and abide by those conditions.
2. the following additional conditions specific to this Premises:
 42. The number of persons to be accommodated in the Premises at any one time shall not exceed the following: (a) Ground floor bar – 190 persons at any one time; (b) First and Second floors combined maximum of 80 persons at any one time; and (c) the overall capacity should not exceed 270 persons at any one time, excluding staff.
 43. The maximum number of members of the public permitted in the “screened off” segregated area on the ground floor (as shown on the attached plan) shall not exceed 12 at any one time.
 44. Notices will be displayed at each exit requesting customers to leave quietly and in an orderly fashion and staff are to ensure that patrons leaving the Premises do so in an orderly manner at all times.
 45. The two steel shutters sited at the exit doors shall be in the open position whenever the Premises is open to the public.
 46. The inward opening final exit door on the emergency exit route from the First Floor bar shall be locked in the open position whenever the Premises is open to the public.
 47. The pavement hatch exit flap should be kept clear and available whenever the Premises is open to the public.
 48. Standard Condition 27 is exempt in respect of the Shower Scene (/Car Wash Scenario) on the second floor of the Premises only in so far as audience participation shall be permitted but shall be limited to the use and operation of the toy spray guns which must be of such manufacture so as not to cause any injury or harm to the performers and be tested to the British Standard Kite Mark of Safety.
 49. Clear signage shall be displayed forbidding the toy spray guns to be aimed or targeted towards the performers’ genitalia, anus or eyes.

50. Performers must not encourage patrons to spray water at their genitalia or anus.

51. Performers must re-dress and / or have towels at the conclusion of a performance.

Other requirements or restrictions:

This licence must be prominently and visibly displayed inside the entrance to the Premises.

This licence together with the standard conditions must be available at the Premises at all times.

Signed by

John McCrohan 
Trading Standards and Licensing Manager

STANDARD CONDITIONS FOR SEXUAL ENTERTAINMENT VENUES
(REVISED 23RD JUNE, 2015)

Definitions

In this Licence,

‘approved layout’ means the layout of the Premises shown on the attached plan.

‘authorised officers’ means officers of the Borough Council or of the Police

‘drinks tariff’ means a tariff showing the price of all drinks

‘entertainment tariff’ means a tariff showing the price of all sexual entertainment performances, displays of nudity and services related to the sexual entertainment performance (including charges for admission to any part of the Premises; for hire of rooms, booths or reserved areas; or for the company of performers)

‘nudity’ , ‘display of nudity’ and ‘sexual entertainment’ are references to those terms as defined by section 27 of the Policing and Crime Act 2009.

‘performers’ means persons engaged by or through the Licensee who provide or participate in sexual entertainment

‘premises’ includes land, buildings, stalls, structures or erections, and all forms of vessels or vehicles (including for the avoidance of doubt bicycles, motor vehicles, boats and aircraft). It does not include any private dwelling to which the public is not admitted.

‘the Premises’ means the premises authorised in this Licence as a sexual entertainment venue and shown on the attached plan.

‘public area(s)’ means the area(s) outlined in blue on the attached plan, being the area within the Premises that the public are permitted to enter.

‘the public’ includes customers, guests and visitors to the premises, but excludes performers and those employees or agents of the Licensee lawfully engaged in managing or operating the Premises.

‘sexual entertainment area(s)’ means the area(s) outlined in red on the attached plan, being locations where sexual entertainment is permitted to take place.

‘suggestive advertising content’ means photographs, sculptures, images, tableaux, displays, sounds, spoken words or writing - including graphics, logos or trademarks- that depict, indicate or suggest that sexual entertainment takes place on the Premises

General

1. The Licensee must remain in personal control of the premises at all times that it is trading or nominate in writing an individual over the age of 18 with the authority to direct activities within the Premises.
2. The Licensee shall notify the Council, in writing, of any change in directors, trustees, partners or other persons concerned in the management of the licensed activities within 14 days of such change.
3. The Licensee shall admit authorised officers to the Premises at all reasonable times and at any time when the Premises are providing sexual entertainment. The Licensee shall provide in a timely fashion copies of any documents reasonably required by an authorised officer to prove compliance with this Licence.
4. The Licensee must give written notice to the Council if s/he wishes to surrender the licence.
5. A suitable and sufficient number of door supervisors and trained staff will be employed (based on a risk assessment) when sexual entertainment is offered. Their duties will include monitoring customers to ensure that the Code of Conduct for Performers and the House Rules are being obeyed.
6. The Licensee is to implement a suitable policy for the safety of the performers when they leave the Premises.
7. The Council reserves the right to amend or alter these conditions (provided that such change will not prevent the operators from viably carrying on the business of the Premises) following consultation with the licensees.

Premises

8. The approved layout of the Premises shall not be altered without prior consent of the Council.
9. The Licensee shall ensure that the interior of the Premises where sexual entertainment is offered shall not be capable of being seen from the outside of the Premises, and that the exterior is maintained with a suitable level of decorum (i.e. that it does not have anything that depicts, indicates or suggests that sexual entertainment takes place on the Premises).
10. Sexual entertainment shall take place only in the designated sexual entertainment areas.
11. No member of the public shall be permitted to go anywhere outside the public areas. The public shall not be permitted access to the performers' changing rooms.
12. Without prejudice to condition 13 below CCTV shall be installed to cover the inside and the outside of the Premises, covering all public areas, including private performance areas and booths, entrances and exits, but excluding the interior of toilets. All cameras must be maintained in working order. All cameras shall continually record whilst the Premises are open to the public and the recorded images shall be kept available for a minimum of 31 days. Recorded images shall be made available to an authorised officer together with facilities for viewing. The recordings for the preceding 2 days shall be made available immediately upon request. Recordings outside this period shall be made available on 24 hours' notice.
13. CCTV cameras shall be installed and maintained at the locations shown on the attached plan, to the reasonable satisfaction of the licensing authority.
14. Members of the public may not enter or remain in the toilet cubicles in the company of any performer. Only one person at a time to enter a toilet cubicle.

Advertising

15. The Licensee shall neither cause nor permit the display of suggestive advertising content which is directed at or may be seen or heard by any person from within the London Borough of Tower Hamlets:

on any public highway, street, waterway or railway;
in any place of general public use or access; or
in publicly accessible areas of premises open to the public.

This condition shall apply to prevent suggestive advertising content being displayed on the exterior of the Premises or handed out as flyers on the street. It shall also apply to prevent suggestive advertising content being displayed on or in street furniture; telephone booths; hoardings, billboards, screens or projections; as well as advertising displayed on or within any vehicles located on or near the highway. The Licensee shall not permit any person to tout for business or encourage other persons to visit the Premises whilst on a public highway.

For the avoidance of doubt, this condition shall not be taken to prevent the Licensee from advertising the Premises using suggestive advertising content in media that restrict access to persons over the age of 18 years and would not reasonably be expected to be directed at persons in a public place (for instance, in adult magazines, websites or television channels).

16. All persons engaged or employed to attend to the entrance area or exterior of the Premises must be suitably dressed and conduct themselves so as not to indicate or suggest the availability of sexual entertainment at the Premises.

17. Where the Council has given notice in writing to the Licensee objecting to an advertisement on grounds that it would offend public decency or be likely to encourage or incite crime or disorder, that advertisement shall be removed or not be displayed.

Admission to the Premises

18. No person under the age of 18 years shall be admitted to nor permitted to remain on the Premises when sexual entertainment is being offered, and a clear notice to this effect will be displayed at each entrance to the Premises.

19. Customers who appear to be under the age of 21 must be asked to provide a Pass-scheme approved photographic card, their passport or photographic driving licence to prove their age. Prominent notices must be clearly displayed to this effect at each entrance to the Premises.

House Rules

20. The Licensee shall prepare House Rules governing the conduct of customers.
21. The House Rules shall be prominently and legibly displayed close to each entrance of the Premises.
22. The House Rules must be made known to customers prior to their admission to the Premises when sexual entertainment is provided
23. Signs must be displayed at appropriate locations advising that any customer attempting to make physical contact with a performer will be asked to leave.
24. No member of the public shall be admitted or allowed to remain at the Premises if they appear to be intoxicated or under the influence of illegal substances.
25. Customers may not be permitted to photograph, film or electronically record any performance.
26. The House Rules must be implemented and effectively enforced at all times when the premises are operating with sexual entertainment.

Performers

27. Sexual entertainment will be given only by the performers engaged by or through the Licensee and there will be no audience participation in any performances.
28. The Licensee shall keep a record of each performer, including their proper name and any aliases, and their residential address. With each record the Licensee shall keep a copy of a photographic form of identity and proof of address of the performer. With each record the Licensee shall keep a clear copy of an authorised document demonstrating that each Performer and each member of the staff is

entitled to work within the UK. A clear copy of this record shall be kept on the Premises at all times and be made immediately available for inspection by authorised officers.

29. On days when sexual entertainment is provided, the Licensee or their representative shall keep a record of those performers working at the Premises on that day in a daily record. The daily record shall be retained securely for at least 31 days and shall be made immediately available for inspection by authorised officers.

Tariffs

30. The Licensee shall prominently and legibly display the drinks tariff at or by the bar and at the entrance. No charge shall be made nor payment accepted for any drink other than in accordance with the tariff, save for clearly advertised discounts to the tariff.
31. The Licensee shall prominently and legibly display the entertainment tariff in the entrance area and at key locations within the Premises including entrances to any private performance areas and so far as possible at the place(s) at which payment for any performance or service is transacted as marked on the attached plan. No charge shall be made nor payment accepted by the Licensee for any services other than in accordance with the tariff or clearly advertised discounts to the tariff.
32. The Licensee shall so far as reasonably practicable keep such records as are necessary to prove that the sums charged and payments taken are for products or services advertised on the relevant tariff at the amount shown on that tariff. These records must be made available within a reasonable time if requested by an authorised officer.

Code of Conduct

33. The Licensee shall prepare and implement a suitable Code of Conduct for performers.
34. The Licensee shall ensure that each performer signs the Code of Conduct in their proper name, acknowledging that they have read and understood and are prepared to abide by the Code of Conduct, and signed copies be kept on the premises for inspection by authorised officers.

35. During a performance there shall be no intentional physical contact between a performer and the customer other than the transfer of money or token at the beginning, during and at the conclusion of a dance into the hand or a garter worn by the performer. For the avoidance of doubt nothing in this condition shall prevent Performers from acting to prevent, deter or counter any attempts of physical contact by a customer.
36. Without prejudice to standard condition 35 above, at the conclusion of a performance there shall be no intentional physical contact between a performer and the customer, save for a handshake. For the avoidance of doubt kissing is not permitted.
37. The Licensee must not permit gratuities or any other items to be thrown at performers.
38. During a performance there shall be no full body physical contact between performers and they are not to touch each other's breasts or genitalia either with their bodies or with objects. Any performance shall be restricted to dancing and the removal of clothes. There must not be any other form of sexual activity, including but not limited to acts or the simulation of acts of personal stimulation.
39. Performers shall be provided with a changing room to which the public have no access.
40. Performers must remain fully dressed while on the Premises, except while performing in the sexual entertainment areas and in the changing rooms shown on the approved plan. [Without prejudice to this requirement, there is to be no display of nudity in the public areas of the Premises, other than during the course of a performance].
41. Performers must re-dress at the conclusion of a performance.

Appendix 2

**(The Pleasure Lounge)
234 Cambridge Heath Road
London
E2 9MN**

Licensable Activities authorised by the licence

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

See the attached licence for the licence conditions

Signed by

**John Cruse _____
Team Leader Licensing**

Date: 24th August 2005



Part A - Format of premises licence

Premises licence number

09140

Part 1 - Premises details

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

(The Pleasure Lounge)
234 Cambridge Heath Road

Post town
London

Post code
E2 9MN

Telephone number
[REDACTED]

Where the licence is time limited the dates

N/a

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of licensable activities

Regulated Entertainment

(Films / Live Music / Recorded Music / Performance of Dance (including striptease)
/ Entertainment of a similar description/ Provision of facilities for making music ,dancing, or
entertainment of a similar description)

Monday to Sunday 9am- 5am

Late Night Refreshment

Monday to Sunday 11pm –5am

Sale by retail of alcohol

Monday to Sunday 9am- 5am

The opening hours of the premises

There are no restrictions on the hours during which this premises is open to the public

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

On and off sales

Part 2

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

Steven Victor Martin /|Victor Martin / Melanie Jane Graham

C/o
Gareth Hughes
Jeffery Green Russell Solicitors
Apollo House
56 New Bond Street
London
W1S 1RG

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

N/A

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

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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

Issuing Authority: [REDACTED]
Licence No. [REDACTED]

Annex 1 - Mandatory conditions

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.

Effective from 10th October 2010:

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.

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

Door Supervisors

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

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, such individuals must be licensed with the Security Industry Authority.

This does not apply to premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001, (premises with premises licences authorising plays or films), or

in respect of premises in relation to-

any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

any occasion within paragraph 8(3)(d) of Schedule 2 (occasions prescribed by regulations under that Act) unless the Licence specifically states otherwise.

Security activity means an activity to which paragraph 2(1)(a) of Schedule 2 of the Private Security Industry Act 2001 of that schedule applies, and

Paragraph 8(5) of Schedule 2 (interpreting of references to an occasion) applies as it applies in relation to paragraph 8 of Schedule 2 of the Private Security Industry Act 2001

Children in Bars

No-one under the age of 18 to be allowed on the premises.

Private Entertainment

The premises may be used for the following purpose, that is to say, dancing, music, or other entertainment of the like kind which-

- a) is not a public entertainment but
- b) is promoted for private gain

Regulated Entertainment

Regulated Entertainment consisting of, or a combination of, will be permitted at the times specified above:

- Exhibition of Films
- Live Music
- Recorded Music
- Performance of Dance (including striptease)
- Entertainment of a similar description
- Provision of facilities for making music ,dancing, or other entertainment of a similar description

Annex 2 - Conditions consistent with the operating Schedule

- The number of persons accommodated at any one time shall not exceed the following:-

Ground Floor Bar – 190 at any one time

First and second floors combined a maximum of 80 at any one time.

The total overall capacity should not exceed 270.

- The number of clientele permitted in the 'screened off' segregated area on the ground floor, shall be limited to 12 members of the public at any given time.
- The payment of performers is made before any 'personal dancing' takes place and in no way should form part of the performance.
- Notices will be displayed at each exit-requesting customers to leave quietly and in an orderly fashion and that staff ensure patrons leaving the premises do so in an orderly manner at all times.
- The licensee shall ensure that noise shall not emanate from the licensed premises, so as to disturb local residents
- Registered Door Supervisors shall be in attendance at each exit door, from 11.00pm until all persons have left the premises. All door supervisors must be registered with the Security Industry Authority
- The 2 steel shutters sited at the exit doors shall be in the open position whenever the premise is open to the public.
- The inward opening final exit door on the emergency exit route from the 1st floor bar shall be locked in the open position whenever the premises is open to the public.
- The pavement hatch exit flaps shall be kept clear and available for use whenever the premise is open to the public.
- This premise is not suitable for persons with a disability in wheel chairs to be admitted to the first floor.
- The performers shall be restricted to the approved stage, table and booth performance areas only.
- The striptease entertainment shall be given only by paid performers/entertainers who are engaged exclusively for that purpose.
- There shall be no physical participation by the audience.
- Any performance will be restricted to dancing and the removal of clothes, there must not be any other form sexual activity. However, this condition shall be read in conjunction with an agreed letter of understanding between the licensee and the Council which sets out certain specific forms of entertain which shall be permissible on the premises.

- All striptease shall take place in an area that is not visible from the street or overlooking buildings.
- After each performance the performer, when undressed, shall be escorted from the stage to the dressing rooms by a steward or other employee of the licence holder.
- The performer shall be provided with a changing room which must be separate and apart from public facilities.
- There shall be no sexually explicit external advertising likely to cause offence as to the nature of the activity being held at the premises.
- Whilst striptease is taking place no person under the age of 18 shall be allowed on any part of the premises licensed for the sales of alcohol and a notice shall be displayed in clear terms at each entrance that :-**NO PERSON UNDER 18 TO BE ADMITTED**
- The licensee shall ensure that gratuities are not thrown at the performer.
- There shall be no contact between the performer and any of the audience during performances.
- Where premises are within a radius of 100 metres of places of worship the entertainment shall not be held at such times as would cause offence to religious observers.
- Where premises are within a radius of 100 metres of any school or educational establishment, striptease performances will not take place until after 8.30p.m. except on Saturday and Sunday.
- The music noise levels are restricted in the second floor to no more than 85 dBA and the bass speakers are turned off. The air conditioning plant is not to be used until it has been acoustically treated. The licence is issued subject to a condition to resolve the above within a period of three months.

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

N/a

Annex 4 - Plans

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

12th July 2005



Part B - Premises licence summary

Premises licence number

09140

Premises details

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

(The Pleasure Lounge)
234 Cambridge Heath Road

Post town
London

Post code
E2 9MN

Telephone number

[REDACTED]

Where the licence is time limited the dates

N/a

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of licensable activities

Regulated Entertainment
(Films / Live Music / Recorded Music / Performance of Dance (including striptease) / Entertainment of a similar description/ Provision of facilities for making music ,dancing, or entertainment of a similar description)
Monday to Sunday 9am- 5am
Late Night Refreshment
Monday to Sunday 11pm –5am
Sale by retail of alcohol
Monday to Sunday 9am- 5am

The opening hours of the premises

There are no restrictions on the hours during which this premises is open to the public

Name, (registered) address of holder of premises licence

Steven Victor Martin /Victor Martin / Melanie Jane Graham

C/o
Gareth Hughes
Jeffery Green Russell Solicitors
Apollo House
56 New Bond Street
London
W1S 1RG

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

On and off sales

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

N/a

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

Melanie Jane Graham

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

No person under 18 to be allowed on the premises.

Appendix 3

Application for the Grant, Renewal, Transfer or Variation of a Sexual Entertainment Venue Licence

Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982

Part one of this form is open to inspection by the press and public

Please read the following instructions first

Before completing this form please read the associated guidance notes. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. Please complete all sections or the application will be deemed incomplete and returned to the applicant.

Applicants are warned that any person who, in connection with the grant, renewal, transfer or variation of a sexual entertainment licence, makes a false statement which they know to be false in any material respect, or which they do not believe to be true, is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000.

Applicants are required to complete part one and part two of the application form, and provide any other documents listed in the form.

You may wish to keep a copy of the completed form for your records.

Part One: Details of Application

Section A: Type of Application

Please specify what type of application you are making:

New

 Renewal

 Variation

 Transfer

Licence Number (if applicable): 19572

Section B: Premises to be licensed

Is the application in respect of (tick as appropriate):

Premises

 Vehicle

 Vessel

 Stall

Trading name and full postal address of premises to be licensed
(If this application is in respect of a Vehicle, Vessel or Stall, then the location where it will be used)

Name: METROPOLIS
Address: 234 CAMBRIDGE HEATH ROAD



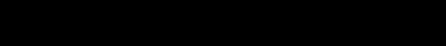
Post Town	LONDON	Postcode	E2 9MN
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Premises E-mail address	Premises contact telephone number(s)
-------------------------	--------------------------------------

Section C: Applicant Details	
Please state whether you are applying for a premises licence as	
a) an individual or individuals	<input checked="" type="checkbox"/> please complete box (1)
b) a limited company	<input type="checkbox"/> please complete box (2)
c) a partnership	<input type="checkbox"/> please complete box (2)
d) other	<input type="checkbox"/> please complete box (2)

(1): First Individual Applicant Details				
MR <input checked="" type="checkbox"/>	MRS <input type="checkbox"/>	MISS <input type="checkbox"/>	MS <input type="checkbox"/>	Other
First names <u>STEVEN VICTOR</u>			Surname <u>MARTIN</u>	
Address <small>Please do not complete if this is a private residential address – This information is provided in Part 2</small>				
Age of applicant Over 18: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>				

(1): Second Individual Applicant Details (Insert further pages if necessary for more than 2 applicants)				
MR <input checked="" type="checkbox"/>	MRS <input type="checkbox"/>	MISS <input type="checkbox"/>	MS <input type="checkbox"/>	Other
First names <u>VICTOR</u>			Surname <u>MARTIN</u>	
Address <small>Please do not complete if this is a private residential address – This information is provided in Part 2</small>				
Age of applicant Over 18: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>				

(2): Other Applicant Details	
Name	<u>MELANIE JANE GRAHAM</u>
Registered number	
Description of applicant	<u>INDIVIDUAL Aged OVER 18</u>
Registered Address	
Post Town	
Postcode	

Section D: Premises Details

1. What is the nature of the applicant's interest in the premises (please tick as appropriate)

- a) Freehold
b) Leasehold

2. If the applicant's interest in the premises is a leasehold one, please state whether it is a:

- a) head lease
b) sub lease

3. the name and full address of the landlord (if applicable)

N/A

4. the name and full address of the superior landlord (if applicable)

N/A

5. Is the whole of the premises to be used under the licence?

- a) Yes
b) No

6. If "no" please state which part of the premises is to be used for the purpose of the licence:

a) the use to which the remainder of the premises is put

b) the name(s) of those who are responsible for the management of the remainder of the premises

7. Is the premises to be used for the purposes of the licence, so constructed or adapted as to permit access to and from the premises for members of the public who are disabled?

- a) Yes
b) No

If "No" please state the applicant's proposals for affording such access

7. Is the premises, vehicle, vessel or stall which is to be used for the purposes of the licence, in use as a sex establishment at the date of this application?

- a) Yes
b) No

If the answer is "Yes", please state the name and full address of the person(s) or body who operated the premises, vehicle, vessel or stall as a sex establishment at the date of this application, and the date (where known) the premises, vehicle, vessel or stall was first used as such

SAME AS APPLICANTS

If the answer is "No" please state the purpose(s) it is currently being used for

Section E: Current Licences

1. Is the Premises licensed under any other Act (e.g. the Licensing Act 2003)?

- a) Yes
b) No

2. If yes, please provide details of the licence(s), including the name of the Licence Holder and any Designated Premises Supervisor

SEE ATTACHED PREMISES LICENCE

Section F: Business Details

Each person named in this section will need to complete Part 2 of the application – Personal Details Form

1. Under what name will the business be trading?
METROPOLIS

2. If the applicant is a company or other corporate body, please give the names of the applicants directors and company secretary:

Name

Use additional sheets to continue if necessary

2. Is the whole of the business owned by the applicant, and the applicant does not share the profits of the business with any other person or body?

a) Yes

b) No

If the answer is "No", please state the name(s) of those who will share in the profits of the business. In each case, please state the percentage share of the profits to be taken by each person or body involved in the ownership of the business

Name	Percentage share
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Use additional sheets to continue if necessary

Section G: Advertising Details

When considering types of advertising in this section, please refer to the Councils Standard Conditions on Touting for Business and Premises Appearance, which are attached to the Sex Establishment Policy

1. What advertisement(s) or display(s) are to be exhibited on the exterior of the premises?

NONE ON BUILDING

2. Please state the size(s) of any advertisement(s) or display(s) mentioned in the above question

N/A

3. Please state any proposals for solicitation of the business in public areas. E.g. fliers, business cards, billboard advertising, personal solicitation or advertising on motor vehicles

DRIVE BILLBOARD AROUND NON LONDON BOROUGH OF
TOWER HAMLETS ROADS.

NO BUSINESS CARDS OR FLIERS

Section H: Operation of the Premises

1. Please state the proposed opening times of the premises, vehicle, vessel or stall:
(Gives times in a 24h clock format)

Day	Opening	Closing
Monday	09:00	05:00 THE FOLLOWING DAY
Tuesday	09:00	05:00
Wednesday	09:00	05:00
Thursday	09:00	05:00
Friday	09:00	05:00
Saturday	09:00	05:00
Sunday	09:00	05:00

AS PER EXISTING
SEV LICENCE

2. What means are to be taken to prevent the interior of the premises, vehicle, vessel or stall for which the licence is sought from being visible to passers-by?

NO WINDOWS

DOUBLE ENTRANCE LOBBY FITTED WITH ONE WAY GLASS

3. Have you read and understood the Council's standard conditions for sexual entertainment venues?

- a) Yes
- b) No

4. Are you able to comply with the Council's standard conditions for sexual entertainment venues?

- a) Yes
- b) No

If no, please give the reasons why not:

5. Please give details of any additional conditions you would like to propose, or conditions you like to amend or remove. The Council will expect applicants to address the following factors:

- a) Preventing nuisance to residents and businesses in the vicinity
- b) Public safety
- c) Preventing crime and disorder
- d) Protecting children from harm
- e) Procedures for checking employees age and right to work in the UK
- f) Procedures for training of all staff in the Code of Conduct for Dancers, and for compliance with licence conditions and requirements
- g) Procedures for notifying customers of the Dancers code of conduct
- h) System for monitoring compliance with the venues policy for welfare of dancers

THE CONDITIONS WILL REPLICATE THE CONDITIONS OF
THE EXISTING LICENCE ATTACHED.

Section I: Management of the Premises

Each person named in this section will need to complete Part 2 of the application – Personal details form

1. Please give the name of the person who will be responsible for the day to day management of the premises. ("the Manager")

Name: MELANIE JANE GRAHAM

Role: MANAGER / DPS

2. Will this person be based at the premises and will the management of the premises be their sole and exclusive occupation?

- a) Yes
- b) No

3. If no, then please give details of how they are responsible for the day to day management, and what other arrangements are in place for the management of the premises.

4. Which person(s) will be responsible for the day to day management in the absence of the Manager (Use continuation sheets if necessary):

Name: WENDY KEAREY

Role: PERSONAL LICENCE HOLDER, SIA BADGE
HOLDER, FIRST AIDER

Name:
Role:

Name: MICHAEL ANTICK

Role: PERSONAL LICENCE HOLDER, SIA
BADGE HOLDER, FIRST AIDER

Name:
Role:

Name: FAYE-MARIE LYONS

Role: PERSONAL LICENCE HOLDER, SIA BADGE
HOLDER, FIRST AIDER

Name:
Role:

Name:
Role:

Name:
Role:

5. Please confirm that at least one of the people named in this section will be at the premises at all times whilst it is open.

- a) Yes
- b) No

Section J: Details of any further information relevant to this application

Please state below any further information which the applicant would wish to be taken into account when this application is considered (This space may also be used to amplify answers to any previous questions)

PLEASE SEE ATTACHED

Section K: Additional documentary requirements

The applicant must provide the following documentation, in addition to those documents already requested in prior sections of this application form.

Documents included with this application		Included
1	The prescribed fee, in the form of a cheque made payable to the London Borough of Tower Hamlets (LBTH).	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
2	Written consent of the lawful occupier of the premises or land who has control over the premises or land	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
3	Code of practice for dancers/performers	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
4	Policy for welfare of dancers/performers	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
5	Code of practice for customers	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
6	A personal details form (Part 2 of the application form) for each person named in the application	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
7	A basic CRB check for each person named in the application	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
8	A recent passport size photograph for each person named in the application, each copy bearing the name in block capitals of the person whose likeness it bears.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
9	A site/location plan, (scale 1:1250) to show the location of the premises	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
10	<p>A premises plan (scale 1:100) of the premises, vehicle, vessel or stall in respect of which the licence is sought, showing:</p> <ul style="list-style-type: none"> a) The internal layout of the premises including stage, bars, cloakroom, WCs, performance areas, dressing rooms, kitchen, and any external areas to be used (e.g. smoking areas). b) Public areas and staff/private areas to be clearly defined c) Uses for different areas in the premises (e.g. performance areas, reception etc.) d) Any fixed structures or objects e) all means of ingress and egress from the premises f) Position of CCTV cameras g) The location and type of any fire safety and any other safety equipment h) The location of emergency exits i) The position of ramps, lifts or other facilities for the benefit of disabled people. j) Any parts of the premises that may be inaccessible to disabled people. <p><i>Other standard metric scales may be acceptable if more practical for the size of the premises.</i></p>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
11	A drawing (scale 1:100) showing the front elevation as existing (and as proposed if changes are to be made to it) of the premises, vehicle, vessel or stall in respect of which the licence is sought. Other standard metric scales may be acceptable if more practical for the size of the premises.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Evidence of public notice and service		
12	Complete copy of the newspaper advert advertising the application <i>TO FOLLOW</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>
13	Copy of the notice displayed on or near the premises advertising the application	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
14	Copy of affidavit or statutory declaration that the notice of application has been displayed on or near the premises, in a place where the notice can be conveniently read by the public as required by paragraph 10(10) schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (as amended). <i>TO FOLLOW</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>
15	Evidence of the due service upon the Chief officer of police as required by paragraph 10(14) schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (as amended), of a copy of this application and its required documentation. <i>TO FOLLOW</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>

Section L: Correspondence and Contact Details for the Application

Please give details of the person who may be contacted in relation to this application

Name: CARETH HUGHES
 Organisation: GORDON DADDS LLP
 Postal Address: 6 ARAR STREET, LONDON, WC2N 4HN
 Telephone Number:
 Email: 

Position/role:
 (e.g. Solicitor/Agent for the applicant) SOLICITOR FOR THE APPLICANT

Section M: Private Information

Is there any information on this form which you do not wish to be seen by members of the public? If so, state which information and the reasons why you do not wish it to be seen. Please note, any requests of this nature will be dealt on a case by case basis, and you will be contacted to discuss further if the information is considered necessary for public disclosure.

Section N: Declaration and signature of applicant

The declaration must be signed in all cases :

- a) If the applicant is an individual, by that individual
- b) If the applicant is a partnership, by all individuals who are partners
- c) If the applicant is a company, by a director or the company secretary
- d) In any other case by a duly authorised officer of the applicant

I acknowledge that I have received a copy of the standard conditions applicable to a sex establishment licence within the London Borough of Tower Hamlets, and declare that the information given within this application form, to the best of my knowledge, is true and complete in every respect.

Please use extra pages if necessary

Name: CARETH HUGHES

Signature 

Position: AGENT AND EMPLOYED

Date

BARRISTER AT GORDON DADDS LLP AND

12/7/16

Name: BEHALF OF THE APPLICANTS

Signature

Position: AGENT / BARRISTER

Date

Section J continued:

This application is made following on from the grant of a planning permission from the Local Planning Authority with reference PA/15/03131. That permission which was granted on the 9th May 2016 allowed for the "erection of roof terrace and external fire escape staircase to serve a gentleman's club". Various plans were attached to that planning permission and insofar as the roof terrace is concerned have been attached as supporting plans with this application.

The Planning permission further goes on to allow for the activities to take place within certain hours but most particularly between the hours of noon and midnight it allows for 24 hour activity on the roof as and when it is fully enclosed by a retractable roof cover. Please see condition 5 of the attached planning permission.

The permission further indicates that a detailed noise assessment shall be prepared and implemented prior to first use of the roof terrace area and provides that no amplified public address system or music system shall be used in any part of the premises so as to be audible outside the premises or within adjoining premises.

This application seeks to extend the area of the club to the roof terrace as allowed by the attached copy planning permission.

The application further seeks to move existing activities from the current ground floor into the basement level which has not previously been used. The applicant sought pre-planning advice with regard to this area and was informed by Miss Hannah Murphy, planning officer, that the proposed internal works including refurbishment, new layout, raised flooring and a new staircase do not require planning permission. The Applicant was further informed that planning permission was not required in respect of the lower ground floor area which is being changed from storage and staff area to an area where sexual entertainment will take place. A copy of the email from Mr Murphy dated the 5th May 2016 is attached as an appendix to this application form.

The Application, therefore is in respect of a premises which is and has been licensed by the Borough Council for various forms of sexual entertainment since 1976.

The Applicants are undertaking extensive renovations improvements to the premises with an investment of millions of pounds to tidy up the premises substantially.

Insofar as increased numbers at the premises are concerned the applicant produces herewith a dispersal management plan and is submitted that the increased space will allow less queueing on the street outside the premises which has not been the source of any problems previously in any event.

**Application for the Grant, Renewal, Transfer or Variation of a Sexual
Entertainment Venue Licence**
Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982

Part Two: Personal Details Form

A separate form must be completed by every person named in the application, including any individual who will be responsible for management of the premises in the absence of the licence holder. Where the applicant is not an individual, then a form should be completed for each director or partner etc.

This part of the application will not be made publicly available, but will be made available to officers of the Council, a sub-committee or committee determining the application and to other relevant public bodies such as the Police.

Forename(s)	<u>STEVEN VICTOR</u>	Date of Birth	[REDACTED]
Surname	<u>MARTIN</u>	Place of Birth	[REDACTED]
Previous Name(s)		Date of becoming a UK resident	[REDACTED]
Gender	<u>MALE</u>		

Permanent Residential Address: [REDACTED]

Any previous address within the last 3 years [REDACTED]

Position in relation to the applicant (e.g. Director, Partner, Manager etc) N/A

APPLICANT

1. Have you ever been convicted of a criminal offence, whether in the UK or elsewhere?
Yes No

If yes, please complete the details below:

Name at time of conviction	Date of conviction	Place of conviction	Nature of offence	Sentence

Please continue on a separate sheet if necessary.

2. To your knowledge, are you currently the subject of any criminal investigation? Yes No

If yes, please provide full details:

3. Have you ever had any civil legal action taken against you? Yes No

If yes, please provide full details:

4. Have you ever been disqualified from holding a sex establishment licence? Yes No

If Yes, please provide details:

5. Have you ever been involved in the management of a business, whether as a proprietor, director, company secretary, partner, manager, supervisor or otherwise which has had any of the following types of licence refused, reviewed or revoked?

Sex Establishment licence	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Licence for the sale or supply of alcohol	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Licence for the provision of entertainment, whether sexual or otherwise.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Personal licence under the Licensing Act 2003	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

If yes to any of the above, please provide full details:

6. Have you ever been declared bankrupt or entered into an arrangement with creditors or an Individual Voluntary Arrangement? Yes No

If yes, please provide full details:

7. Have you ever been disqualified from acting as a company director? Yes No

If yes, please provide full details:

8. Please state any further information that you wish to be taken into account when the application is considered.

I declare that the information on this form is true and complete.

Name: STEVEN MARTIN

Date

15/6/2016

Position APPLICANT

**Application for the Grant, Renewal, Transfer or Variation of a Sexual
Entertainment Venue Licence**
Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982

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This part of the application will not be made publicly available, but will be made available to officers of the Council, a sub-committee or committee determining the application and to other relevant public bodies such as the Police.

Forename(s) <u>MELANIE JANE</u>	Date of Birth																				
Surname <u>GRAHAM</u>	Place of Birth																				
Previous Name(s)	Date of becoming a UK resident																				
Gender <u>FEMALE</u>																					
Permanent Residential Address:																					
Any previous address within the last 3 years	<u>N/A</u>																				
Position in relation to the applicant (e.g. Director, Partner, Manager etc)	<u>APPLICANT</u>																				
1. Have you ever been convicted of a criminal offence, whether in the UK or elsewhere? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>																					
If yes, please complete the details below: <u>SEE ATTACHED</u>																					
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:25%;">Name at time of conviction</th> <th style="width:25%;">Date of conviction</th> <th style="width:25%;">Place of conviction</th> <th style="width:25%;">Nature of offence</th> <th style="width:25%;">Sentence</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>		Name at time of conviction	Date of conviction	Place of conviction	Nature of offence	Sentence															
Name at time of conviction	Date of conviction	Place of conviction	Nature of offence	Sentence																	
Please continue on a separate sheet if necessary.																					
2. To your knowledge, are you currently the subject of any criminal investigation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>																					
If yes, please provide full details:																					
3. Have you ever had any civil legal action taken against you? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>																					
If yes, please provide full details:																					

4. Have you ever been disqualified from holding a sex establishment licence? Yes No

If Yes, please provide details:

5. Have you ever been involved in the management of a business, whether as a proprietor, director, company secretary, partner, manager, supervisor or otherwise which has had any of the following types of licence refused, reviewed or revoked?

Sex Establishment licence	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Licence for the sale or supply of alcohol	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Licence for the provision of entertainment, whether sexual or otherwise.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Personal licence under the Licensing Act 2003	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

If yes to any of the above, please provide full details:

6. Have you ever been declared bankrupt or entered into an arrangement with creditors or an Individual Voluntary Arrangement? Yes No

If yes, please provide full details:

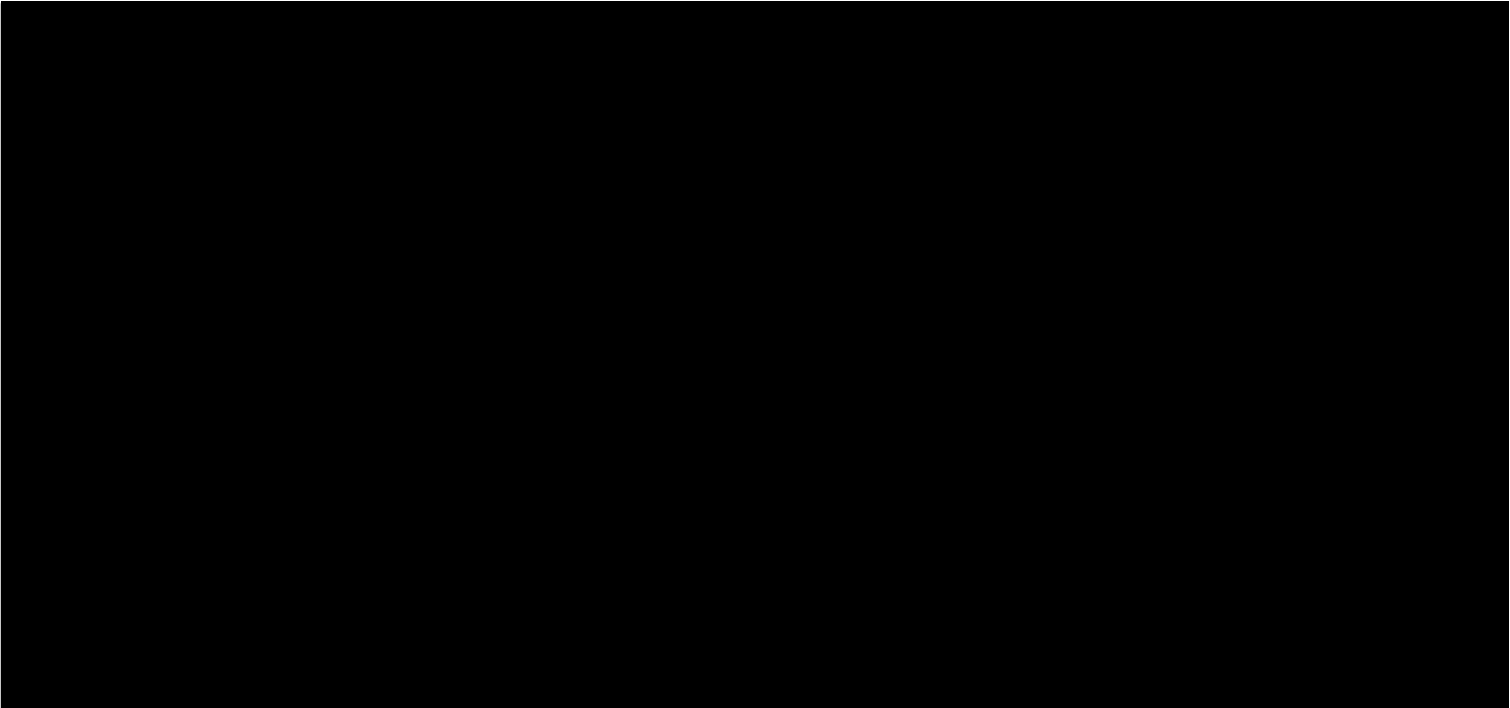
7. Have you ever been disqualified from acting as a company director? Yes No

If yes, please provide full details:

8. Please state any further information that you wish to be taken into account when the application is considered.

I declare that the information on this form is true and complete.

Name:	<u>MELANIE GRAHAM</u>	Date	<u>[REDACTED]</u>
Position	<u>APPLICANT</u>		<u>15-6-2016</u>



**Application for the Grant, Renewal, Transfer or Variation of a Sexual
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This part of the application will not be made publicly available, but will be made available to officers of the Council, a sub-committee or committee determining the application and to other relevant public bodies such as the Police.

Forename(s) <u>VICTOR</u>	Date of Birth			
Surname <u>MARTIN</u>	Place of Birth			
Previous Name(s)	Date of becoming a UK resident			
Gender <u>MALE</u>				
Permanent Residential Address:				
Any previous address within the last 3 years				
Position in relation to the applicant (e.g. Director, Partner, Manager etc) <u>APPLICANT</u>				
1. Have you ever been convicted of a criminal offence, whether in the UK or elsewhere? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
If yes, please complete the details below:				
Name at time of conviction	Date of conviction	Place of conviction	Nature of offence	Sentence
Please continue on a separate sheet if necessary.				
2. To your knowledge, are you currently the subject of any criminal investigation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
If yes, please provide full details:				
3. Have you ever had any civil legal action taken against you? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
If yes, please provide full details:				



4. Have you ever been disqualified from holding a sex establishment licence? Yes No

If Yes, please provide details:

5. Have you ever been involved in the management of a business, whether as a proprietor, director, company secretary, partner, manager, supervisor or otherwise which has had any of the following types of licence refused, reviewed or revoked?

Sex Establishment licence	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Licence for the sale or supply of alcohol	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Licence for the provision of entertainment, whether sexual or otherwise.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Personal licence under the Licensing Act 2003	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

If yes to any of the above, please provide full details:

6. Have you ever been declared bankrupt or entered into an arrangement with creditors or an Individual Voluntary Arrangement? Yes No

If yes, please provide full details:

7. Have you ever been disqualified from acting as a company director? Yes No

If yes, please provide full details:

8. Please state any further information that you wish to be taken into account when the application is considered.

I declare that the information on this form is true and complete.

Name: VICTOR MARTIN Date [REDACTED]

Position APPLICANT 15-6-16

**Application for the Grant, Renewal, Transfer or Variation of a Sexual
Entertainment Venue Licence**
Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982

Part Two: Personal Details Form

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This part of the application will not be made publicly available, but will be made available to officers of the Council, a sub-committee or committee determining the application and to other relevant public bodies such as the Police.

Forename(s)	<u>WENDY MARGRET</u>	Date of Birth		
Surname	<u>KEAREY</u>	Place of Birth		
Previous Name(s)		Date of becoming a UK resident		
Gender	<u>FEMALE</u>			
Permanent Residential Address:				
Any previous address within the last 3 years				
Position in relation to the applicant (e.g. Director, Partner, Manager etc)		<u>N/A</u>		
		<u>MANAGER</u>		
1. Have you ever been convicted of a criminal offence, whether in the UK or elsewhere?				
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
If yes, please complete the details below:				
Name at time of conviction	Date of conviction	Place of conviction	Nature of offence	Sentence
Please continue on a separate sheet if necessary.				
2. To your knowledge, are you currently the subject of any criminal investigation?				
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
If yes, please provide full details:				
3. Have you ever had any civil legal action taken against you?				
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
If yes, please provide full details:				

4. Have you ever been disqualified from holding a sex establishment licence? Yes No

If Yes, please provide details:

5. Have you ever been involved in the management of a business, whether as a proprietor, director, company secretary, partner, manager, supervisor or otherwise which has had any of the following types of licence refused, reviewed or revoked?

Sex Establishment licence

Yes No

Licence for the sale or supply of alcohol

Yes No

Licence for the provision of entertainment, whether sexual or otherwise.

Yes No

Personal licence under the Licensing Act 2003

Yes No

If yes to any of the above, please provide full details:

6. Have you ever been declared bankrupt or entered into an arrangement with creditors or an Individual Voluntary Arrangement? Yes No

If yes, please provide full details:

7. Have you ever been disqualified from acting as a company director? Yes No

If yes, please provide full details:

8. Please state any further information that you wish to be taken into account when the application is considered.

I declare that the information on this form is true and complete.

Name: WENDY KEAREY

Date

06-06-16

Position MANAGER



**Application for the Grant, Renewal, Transfer or Variation of a Sexual
Entertainment Venue Licence**
Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982

Part Two: Personal Details Form

A separate form must be completed by every person named in the application, including any individual who will be responsible for management of the premises in the absence of the licence holder. Where the applicant is not an individual, then a form should be completed for each director or partner etc.

This part of the application will not be made publicly available, but will be made available to officers of the Council, a sub-committee or committee determining the application and to other relevant public bodies such as the Police.

Forename(s)	<u>MICHAEL</u>	Date of Birth		
Surname	<u>ANTICK</u>	Place of Birth		
Previous Name(s)		Date of becoming a UK resident		
Gender	<u>MALE</u>			
Permanent Residential Address:				
Any previous address within the last 3 years				
<u>N/A</u>				
Position in relation to the applicant (e.g. Director, Partner, Manager etc)				
<u>MANAGER</u>				
1. Have you ever been convicted of a criminal offence, whether in the UK or elsewhere? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
If yes, please complete the details below:				
Name at time of conviction	Date of conviction	Place of conviction	Nature of offence	Sentence
Please continue on a separate sheet if necessary.				
2. To your knowledge, are you currently the subject of any criminal investigation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
If yes, please provide full details:				
3. Have you ever had any civil legal action taken against you? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
If yes, please provide full details:				

4. Have you ever been disqualified from holding a sex establishment licence? Yes No

If Yes, please provide details:

5. Have you ever been involved in the management of a business, whether as a proprietor, director, company secretary, partner, manager, supervisor or otherwise which has had any of the following types of licence refused, reviewed or revoked?

Sex Establishment licence	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Licence for the sale or supply of alcohol	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Licence for the provision of entertainment, whether sexual or otherwise.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Personal licence under the Licensing Act 2003	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

If yes to any of the above, please provide full details:

6. Have you ever been declared bankrupt or entered into an arrangement with creditors or an Individual Voluntary Arrangement? Yes No

If yes, please provide full details:

7. Have you ever been disqualified from acting as a company director? Yes No

If yes, please provide full details:

8. Please state any further information that you wish to be taken into account when the application is considered.

I declare that the information on this form is true and complete.

Name: MICHAEL ANTICK

Date

6th - JUNE - 2016

Position MANAGER

**Application for the Grant, Renewal, Transfer or Variation of a Sexual
Entertainment Venue Licence**
Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982

Part Two: Personal Details Form

A separate form must be completed by every person named in the application, including any individual who will be responsible for management of the premises in the absence of the licence holder. Where the applicant is not an individual, then a form should be completed for each director or partner etc.

This part of the application will not be made publicly available, but will be made available to officers of the Council, a sub-committee or committee determining the application and to other relevant public bodies such as the Police.

Forename(s) <u>FAYE - MARIE</u>	Date of Birth			
Surname <u>LYONS</u>	Place of Birth			
Previous Name(s) _____	Date of becoming a UK resident			
Gender <u>FEMALE</u>				
Permanent Residential Address:				
Any previous address within the last 3 years				
Position in relation to the applicant (e.g. Director, Partner, Manager etc)	<u>N/A</u>			
1. Have you ever been convicted of a criminal offence, whether in the UK or elsewhere? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
If yes, please complete the details below:				
Name at time of conviction	Date of conviction	Place of conviction	Nature of offence	Sentence
Please continue on a separate sheet if necessary.				
2. To your knowledge, are you currently the subject of any criminal investigation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
If yes, please provide full details:				
3. Have you ever had any civil legal action taken against you? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
If yes, please provide full details:				



4. Have you ever been disqualified from holding a sex establishment licence? Yes No

If Yes, please provide details:

5. Have you ever been involved in the management of a business, whether as a proprietor, director, company secretary, partner, manager, supervisor or otherwise which has had any of the following types of licence refused, reviewed or revoked?

Sex Establishment licence	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Licence for the sale or supply of alcohol	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Licence for the provision of entertainment, whether sexual or otherwise.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Personal licence under the Licensing Act 2003	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

If yes to any of the above, please provide full details:

6. Have you ever been declared bankrupt or entered into an arrangement with creditors or an Individual Voluntary Arrangement? Yes No

If yes, please provide full details:

7. Have you ever been disqualified from acting as a company director? Yes No

If yes, please provide full details:

8. Please state any further information that you wish to be taken into account when the application is considered.

I declare that the information on this form is true and complete.

Name: FAYE-MARIE LYONS Date: 6.6.16

Position: MANAGER

Metropolis Club Dispersal Policy

Metropolis Club has always emphasised building and maintaining good relationships with local residents and the premises are operated accordingly. We try and deal with complaints in a timely and effective manner, with such complaints being escalated to the licence holder.

In addition, Metropolis ensures that it enjoys close working relationships with the local authority and the police in order to make itself aware of any local issues and aid with those issues.

In relation to dispersal, the following procedures are adhered to in order to operate the premises in a neighbourly manner:-

- Effective management of customer behaviour whilst inside the premises and exterior smoking areas. This is achieved through:
 - High SIA door staff to customer ratio.
 - No drinks allowed to be taken outside.
 - Numbers of smokers limited.
 - 6ft high balustrades surrounding smoking area to block noise and make sure patrons leave premises in appropriate manner.
 - Experienced management team coordinating customer management.
- Two dedicated SIA Quiet Marshals on street stationed on corner and directly outside premises to settle down and disperse any patrons making excessive noise.
- All door staff and Quiet Marshals are linked to the same radio system to coordinate efforts.
- Work closely with licensed hackney carriage firm.
 - Patrons are asked on entry whether they have booked a taxi and whether they would like to book.
 - A Taxi Coordinator from the hackney carriage firm, in high visibility, organises taxi operation throughout our opening hours.
 - We ask taxi collections to take place on the opposite side of the road where there are no residential dwellings.
- Employed cleaners patrol inside the premises and on the streets in the vicinity of the premises during and after opening hours.
- Appropriate signage will be placed at exit doors asking patrons to respect neighbours and keep noise levels at a minimum.

Experience shows that there is a steady flow of dispersal throughout the night rather than full capacity leaving upon closing time. We therefore do not anticipate the premises being at their occupancy limit at closing time and aim to have the streets clear by 15 minutes after closing.

Gareth Hughes

From: Hannah R Murphy <[REDACTED]>
Sent: 05 May 2016 14:20
To: Gareth Hughes
Subject: PF/16/00008 - 234 Cambridge Heath Road

Dear Mr Hughes

The proposed internal works (including refurbishment, new layout, raised flooring and a new staircase) do not require planning permission.

Regarding the change of use of the lower ground floor from storage & staff area to public use, given that the existing use is already considered to be ancillary to the main use of the building, planning permission will not be required in this instance.

Finally, regarding the raising of the parapets and the proposed roof terrace, a planning application has already submitted and will likely be approved within the next few days. This planning application also includes an external fire escape staircase.

Pending the granting of this planning application (ref: PA/15/03131), no other works mentioned in the pre-application cover letter or shown on the plans will require planning permission. It is therefore not deemed necessary to provide pre-application advice.

Kind regards

Hannah R Murphy
Planning Officer
London Borough of Tower Hamlets
[REDACTED]

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

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

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

London Borough of Tower Hamlets E-Mail Disclaimer.

Mr Shafiq Nowrozie
Tibbatts Design Ltd



Application Number: PA/15/03131

09/05/2016

Dear Sir/Madam,

Development & Renewal
Town Planning
Town Hall, Mulberry Place
5 Clove Crescent
London
E14 2BG

www.towerhamlets.gov.uk

Enquiries to: Hannah R Murphy

Tel:

Fax:



Town and Country Planning Act 1990 (as amended)

CONDITIONAL PERMISSION FOR DEVELOPMENT

In accordance with the Act and Order mentioned above, Tower Hamlets Council as Local Planning Authority hereby gives notice of its decision to grant permission for the development referred to in the schedule to this notice and as shown on the submitted plans and particulars subject to the conditions set out in the schedule.

You are advised that this permission does not modify or extinguish any covenants, easements or other restrictions applying to or affecting the land, or the rights affecting the land, or the rights of any other person entitled to the benefits thereof. You are also advised that this permission does not relieve you of the need to obtain any approval necessary under the Building Act 1984, Building Regulations 2000, or other related legislation. In this connection you should contact the Head of Building Control, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG (020 7364 5241) for advice or guidance on the necessity for obtaining building regulation approval in this particular case.

Applicants are reminded of the need to comply with the provisions of Part II of the London Building Acts (Amendment) Act 1939 in order to obtain official geographical and postal addresses and to get any newly created streets and access-ways officially named. In order to avoid delays at completion stage of the work the application should be made on commencement of the work or shortly thereafter. Details of the development, including site, block and internal plans annotated with unique plot numbers and additional development information such as tenure, number of bedrooms etc. with completed application forms (available from the Street Naming and Numbering webpage on the Councils website) should be sent to Planning and Building Control, Street Naming and Numbering, Mulberry Place, 5 Clove Crescent, London, E14 2BG.

Your attention is drawn to the following statement of applicants' rights:-

1) Appeals to the Secretary of State

If you are aggrieved by this decision you may appeal to the Secretary of State for Communities & Local Government in accordance with Section 78 of the Town and Country Planning Act 1990. If you want to appeal from the date of your decision notice then you must

do so within six months, or 28 days, if the development in your application is the

same or substantially the same as development that is currently or subsequently the subject of an enforcement notice. You must use a form which you can get from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel 0303 444 5000). The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order. In practice the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

2) Purchase Notice

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor can they render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Act 1990.

3) Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him. These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990.

Yours sincerely,



Owen Whalley, Head of Planning and Building Control

SCHEDULE

Full Planning Permission

Location: 234 Cambridge Heath Road, London, E2 9NN

Proposal: Erection of roof terrace and external fire escape staircase to serve a gentlemen's club.

Date: 09/05/2016

Reference: PA/15/03131

Application 6 November, 2015

Received on:

Application 6 November, 2015

Registered on:

Documents and Drawings 1697-PL01; 1697-001; 1697-002A; 1697-003D; 1697-004F; 1697-005E; Metropolis Acoustic Assessment of Proposed Smoking Terrace, 27 January 2016 (reference: C/1398/T01/1HW).

Statement of positive and proactive engagement

The Local Planning Authority has worked with the applicant in a positive and proactive manner by making available a formal pre-application process, including free duty officer advice. The Local Planning Authority has also produced policies and provided written guidance, all of which are available on the Council's website and which has been followed in this instance.

Conditions and Reasons:

1 - The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2 - The development hereby permitted shall be carried out in accordance with the approved plans listed in the Schedule to this planning permission.

Reason: For the avoidance of doubt and in the interests of proper planning.

3 - The materials to be used for the external surfaces of the development hereby permitted shall match those of the existing building. All new works and works of making good to the retained fabric shall be finished to match the adjacent work with regards to material, colour, texture and profile except where otherwise stated on the approved drawings.

Reason: To ensure that the external appearance of the building is satisfactory in accordance with the requirements of policy SP10(4) of the Tower Hamlets Core Strategy 2010.

4 - No development shall take place until samples and full particulars of the retractable roof cover have been submitted to and approved in writing by the local planning authority.

The development shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the external appearance of the building is satisfactory in accordance with the requirements of policy DM24 of the Managing Development Document 2013 and SP10 of the Core Strategy 2010.

5 - Unless the roof terrace has been fully enclosed by the retractable roof cover, the roof terrace shall not be used other than between the hours of 12 noon and 12 midnight.

Reason: To safeguard the amenity of adjacent residents and the area generally and to accord with policy DM24 of the Managing Development Document 2013 and policy SP10 of the Core Strategy 2010.

6 - Prior to first use of the roof terrace hereby approved, the recommendations made in the Noise Assessment, 27 January, prepared by SRL (reference C/13988/T01/JHW) shall be implemented, including the use of automatic closing doors, and shall be retained and maintained in perpetuity thereafter.

Reason: To safeguard the amenity of adjacent residents and the area generally, in accordance with policy SP10 of the adopted Core Strategy (2010) and policy DM25 of the Managing Development Document (2013) with modifications which seek to minimise disturbance to residents from noise and other environmental pollution.

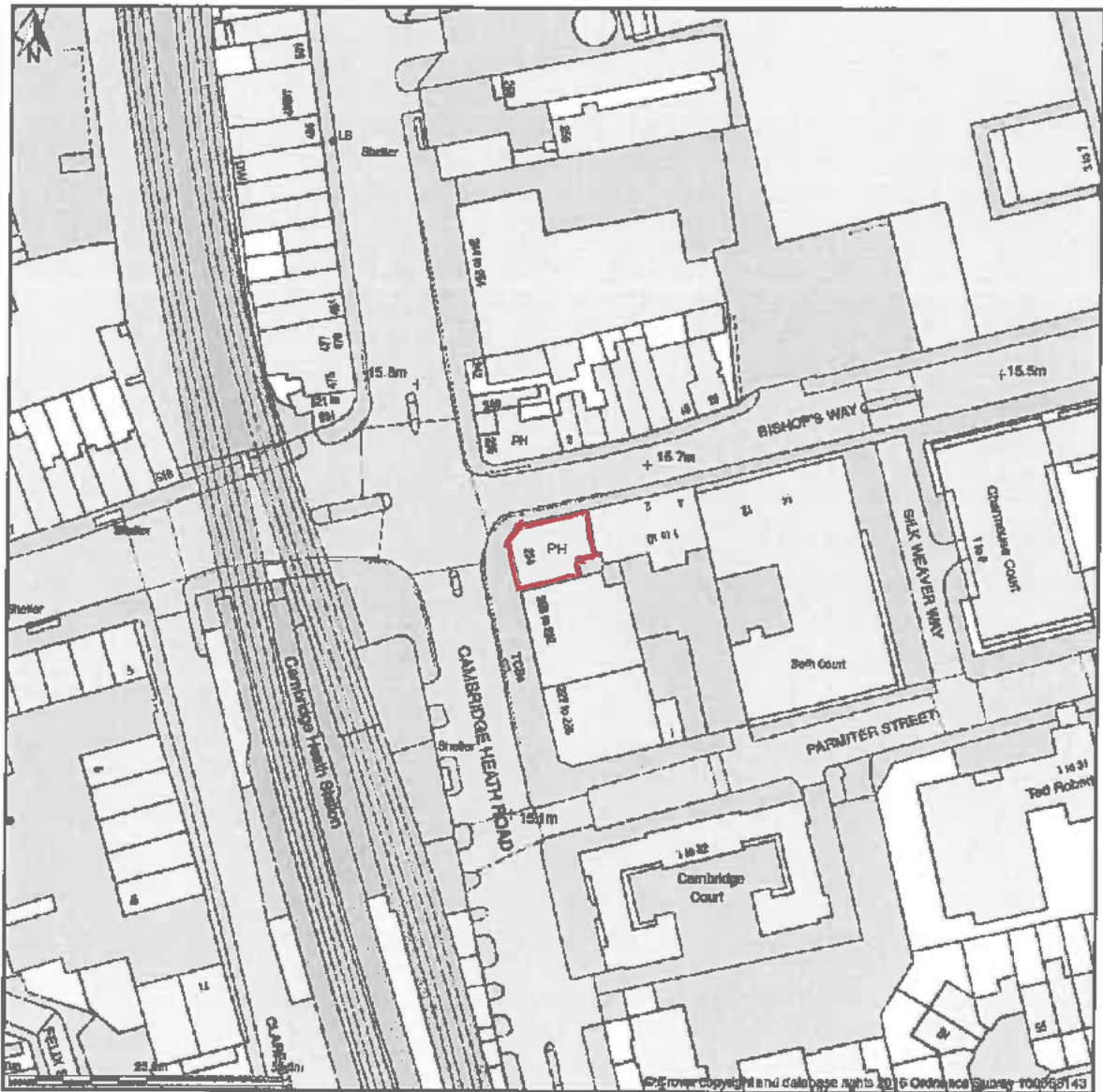
7 - There shall be no amplified public address system or music system used in any part of the premises so as to be audible outside the premises or within adjoining premises.

Reason: To safeguard the amenity of adjacent residents and the area generally and to accord with policy DM24 of the Managing Development Document 2013 and policy SP10 of the Core Strategy 2010.

8 - The external staircase shall only be used during emergencies.

Reason: To safeguard the amenity of adjacent properties and the area generally and to meet the requirements of policies SP03 of the Core Strategy (2010) and policy DM25 of the Managing Development Document (2013) which seek to ensure that development does not result in undue noise disturbance or compromise neighbouring amenity.

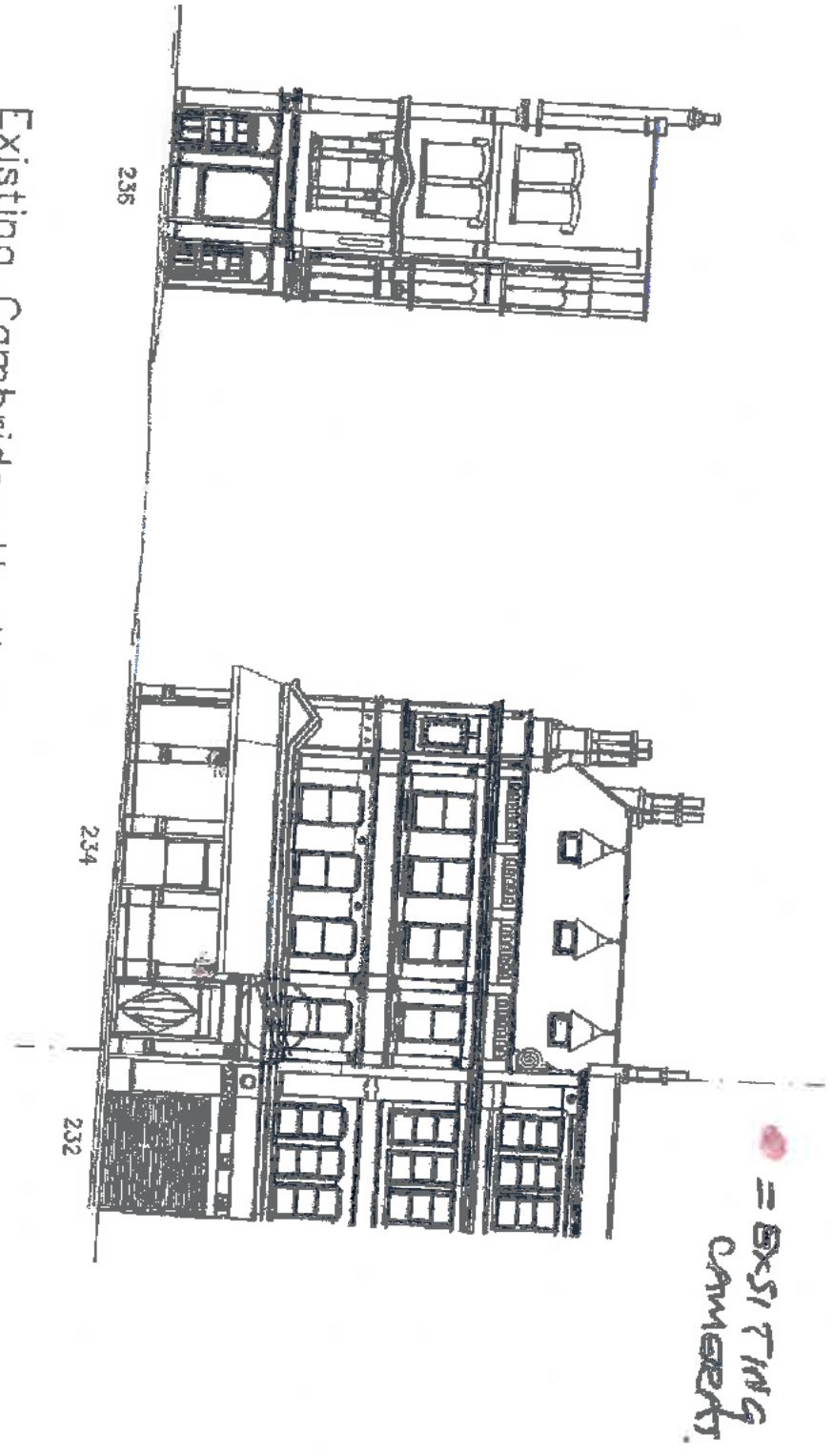
234, Cambridge Heath Road, London, Tower Hamlets, E2 9NN



Site Plan shows area bounded by: 534781.89, 163198.28 534981.89, 163398.28 (at a scale of 1:1250) The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

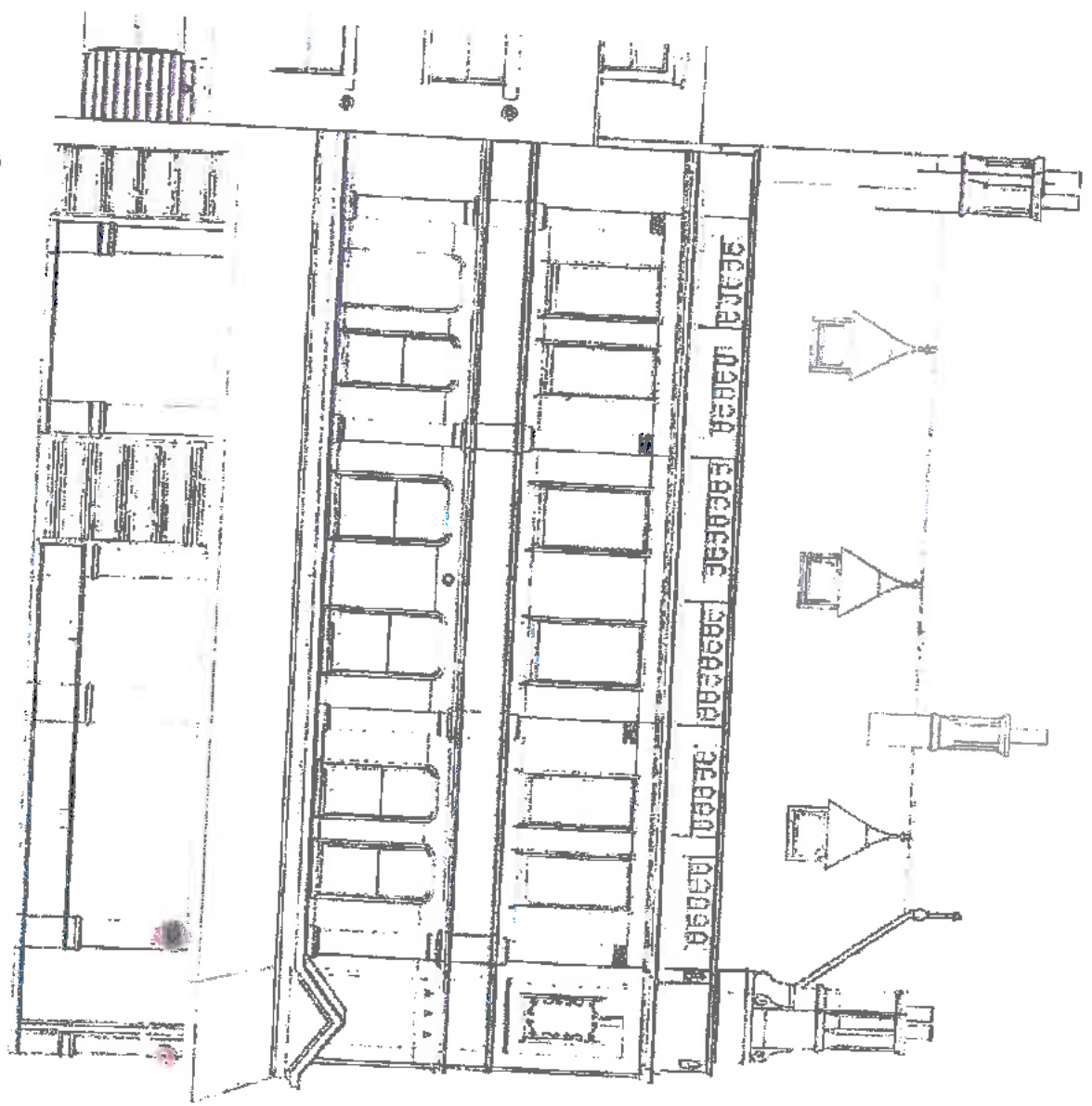
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Existing Cambridge Heath Rd Street Scene 1:200

= EXISTING
CAMERAS



Existing Side Elevation

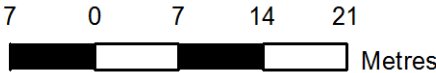
Appendix 4



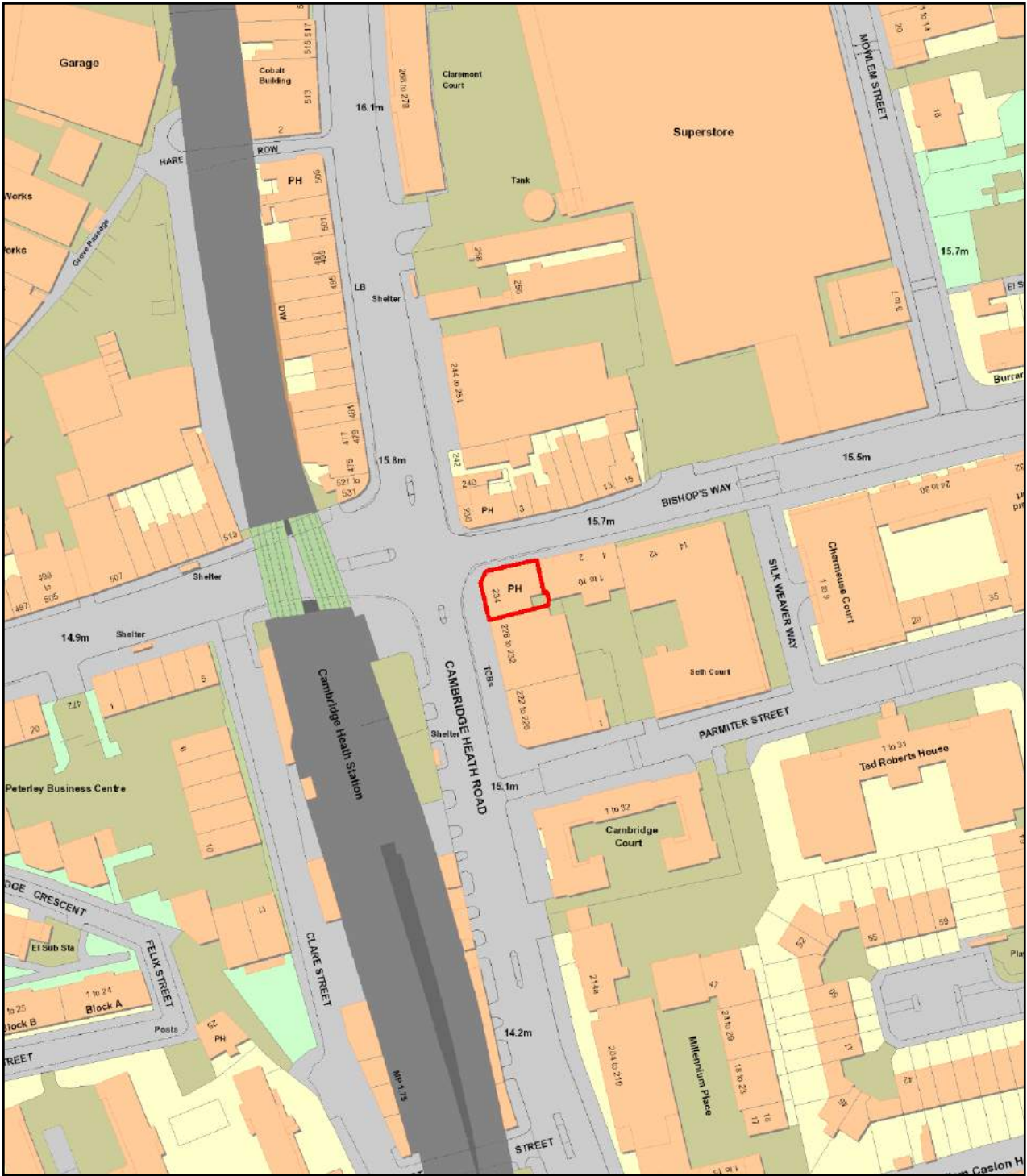
Metropolis



Scale 1:769



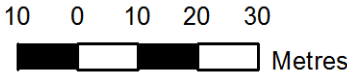
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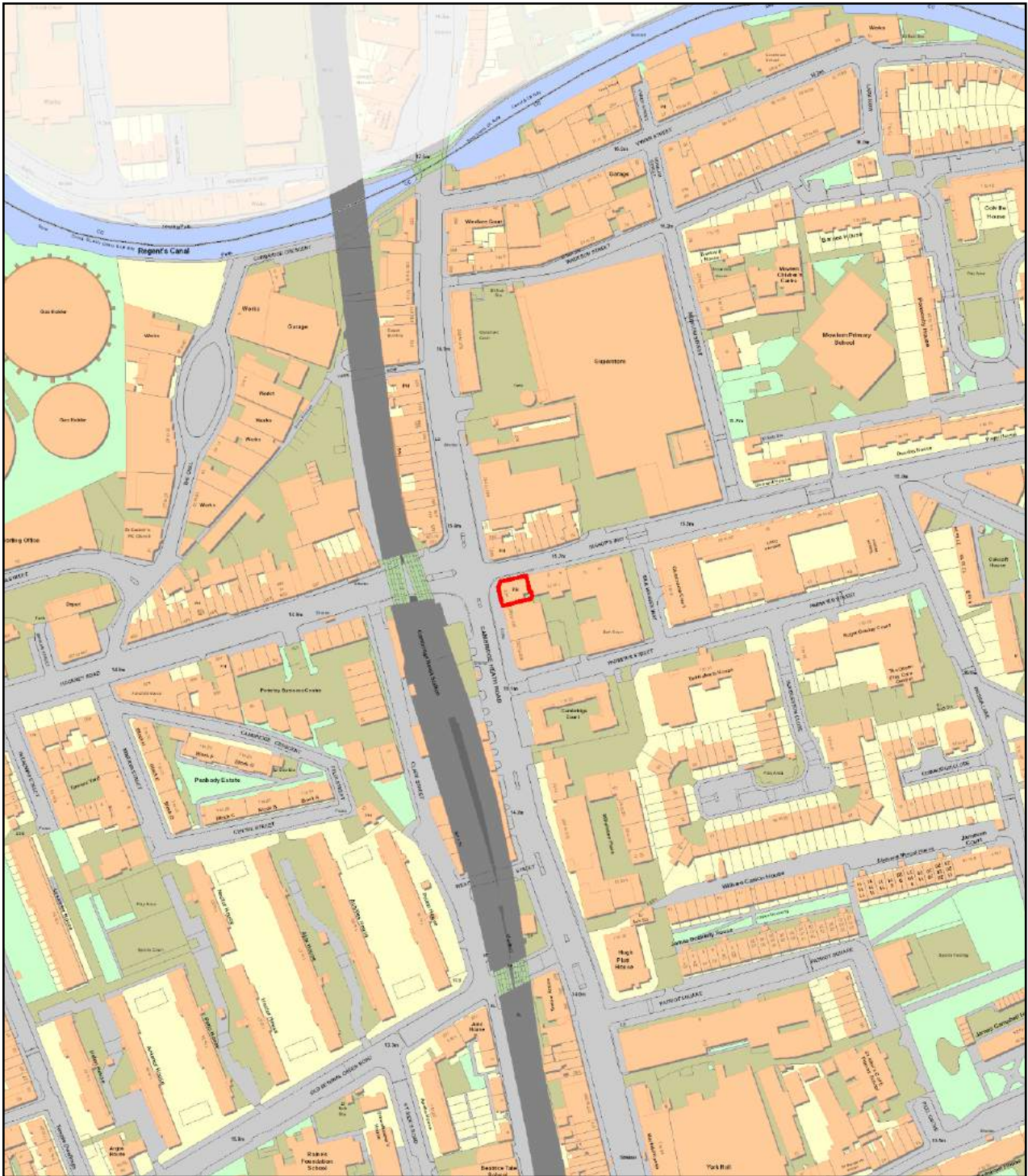
Metropolis



Scale 1:1537



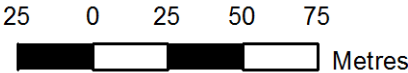
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Metropolis



Scale 1:3074

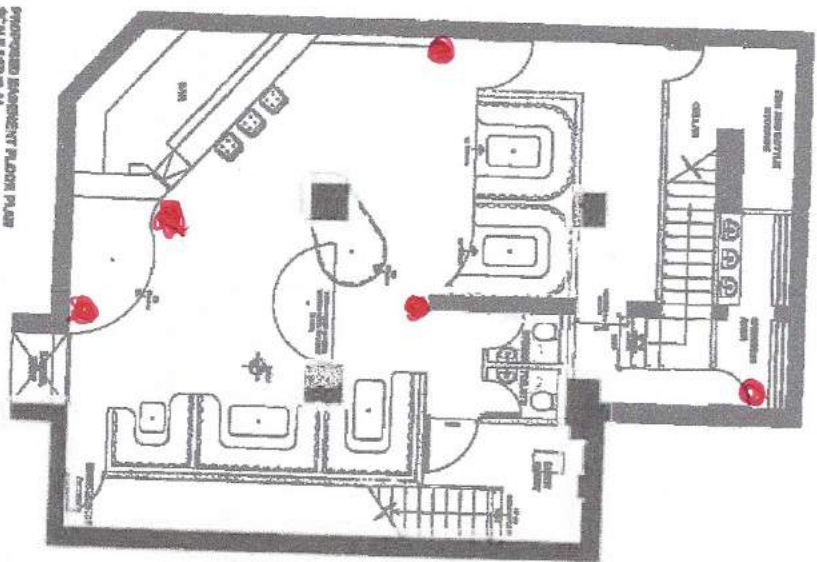


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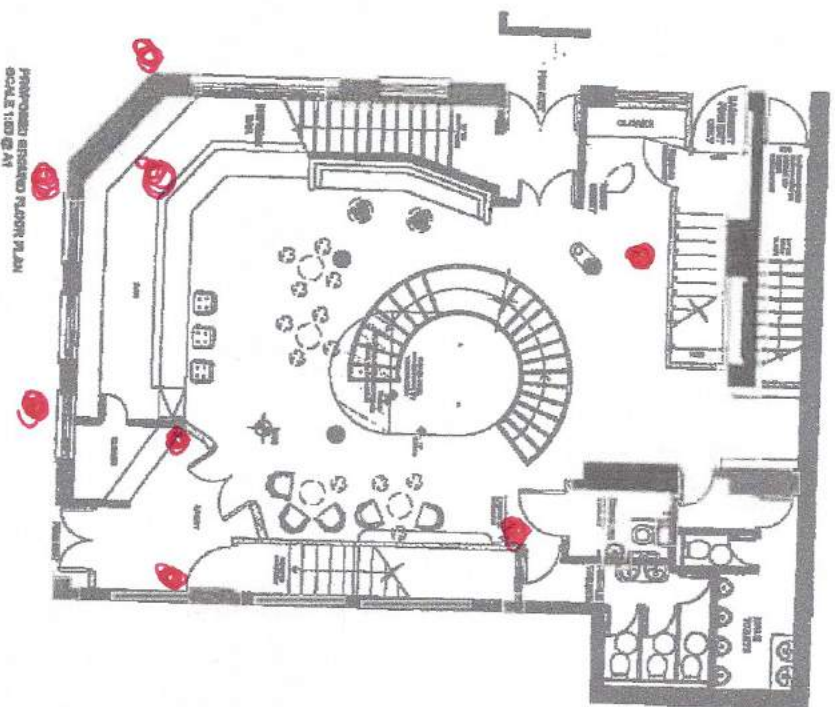
Appendix 5

30 CAMERAS IN TOTAL

General Floor Plan Occupancy Profile:
 This floor plan shows the building's layout by building, including the main floor, second floor, and third floor. It is intended to provide a general overview of the building's layout and is not intended to be used as a detailed floor plan. The floor plan is based on the information provided by the building owner and is not intended to be used as a detailed floor plan. The floor plan is based on the information provided by the building owner and is not intended to be used as a detailed floor plan.



General Floor Plan Occupancy Profile:
 This floor plan shows the building's layout by building, including the main floor, second floor, and third floor. It is intended to provide a general overview of the building's layout and is not intended to be used as a detailed floor plan. The floor plan is based on the information provided by the building owner and is not intended to be used as a detailed floor plan. The floor plan is based on the information provided by the building owner and is not intended to be used as a detailed floor plan.



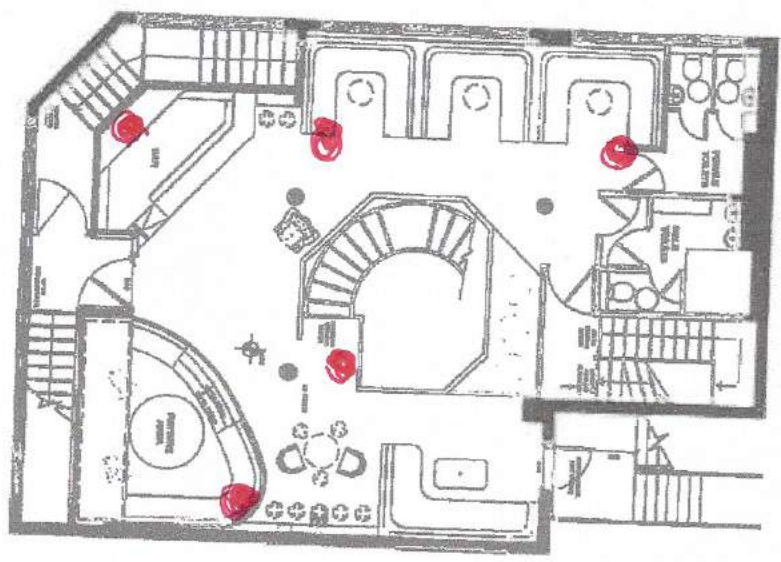
Room	Area	Occupancy
Basement	10,000 sq ft	Storage
Second Floor	10,000 sq ft	Office
Third Floor	10,000 sq ft	Office

TIBBATTI-ABEL
 Security Solutions
 10000 15th Ave S, Suite 100
 Denver, CO 80231
 Phone: (303) 751-1000
 Fax: (303) 751-1001
 Website: www.tibbatti-abel.com

First Floor Reinforcement Notes

Indications, show areas where reinforcement shall be provided for the second floor, the existing floor and reinforcement shall be provided for the second floor. We have also provided an indicated cut to the new floor to show the existing floor.

Reinforced areas shall be provided for the second floor, the existing floor and reinforcement shall be provided for the second floor. We have also provided an indicated cut to the new floor to show the existing floor.

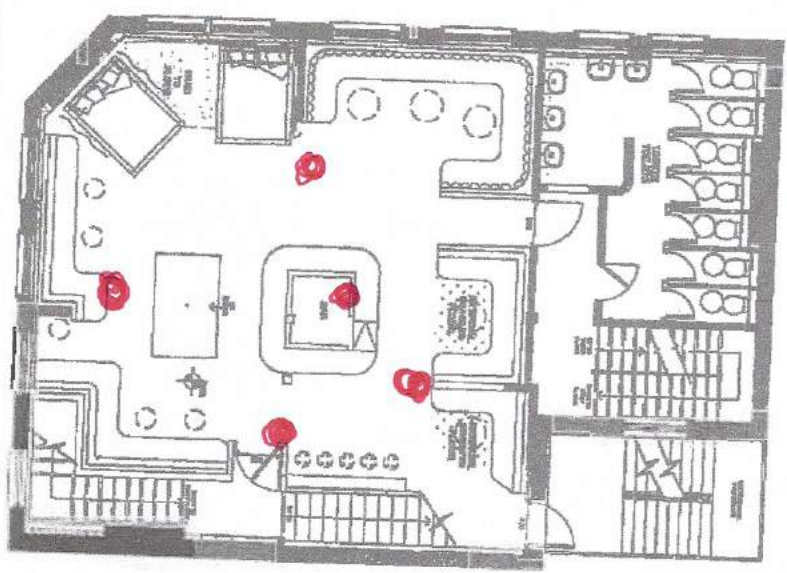


PROPOSED FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

Second Floor Reinforcement Notes

Indications, show areas where reinforcement shall be provided for the second floor, the existing floor and reinforcement shall be provided for the second floor. We have also provided an indicated cut to the new floor to show the existing floor.

Reinforced areas shall be provided for the second floor, the existing floor and reinforcement shall be provided for the second floor. We have also provided an indicated cut to the new floor to show the existing floor.



PROPOSED SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

TIBBATT'S ABEL
Architectural Firm

PROPOSED FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

PROPOSED SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

REVISIONS

NO.	DATE	DESCRIPTION
1	1/1/17	ISSUED FOR PERMIT

PROJECT: Proposed First & Second Floor Plans

CLIENT: [Name]

DATE: 1/1/17

SCALE: 1/8" = 1'-0"

PROJECT NO.: 100-100

ARCHITECT: TIBBATT'S ABEL

REGISTERED ARCHITECT: [Name]

REGISTERED ARCHITECT NO.: [Number]

REGISTERED ARCHITECT STATE: [State]

REGISTERED ARCHITECT EXPIRES: [Date]

REGISTERED ARCHITECT LICENSE NO.: [Number]

REGISTERED ARCHITECT LICENSE STATE: [State]

REGISTERED ARCHITECT LICENSE EXPIRES: [Date]

REGISTERED ARCHITECT LICENSE NO.: [Number]

REGISTERED ARCHITECT LICENSE STATE: [State]

REGISTERED ARCHITECT LICENSE EXPIRES: [Date]

REGISTERED ARCHITECT LICENSE NO.: [Number]

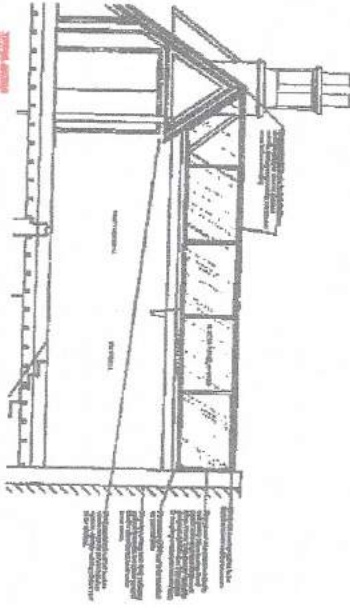
REGISTERED ARCHITECT LICENSE STATE: [State]

REGISTERED ARCHITECT LICENSE EXPIRES: [Date]

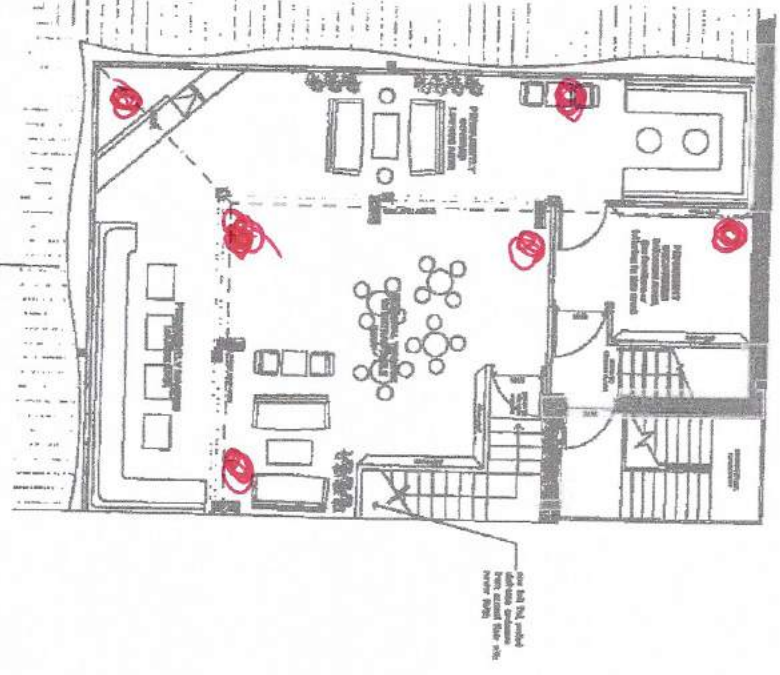
Third Floor Fire Damage Inspection Notes:

During a fire investigation, we bring floor plans to the scene to help you identify your property. We compare the actual conditions (the actual condition) and the floor plan to determine the extent of the fire.

Based on these notes and floor plans, we report a summary of the fire's progress.



PROPOSED THIRD FLOOR PLAN SCALE 1/8" = 1'-0"



See also the attached photos showing the fire damage to the roof.

PROPOSED ROOF PLAN SCALE 1/8" = 1'-0"



ROOF TOP COVER

TIBBATT'S ABEL
 Structural Engineers
 1007-005

Project: Proposed Third Floor
 At Third Floor

Scale: 1/8" = 1'-0"

Drawn: [Name]
 Checked: [Name]
 Date: [Date]

1007-005

Appendix 6

Date: 20th June 2016

Premises Name: Metropolis

Address: 234 Cambridge Heath Road, London E2 9NN

Persons Present: LBTH Licensing Officer: Mohshin Ali

Attendees: Steve Martin (Licensee) and Michael Antick (Manager)

Condition Check	Notes
<p>Code of Conduct for Performers</p> <p>Each performer must sign the Code of Conduct in their proper name, acknowledging that they have read and understood and are prepared to abide by the Code of Conduct.</p> <p><i>Is there a Code of Conduct in place?</i></p>	<p>Yes, as provided with the application and signed versions shown with ID</p>
<p>House Rules</p> <p>The House Rules shall be prominently and legibly displayed close to each entrance of the Premises.</p> <p>The House Rules must be made known to customers prior to their admission to the Premises when sexual entertainment is provided</p> <p>Signs must be displayed at appropriate locations advising that any customer attempting to make physical contact with a performer will be asked to leave.</p>	<p>In place at the entrance to the premises and is made known to customers.</p> <p>Signs are available at the entrance and within the club/rooms/booths.</p>

<p>Performer Safety Policy</p> <p>There must be a suitable policy for the safety of the performers when they leave the Premises.</p> <p><i>This may take the form of a notice in the dressing room</i></p>	<p>This is contained within the Dancer Welfare Policy and a notice is displayed in the dressing room to this effect.</p>
<p>Door Staff</p> <p>A suitable and sufficient number of door supervisors and trained staff will be employed (based on a risk assessment) when sexual entertainment is offered.</p> <p><i>Details of Door Staff would ideally be retained in a log.</i></p>	<p>Logs were shown. They have signing in sheets which show who has worked each shift.</p> <p>I am informed that there is never less than three and depends on risk assessment.</p>
<p>The Venue interior</p> <p>The interior of the Premises where sexual entertainment is offered shall not be capable of being seen from the outside of the Premises.</p>	<p>Cannot be seen from outside as there is a lobby.</p>
<p>The Venue Exterior</p> <p>The exterior is maintained with a suitable level of decorum (i.e. that it does not have anything that depicts, indicates or suggests that sexual entertainment takes place on the Premises).</p>	<p>All ok. No advertising outside the premises.</p>

<p>Public Access</p> <p>No member of the public shall be permitted to go anywhere outside the public areas. The public shall not be permitted access to the performers' changing rooms.</p> <p><i>What would happen if a member of public was found in a non-public area?</i></p> <p>Members of the public may not enter or remain in the toilet cubicles in the company of any performer. Only one person at a time to enter a toilet cubicle.</p> <p><i>What would happen to the performer and patron if they were found in a toilet cubicle together?</i></p>	<p>If a member of the public was found in a non-public access area, they would be expelled from the premises.</p> <p>If a customer was found with a patron in the toilet together, the performer would be suspended and customer expelled. The toilets are monitored.</p>
<p>CCTV</p> <p>CCTV shall be installed to cover the inside and the outside of the Premises, covering all public areas, including private performance areas and booths, entrances and exits, but excluding the interior of toilets. All cameras must be maintained in working order. All cameras shall continually record whilst the Premises are open to the public and the recorded images shall be kept available for a minimum of 31 days.</p> <p><i>Check all the above. Ask to see recordings from previous days from multiple cameras.</i></p> <p><i>Specifically, is there CCTV covering:</i></p> <ul style="list-style-type: none"> • Public Access Areas • Performance Areas and Booths • Entrances and Exits 	<p>Site visit of 9th August 2016: Mainly working order. Camera 7 on the ground floor was not working. This was not a concern as there were works being done in the backroom dance area and area was out of use. Updated plans submitted by licence holder to show the locations of the proposed CCTV cameras.</p> <p>Recordings of previous days shown. As satisfactory.</p>

<p>Advertising</p> <p>The Licensee shall neither cause nor permit the display of suggestive advertising content which is directed at or may be seen or heard by any person from within the London Borough of Tower Hamlets, on any public highway, street, waterway or railway; in any place of general public use or access; or in publicly accessible areas of premises open to the public.</p> <p><i>How does the venue advertise?</i></p> <p><i>If there is a website, is it compliant?</i></p>	<p>No business card or flyers. They drive billboard around but not on Tower Hamlets road.</p> <p>There is also websites:</p> <p>http://www.metropolisstripclub.com/</p> <p>There are some images of semi-nude women and in lingerie. There is no 'Over 18' entry tab.</p>
<p>Performers</p> <p>With each record the Licensee shall keep a copy of a photographic form of identity and proof of address of the performer. With each record the Licensee shall keep a clear copy of an authorised document demonstrating that each Performer and each member of the staff is entitled to work within the UK.</p> <p><i>These should be retained and made available for inspection. Is there a copy of this log?</i></p> <p>On days when sexual entertainment is provided, the Licensee or their representative shall keep a record of those performers working at the Premises on that day in a daily record.</p> <p><i>Is there a copy of this log?</i></p>	<p>A log was kept and shown. Each performer signs to declare they have read and understand the club's policies. Examples were shown including passports and proof of a right to work.</p> <p>Logs for the dancers were kept and shown.</p>

Tariffs

The Licensee shall prominently and legibly display the drinks tariff at or by the bar and at the entrance.

Are these available?

The Licensee shall so far as reasonably practicable keep such records as are necessary to prove that the sums charged and payments taken are for products or services advertised on the relevant tariff at the amount shown on that tariff.

Is there a log?

Yes. Drinks and dancers tariff at the entrance, the rooms.

Yes, log shown. Price against the tariff was shown. Till receipt and credit card receipts shown. They give out cash and not vouchers.

Additional Notes:

- Licensing Act 2003 Summary was displayed
- SEV licence displayed and available

Appendix 7





Appendix 8

CUSTOMER NOTICE

THERE IS TO BE NO PHYSICAL CONTACT BETWEEN CUSTOMERS OR PERFORMERS ON THESE PREMISES.

NO PHOTOGRAPHY OR MOBILE PHONE IMAGES ARE ALLOWED.

NO SOLICITATION OR POSITIONING OF PERFORMERS.

LEWD, INAPPROPRIATE BEHAVIOUR OR THE USE OR POSSESSION OF ILLEGAL SUBSTANCES ON THESE PREMISES IS STRICTLY PROHIBITED AND WILL RESULT IN REMOVAL FROM THESE PREMISES

PERFORMER CODE OF CONDUCT

Talibourne Consulting Ltd
234 Cambridge Heath Road
London E2 9NN

Before providing services at the above premises all stage performers are required to certify the following:-

GENERAL CONDITIONS

- 1 That they have read and understood this code of conduct, relating to performing at Metropolis, and agree to adhere to the conditioned contained herein.
- 2 That they are performing at Metropolis on a self-employed basis, and that nothing contained in this code of conduct, constitutes an offer of employment.
- 3 That whilst performing at Metropolis, that they have a legal entitlement to work in this country, and that all Income Tax and National Insurance contributions will be settled with the relevant authorities directly.
- 4 That they have no criminal convictions (or pending prosecutions) for soliciting or drug related offences.
- 5 That they will respect the confidentiality of the Management and Customers of the club and that they will not engage in any association with the press or publicity agents in order to gain reward.
- 6 That they have undergone an induction to the club, comprising of a full safety briefing, which included information on the Noise at Work act 1995, a demonstration of the Fire Exits and the Fire Action Plan and an explanation of the quiet staff room and health observation facilities.
- 7 That they have fully assessed and accept all of the risks associated with working at Metropolis.
- 8 Understand that there are security cameras and covert cameras operating for the security and safety of the Performers, the Management and the Customers.

PERFORMING CONDITIONS

- 1 Performers are required to be dressed to a standard acceptable to the General Public upon arrival and departure at the club premises.
- 2 Performers are required to attend and leave the club in a quiet and orderly fashion.
- 3 Upon attendance at the club performers are required to sign in at reception.
- 4 During the opening hours, a performer may only leave the club premises in an emergency and with the express permission of the duty manager, no dancer who has left will be readmitted that evening.
- 5 Performers are required to refrain from drunkenness and illegal drug taking, whilst on the club premises.
- 6 Performers are required to refrain from solicitation, prostitution and other illegal activities whilst on the club premises.

DANCING CONDITIONS

- 1 Before a dance can begin the customer must be seated, and remain seated for the duration of the performance.
- 2 The customer must not participate in dancing at any time during the performance.
- 3 The customer must remain fully clothed during the performance.
- 4 There is to be no physical contact between the performer and the customer.
- 5 The performance should consist of dancing and removal of the performers clothing.
- 6 There is to be no form of sexual activity between the performer and the customer.
- 7 Performers are to use their hands to cover their genitalia; no additional exposure of their lower body parts is permitted.
- 8 Any acrobatics and pole work is carried out entirely at the performers own risk, acrobatics and pole tricks are specifically not to be carried out above head height. Be aware that the Club has no insurance cover for injuries sustained by performers, and performers should make their own insurance arrangements.

Any breach of the conditions contained in this code of conduct may result in the performer being immediately disciplined and/or excluded from the club.

BY AUTHORISING THIS DOCUMENT I CERTIFY THAT I HAVE READ AND UNDERSTOOD THIS CODE OF CONDUCT AND HAVE HAD ITS CONTENTS EXPLAINED TO ME TO MY COMPLETE SATISFACTION.

Performers signature
Performers real name
Performers stage name
Dated
Managers signature

Audition Code of Conduct

Metropolis 234 Cambridge Heath Road London E2 9NN

Before auditioning at the above premises all stage performers are required to certify the following:-

GENERAL CONDITIONS

1. That they have read and understood this code of conduct, relating to auditioning at Metropolis, and agree to adhere to the conditions contained herein.
2. That they will respect the confidentiality of the Management and Customers of the club and that they will not engage in any association with the press or publicity agents in order to gain reward.
3. That they have fully assessed and accept all of the risks associated with auditioning at Metropolis.
4. Understand that there are security cameras and covert cameras operating for the security and safety of the Performers, the Management and the Customers.
5. Performers are required to refrain from drunkenness and illegal drug taking, whilst on the club premises.
6. Any acrobatics and pole work is carried out entirely at the performers own risk, acrobatics and pole tricks are specifically not to be carried out above head height. Be aware that the Club has no insurance cover for injuries sustained by performers, and performers should make their own insurance arrangements.
7. Any breach of the conditions contained in this code of conduct may result in the performer being immediately disciplined and/or excluded from the club.

BY AUTHORISING THIS DOCUMENT I CERTIFY THAT I HAVE READ AND UNDERSTOOD THIS CODE OF CONDUCT AND HAVE HAD ITS CONTENTS EXPLAINED TO ME TO MY COMPLETE SATISFACTION.

Performers signature

Performers real name

Performers stage name

Dated

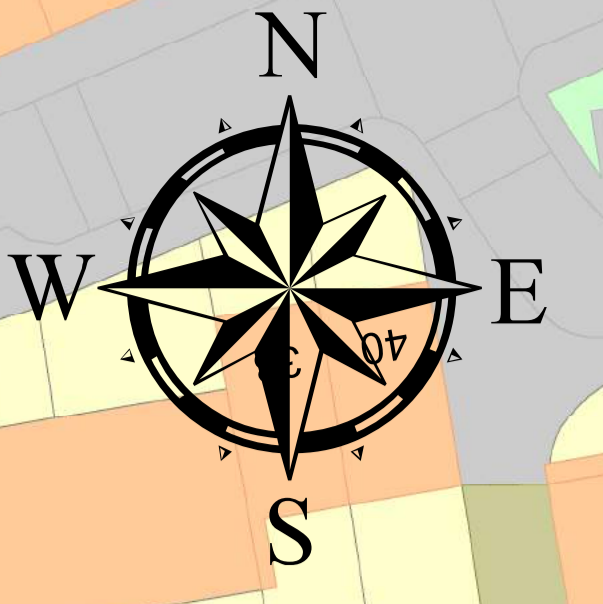
Managers signature

Dancer Welfare Policy

Metropolis, 234 Cambridge Heath Road, E2 9NN

- 1. Any dancer concerned about the behaviour of a customer shall report the incident to the Duty Manager who will take immediate action to investigate and take appropriate resolutions.**
- 2. Staff members must constantly supervise the behaviour of customers at the premises and shall intervene where any customer is breaching the Customer Code of Conduct or otherwise causing alarm or distress to a dancer.**
- 3. Any customer behaving inappropriately will be ejected from the venue.**
- 4. Dancers shall be provided with free drinking water on request.**
- 5. Dancers will use the dressing room facilities for rest breaks as agreed with the Duty Manager.**
- 6. Dancers will be escorted from their transport on arrival and departure.**

Appendix 9



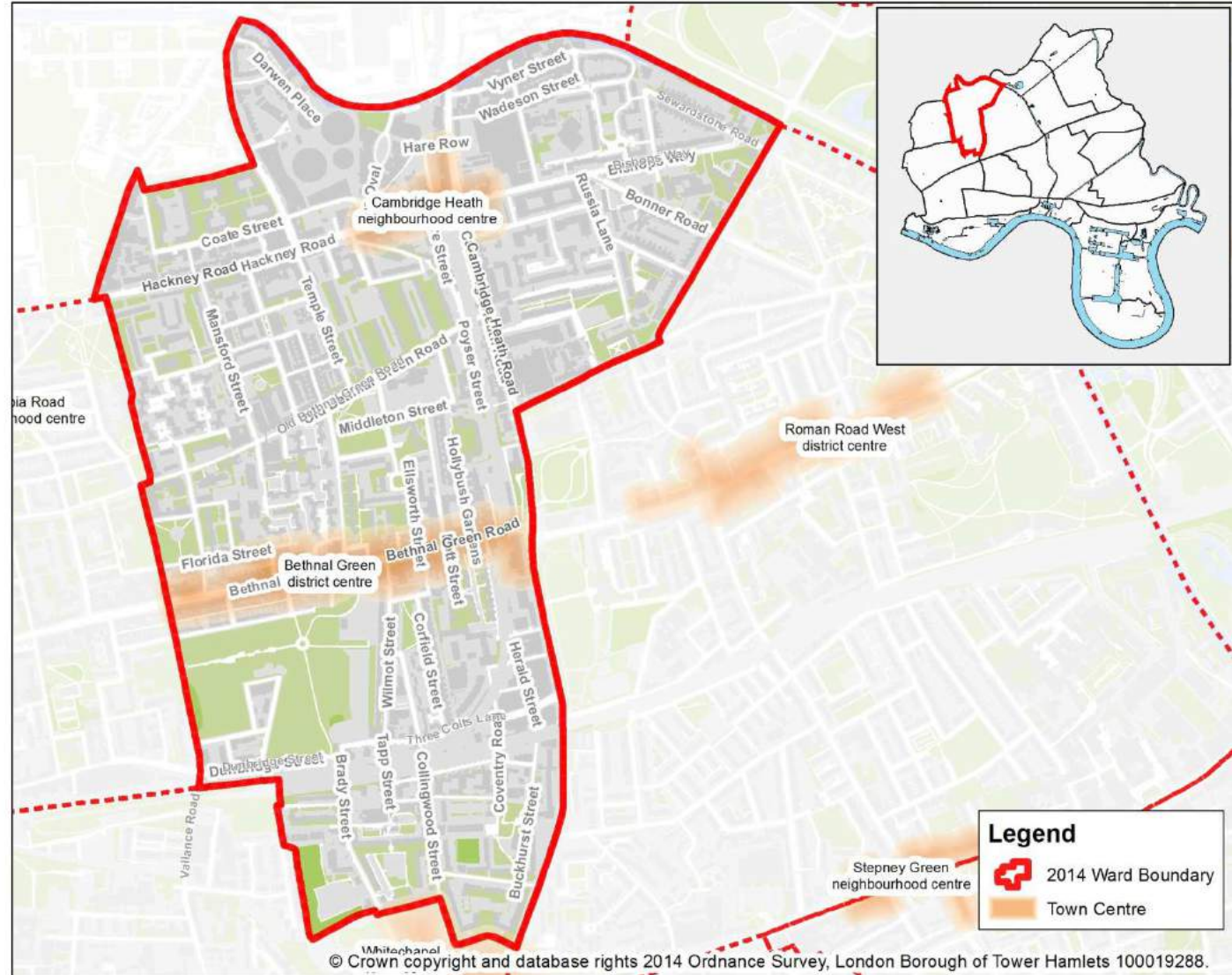
SEV Premises



The Pleasure Lounge

Appendix 10

St Peter's Ward Profile



Contents

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Introduction

The ward profiles have been produced for all 20 wards in Tower Hamlets. They provide the social, economic and demographic characteristics of each ward in the borough developing a broad picture of the area and help describing local differences.

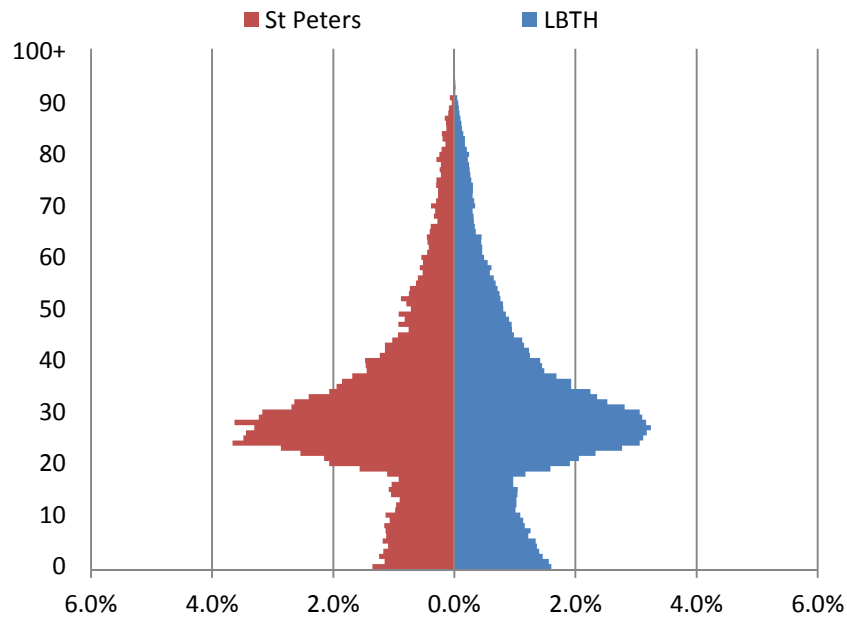
In May 2014, the number of wards increased from 17 to 20. The changes were made by the Local Government Boundary Commission for England, in order to ensure that every councillor in Tower Hamlets represented roughly the same number of residents. The changes mean that no ward will have a population variance of greater than 10 per cent. As a result of the changes, the average population per councillor will be 4,029 in 2014, rising to 4,417 by 2018, according to projected population growth.

Data from the 2011 Census has been used throughout this ward profile as this still provides the single best source of statistics which are available at geography small enough to be aggregated up in to the new wards. While more recent estimates of the resident population are available for the borough and old ward boundaries, these cannot be used to infer the current population according to the new ward boundaries.

Population

Age Structure

Figure 1: Proportion of population by age



(Source: Census 2011 QS103EW - Age by single year)

Table 1: Number and proportion of residents by age range

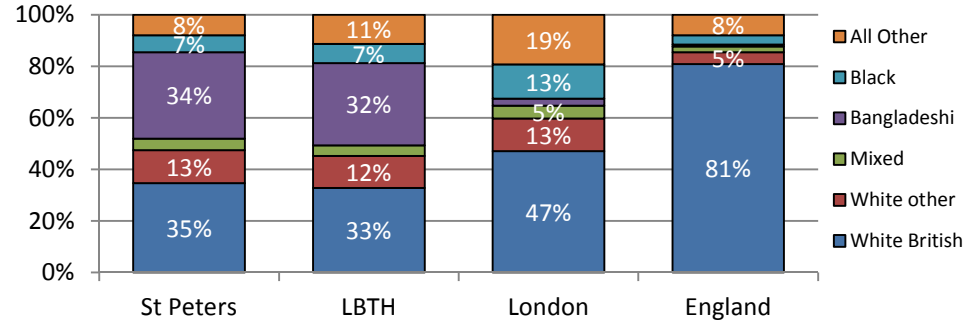
Residents by Age	0-15	16-64	65+	Total
St Peter's	3,272	13,929	1,175	18,376
St Peter's %	17.8%	75.8%	6.4%	100%
Tower Hamlets %	19.7%	74.1%	6.1%	100%

(Source: Census 2011 QS103EW - Age by single year)

- At the time of the 2011 Census, the population for St Peter's ward was 18,376 which accounted for 7.3 per cent of the total population of Tower Hamlets. The population of this ward was the second highest in the borough.
- The ward had 9,319 males and 9,057 females providing a gender split in the ward of 50.7 per cent male and 49.3 per cent female.
- The population density in this ward was 161 people per hectare, higher than the borough average of 129 people per hectare.
- There were proportionally more residents in the St Peter's ward who were aged 0-15 years old than the borough average.

Ethnicity

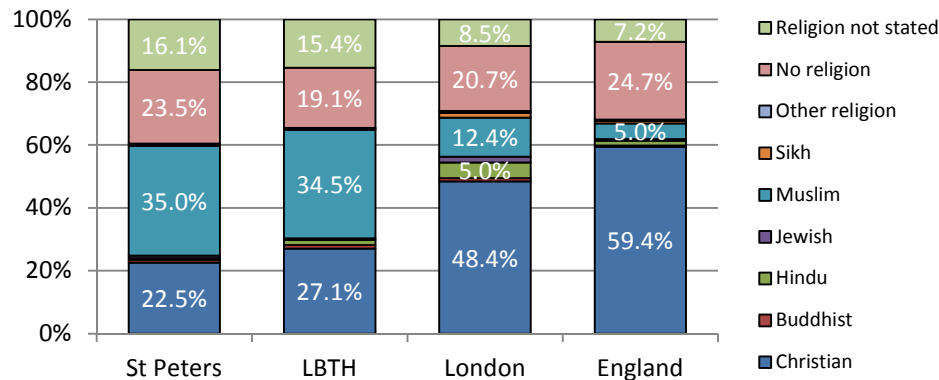
Figure 2: Ethnicity



(Source: Census 2011 QS201EW - Ethnic group)

Religion

Figure 3: Religion



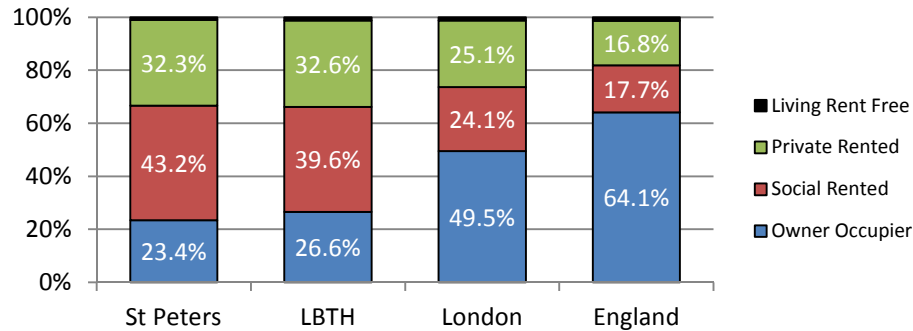
(Source: Census 2011 QS208EW - Religion)

- At the time of the 2011 Census, 9,653 residents in the ward were BME (53 per cent). This proportion was slightly lower than the borough average of 54 per cent.
- Residents of Bangladeshi origin accounted for 34 per cent of the population (6,169 residents), a higher proportion than the borough average.
- There were 6,364 White British residents in the St Peter's ward. There was a higher proportion of residents who were White British in the ward compared to the borough average.
- The three largest ethnic groups in the borough (White British, Bangladeshi and White Other) accounted for 81 per cent of all residents in this ward.

- The proportion of residents who identified themselves as Christian was 22.5 per cent – lower than the borough average of 27.1 per cent. At 35 per cent of the population, the proportion of Muslim residents was broadly comparable to the borough average.
- 4,312 residents in the St Peter's ward explicitly stated that they had no religion, this equated to 23.5 per cent of the ward population, compared to the borough average of 19.1 per cent.
- Tower Hamlets had a significantly higher proportion of residents who explicitly did not state their religion on the census form when compared to London and the rest of England. In the St Peter's ward, there were 2,959 residents who did not state their religion – accounting for 16.1 per cent of the ward's population, higher than the borough average.

Housing Tenure¹

Figure 4: Tenure of households

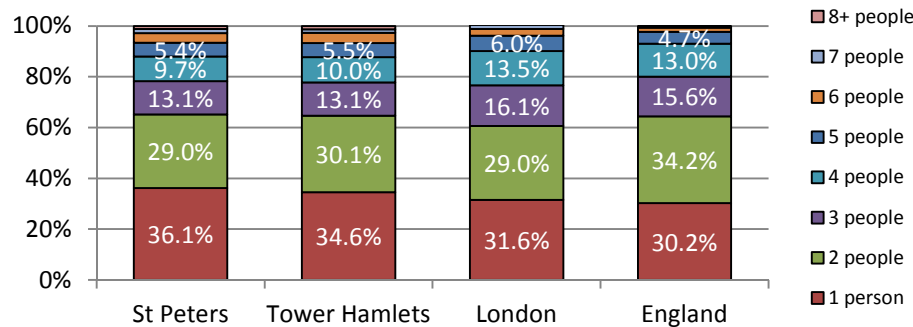


(Source: Census 2011 QS405EW - Tenure – Households)

- Tower Hamlets as a whole had a significantly lower proportion of households who were owner-occupier compared to the London average (26.6 per cent compared to 49.5 per cent). The proportion of socially rented households in the borough was almost double that of the London average. There was also a higher proportion of privately rented households compared to the London average.
- There were 7,326 households in the St Peter's ward. Compared to the other wards, St Peter's had the highest proportion of households compared to the 20 wards in the borough, accounting for 7.2 per cent of the whole.
- 23.4 per cent of households in the wards were owner-occupied, a rate lower than the borough average of 26.6 per cent.
- There were a higher than average proportion of socially rented properties in this ward and a below average proportion of private rented properties. Together, the proportion of renters (75.5 per cent) was higher than the borough average (72.2 per cent).

Household size

Figure 5: Tenure of households



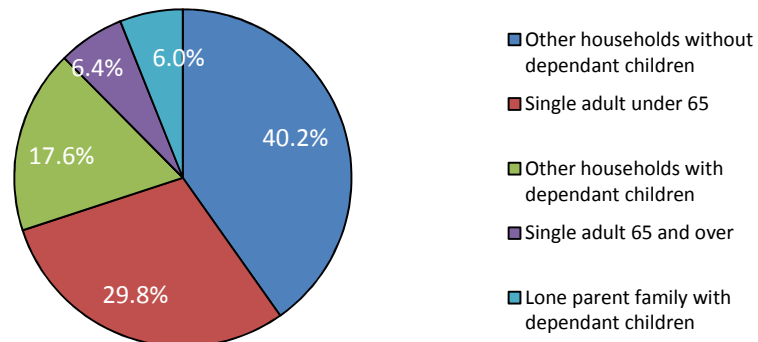
(Source: Census 2011 QS405EW - Tenure – Households)

- The proportion of households in the St Peter's ward with three or more people accounted for 34.8 per cent of the total households in the ward. This proportion was just lower than the borough average of 35 per cent.
- On Census day, 880 households were recorded as having five or more people living in them. This equates to 12 per cent of the households in the ward and was just lower than the average for Tower Hamlets (12.3 per cent).
- The average household size in this ward was 2.51, equivalent to the borough average.

¹ Tenure provides information about whether a household rents or owns the accommodation that it occupies and, if rented, combines this with information about the type of landlord who owns or manages the accommodation.

Household composition

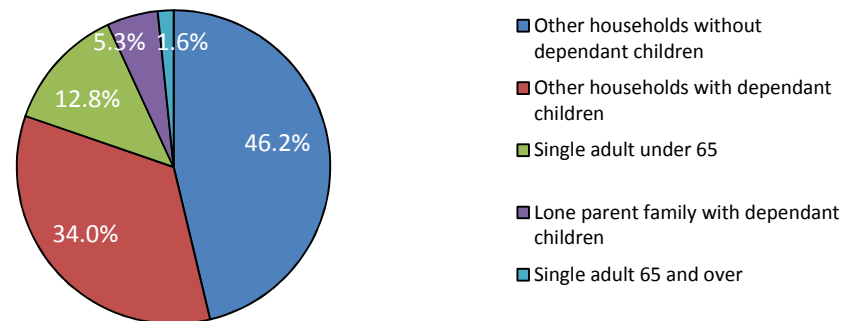
Figure 6: Household composition - percentage of households by type



(Source: Census 2011 QS113EW - Household composition – Households)

- At the time of the Census, 39.3 per cent of all residents in the ward lived in family households with dependent children; this proportion was lower than the borough average of 46.2 per cent.
- However, families with dependent children occupied 23.6 percent of the households in the ward, lower than the borough average of 26.6 per cent.
- Single adult households accounted for 36.2 per cent of all households in the ward; however 14.4 per cent of the ward’s residents lived in this type of household.
- Older people living alone (65+) accounted for 6.4 per cent of households which was higher than the borough average of 6 per cent.
- Table 3 shows the proportion of households that were overcrowded, had the required number of bedrooms, or were under-occupied at the time of the Census. 17 per cent of households in the ward (1,227 households) were overcrowded – higher than the average for the borough (16 per cent).

Figure 7: Household composition: percentage of residents that live in each household type



(Source: Census 2011 QS112EW - Household composition – People)

Average residents per household	St Peter’s	Tower Hamlets	London	England
Households with dependent children	4.43	4.30	3.89	3.78
Households with non-dependent children	1.83	1.81	1.84	1.78

(Source: Census 2011 QS406EW - Household size)

Area	Overcrowded (-1 or less)		Required Bedrooms (0)		Under Occupied (+1 or more)	
St Peter’s	1,227	17%	4,007	55%	2,092	29%
Tower Hamlets	16,605	16%	51,058	50%	33,594	33%
London	370,531	11%	1,282,883	39%	1,612,759	49%
England	1,024,473	5%	5,885,951	27%	15,152,944	69%

(Source: Census 2011 QS406EW - Household size)

Health - Limiting illness or disability

Area	Day-to-day activities limited a lot	Day-to-day activities limited a little	Day-to-day activities not limited
St Peter's	1,424	1,316	15,636
St Peter's (%)	7.7%	7.2%	85.1%
Tower Hamlets (%)	6.8%	6.7%	86.5%
London (%)	6.7%	7.4%	85.8%
England (%)	8.3%	9.3%	82.4%

(Source: Census 2011 QS303EW - Long-term health problem or disability)

- On Census day, around 1,424 residents (7.7 per cent) in St Peter's had a long term health problem or disability *limiting the persons day to day activities a lot*, while 7.2 per cent (1,316 residents) had a long term health problem or disability *limiting the persons day to day activities a little*.
- In St Peter's, the rate of people with a long term health problem or disability *limiting day to day activities a lot* was above the Tower Hamlets (6.8 per cent) and London rate (6.7 per cent) but below the England rate.
- In comparison, the rate of people with a long term health problem or disability *limiting day to day activities a little* of 7.2 per cent was above the Tower Hamlets rate (6.7 per cent) but below London and England averages.

Unpaid care provision

Area	Provides no unpaid care	Provides 1 to 19 hours unpaid care a week	Provides 20 to 49 hours unpaid care a week	Provides 50 or more hours unpaid care a week
St Peter's	17,023	740	277	336
St Peter's (%)	92.6%	4.0%	1.5%	1.8%
Tower Hamlets (%)	92.4%	4.3%	1.4%	1.9%
London (%)	91.6%	5.3%	1.3%	1.8%
England (%)	89.8%	6.5%	1.4%	2.4%

(Source: Census 2011 QS301EW - Provision of unpaid care)

- Around 7.3 per cent of residents in St Peter's provided unpaid care. The St Peter's rate was the same as the Tower Hamlets average and below London (8.4 per cent) and England (10.2 per cent) rates.
- From 1,353 residents in St Peter's who provided unpaid care, around 277 residents provided care for 20 to 49 hours a week, while 336 residents provided care for 50 or more hours a week.
- The proportion of those providing care for 50 hours or more of 1.8 per cent in St Peter's was close to the Tower Hamlets rate but below the England average (2.4 per cent).

Labour market participation

Table 6: Labour market participation - Economic active (EA) and Economic Inactive (EI) (totals and %)

Area	EA: In employment	EA: Unemployed	EA: Full-time student	EI: Retired	EI: Student (incl. full-time)	EI: Looking after home / family	EI: Long-term sick or disabled	EI: Other
St Peter's	8,118	955	927	693	1,524	906	776	629
St Peter's (%)	55.9	6.6	6.4	4.8	10.5	6.2	5.3	4.3
Tower Hamlets (%)	57.6	6.7	5.5	4.7	9.9	7.0	4.5	4.0
London (%)	62.4	5.2	4.1	8.4	7.8	5.2	3.7	3.2
England (%)	62.1	4.4	3.4	13.7	5.8	4.4	4.0	2.2

(Source: Census 2011 KS601EW to KS603EW - Economic activity by sex, Population 16 to 74)

- Table 6 shows a summary of labour market participation of residents in the week before the Census 2011.

- The table summarises economic activity and inactivity of the 16 to 74 population in St Peter's and comparator areas.

- The St Peter's ward had a rate of 55.9 per cent residents in employment, below Tower

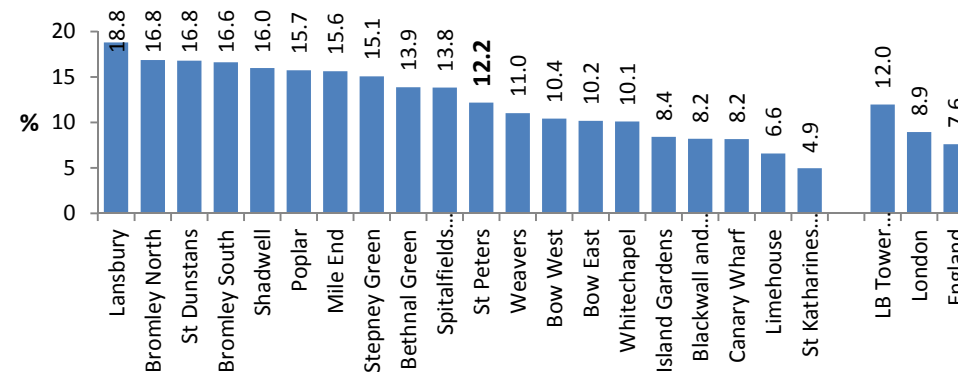
Page 134 Hamlets (57.6 per cent), London (62.4 percent) and England (62.1 per cent) averages.

- The proportion of economically inactive residents, including the long term sick (5.3 per cent) and economically inactive students (10.5 per cent) was above the borough, London and England averages.
- A total of 955 residents were unemployed in St Peter's. This rate of 6.6 per cent was very close to the Tower Hamlets (6.7 per cent) average but above London (5.2 per cent) and England (4.4 per cent) figures.

Unemployment rate of 16 to 64 (economic active population only)

- Figure 8 on the right shows the unemployment rate based on the economically active population only. This measure is the better unemployment measure but it is in general higher compared to the rate based on the proportion of all residents in the 16 to 74 age group as shown above.
- St Peter's had a unemployment rate very close to the borough average (12 per cent). On Census day, the highest unemployment rate was recorded in Lansbury (18.8 per cent) and the lowest in St Katharine's and Wapping with only 4.9 per cent.

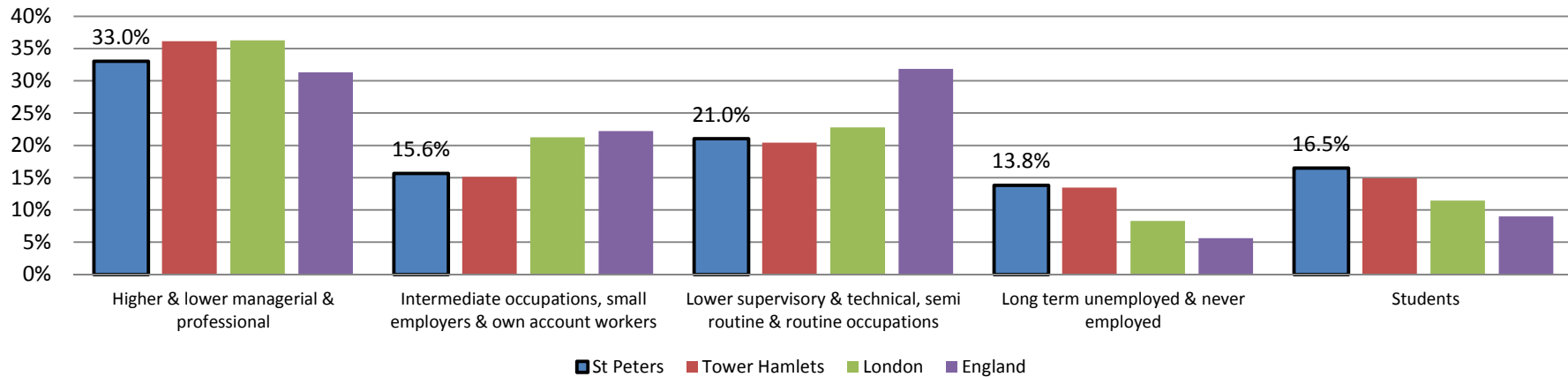
Figure 8: Unemployment rate of 16 to 64 – economic active population only



(Source: Census 2011: QS601EW - Economic activity)

Socio economic groups

Figure 9: Socio Economic Groups



(Source: Census 2011 QS607EW - NS-SeC)

- At the time of the Census, one third of residents in the St Peter's ward worked in managerial and professional occupations. This was lower than the borough average of 36.1 per cent.
- There was an above borough average representation in all other socio economic classifications. 13.8 per cent of working aged residents were long term unemployed / never employed against the borough average of 13.5 per cent (2,008 residents).
- 2,395 residents were classified as being students, the proportion (16.5 per cent) was higher than the borough average of 14.9 per cent.

Qualification levels

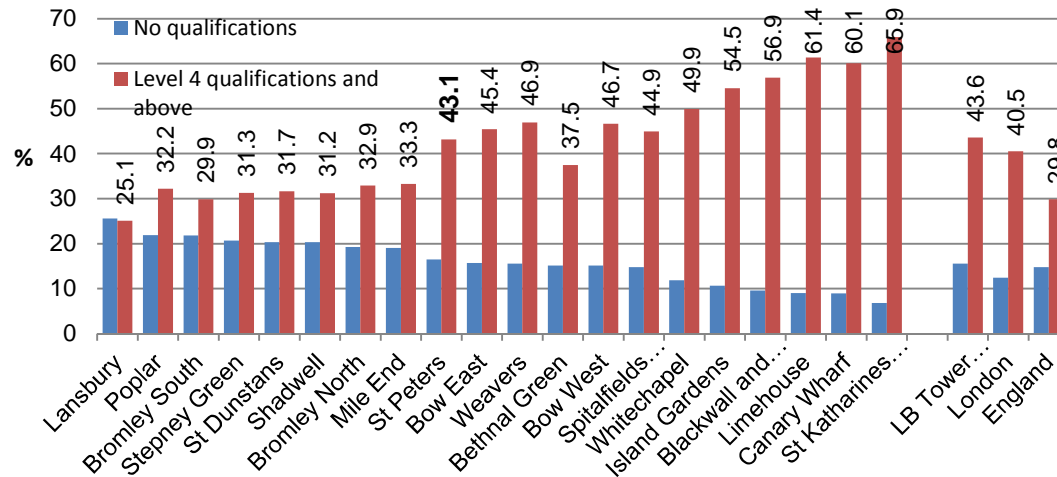
Table 7: Highest qualification of residents aged 16 to 64

Area	No qualification	Level 1	Level 2	Apprenticeship	Level 3	Level 4 and above	Other
St Peters	2,293	1,296	1,335	110	1,426	6,010	1,459
St Peters (%)	16.5	9.3	9.6	0.8	10.2	43.1	10.5
Tower Hamlets (%)	15.6	9.8	9.2	0.8	10.8	43.6	10.2
London (%)	12.4	11.5	12.6	1.4	11.5	40.5	10.0
England (%)	14.8	15.2	17.1	3.1	14.5	29.8	5.6

(Source: Census 2011 LC5102EW - Highest level of qualification by age)

Page 136

Figure 10: Residents aged 16 to 64 with No qualification and Level 4 plus (%)



(Source: Census 2011 LC5102EW - Highest level of qualification by age)

- The population aged 16 to 64 in St Peter's showed a qualification structure very similar to the Tower Hamlets average.
- The proportion of those with a level 4 qualification was just below Tower Hamlets average (43.6 per cent) with 43.1 per cent.
- Around 2,293 residents or 16.5 per cent aged 16 to 64 did not hold a formal qualification. This rate was slightly above the Tower Hamlets average (15.6 per cent), the London (12.4 per cent) and England rates (14.8 per cent).
- The proportion of St Peter's residents with no formal qualification was the 9th highest out of all 20 wards in Tower Hamlets.
- The lowest proportion of residents with no qualification was recorded in St Katherine's and Wapping ward (6.8 per cent) while the highest proportion with no qualification was in the Lansbury ward with 25.6 per cent.
- The proportion of St Peter's residents with a level 3 qualification was 10.2 per cent, a rate slightly below the Tower Hamlets and London averages.

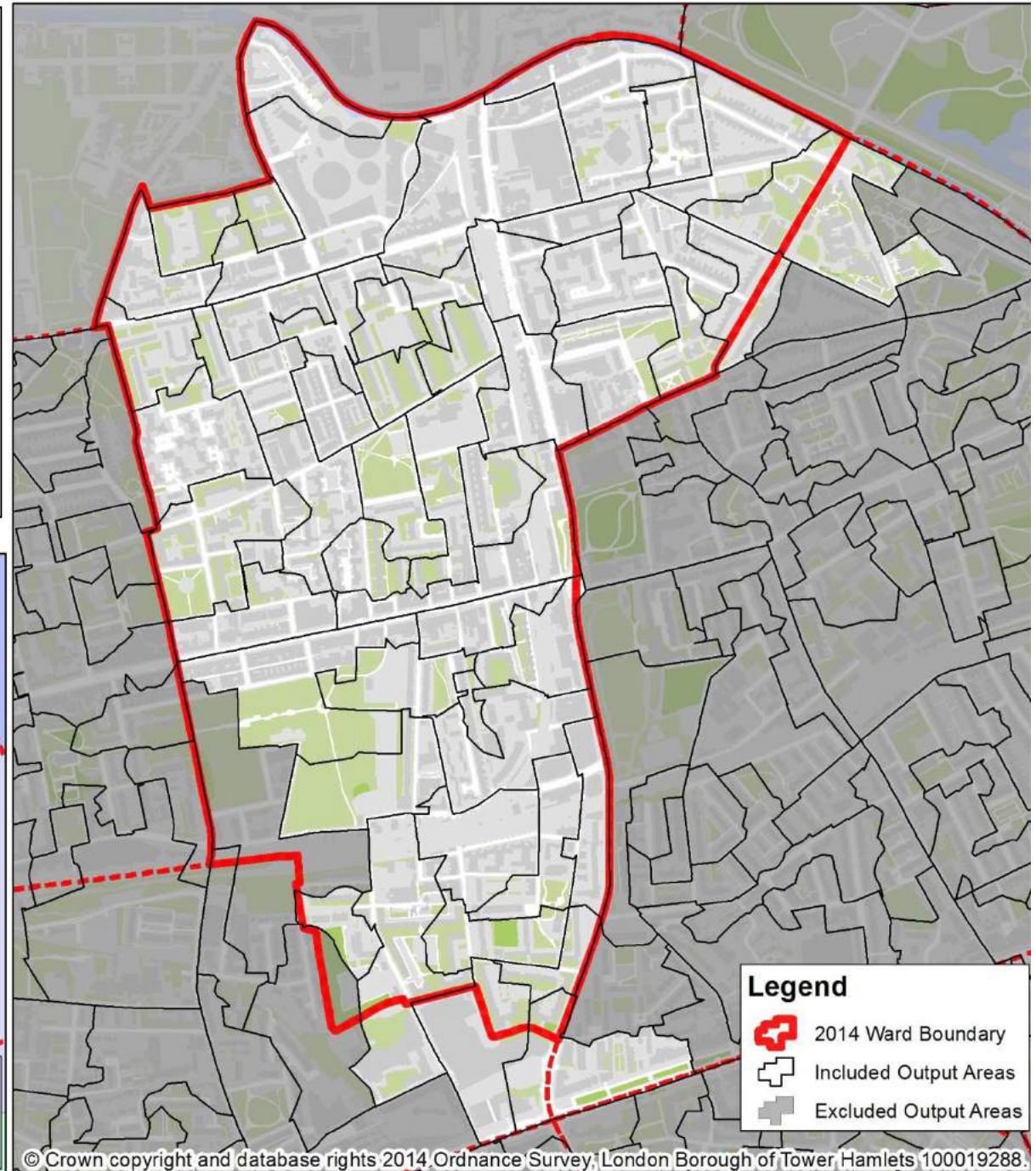
St Peter's Statistical Area

Statistical Areas

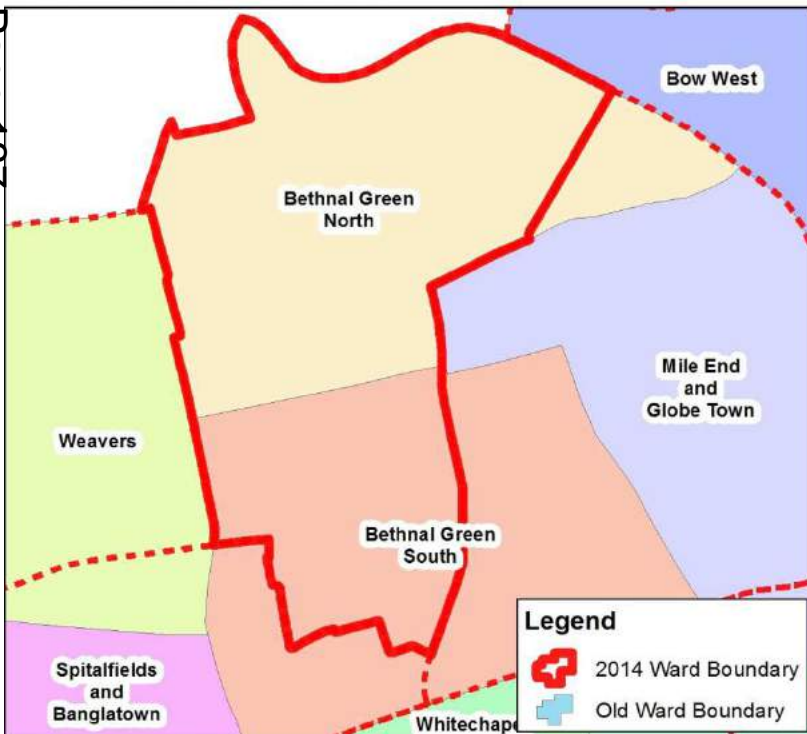
The map (right) shows which Census Output Areas have been included in the summary statistics for this ward, and which areas have been assigned to other wards.

Census Output Area (OA) data has been aggregated on a best fit basis to match the new Tower Hamlets ward boundaries as closely as possible. This has been done in accordance with methodology employed by the Office for National Statistics (ONS) in producing census statistics for non-standard geographies. Details of this methodology can be found on the ONS website at:

<http://www.ons.gov.uk/ons/guide-method/geography/geographic-policy/best-fit-policy/index.html>.



St Peter's and the old wards



Further information

The data used in this document has been sourced from the Office for National Statistics Census 2011 and specific Census 2011 data tables are quoted in the document.

Contact the Corporate Research Unit: CRU@towerhamlets.gov.uk

For more information, see the [Borough Profile](#) page on the council's internet. Census 2011 data tables can be obtained from the [Office for National Statistics](#) official labour market statistics webpage.

Appendix 11

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 (as amended)

Notice of Application for the Variation of a Sexual Entertainment Venue Licence

TAKE NOTICE THAT ON: 13/07/2016

STEVEN VICTOR MARTIN, MELANIE JANE GRAHAM AND VICTOR MARTIN of 234 Cambridge Heath Road, London E2 9MN

Made an application to London Borough of Tower Hamlets for the variation of a licence to use the premises named below as a Sexual Entertainment Venue and incorporate the licensable activities into the basement and roof area.

METROPOLIS

234 CAMBRIDGE HEATH ROAD, E2 9MN

Description and detail of sexual entertainment to be provided including times of operation:

MONDAY TO SUNDAY 09:00 – 05:00

TABLE SIDE DANCING, PODIUM DANCING, LAP DANCING, STRIPTease AS PART OF DANCE OR PERFORMANCE

Any objections to this application shall be made not later than 10/08/2016 which is 28 days after the above date of the application.

Objections must be made in writing to:

The Licensing Section, London Borough of Tower Hamlets, 6th Floor, Mulberry Place, London E14 2BG or licensing@towerhamlets.gov.uk or at any time at www.towerhamlets.gov.uk tel 0207 364 5008

Please note: objections must be made in writing and shall contain the name and address of the objector. Such objections will be sent to the applicant and will become public documents, however, personal details such as name, address and telephone number will be removed.

Appendix 12

Legal and Public Notices

Transport for London Public Notice

ROAD TRAFFIC REGULATION ACT 1984

THE A1205 GLA ROAD (BURDETT ROAD, LONDON BOROUGH OF TOWER HAMLETS) (TEMPORARY PROHIBITION OF TRAFFIC) ORDER 2016

1. Transport for London hereby gives notice that it intends to make the above named Traffic Order under section 14(1) of the Road Traffic Regulation Act 1984 for the purpose specified in paragraph 2. The effect of the Order is summarised in paragraph 3.

2. The purpose of the Order is to enable gas and water mains replacement works to take place on A1205 Burdett Road.

3. The effect of the Order will be to prohibit any vehicle from:

- 1) turning right into or out of Thomas Road at its junction with A1205
- 2) stopping between its junctions with Thomas Road and Dod Street.

The Order also suspends the bus lane on the northwestern side of A1205 Burdett Road between its junctions with Pixley Street and Dod Street, allowing all vehicles to use the bus lane.

The Order will be effective at certain times from 8.00 AM on the 1st August 2016 until 5.00 PM on the 19th August 2016 or when the works have been completed whichever is the sooner. The prohibition will apply only during such times and to such extent as shall from time to time be indicated by traffic signs.

4. The prohibitions will not apply in respect of:

- (1) any vehicle being used for the purposes of those works or for fire brigade, ambulance or police purposes;
- (2) anything done with the permission or at the direction of a police constable in uniform or a person authorised by Transport for London.

5. At such times as the prohibition is in force an alternative route will be indicated by traffic signs via: **For vehicle travelling south west on Thomas Road**, wishing to go northbound on Burdett Road: Burdett Road (southbound), East India Dock Road, Upper North Street, Bow Common Lane, B140 St. Paul's Way and to the normal route of travel. **For vehicle travelling in a northern direction on A1205 Burdett Road**, wishing to turn right into Thomas Road: Burdett Road (northbound), St. Paul's Way, Bow Common Lane to normal route of travel.

Dated this 21st day of July 2016

Mufu Durowoju
Network Impact Management Team Manager, Road Space Management - Operations
Transport for London

MAYOR OF LONDON



Transport for London Public Notice

ROAD TRAFFIC REGULATION ACT 1984

THE A11 GLA ROAD (MILE END ROAD, LONDON BOROUGH OF TOWER HAMLETS) (TEMPORARY PROHIBITION OF TRAFFIC AND STOPPING) ORDER 2016

1. Transport for London hereby gives notice that it intends to make the above named Traffic Order under section 14(1) of the Road Traffic Regulation Act 1984 for the purpose specified in paragraph 2. The effect of the Order is summarised in paragraph 3.

2. The purpose of the Order is to enable electrical works to take place on the A11 Mile End Road.

3. The effect of the Order will be to prohibit any vehicle from entering, exiting, proceeding or stopping on the service road fronting Nos. 29 to 67 Mile End Road.

The Order will be effective between 1st August 2016 until 5th August 2016 from 8.00AM to 5.00PM or when the works have been completed whichever is the sooner. The prohibition will apply only during such times and to such extent as shall from time to time be indicated by traffic signs.

4. The prohibitions will not apply in respect of:

- (1) any vehicle being used for the purposes of those works or for fire brigade, ambulance or police purposes;
- (2) anything done with the permission or at the direction of a police constable in uniform or a person authorised by Transport for London.

Dated this 21st day of July 2016

Mark Whitaker
Head of Operations
Road Space Management Directorate, Transport for London
Palestra, 197 Blackfriars Road, London, SE1 8NJ.

MAYOR OF LONDON



LONDON BOROUGH OF TOWER HAMLETS

ROAD TRAFFIC REGULATION ACT 1984 - SECTION 16A

THE TEMPORARY PROHIBITION OF VEHICULAR TRAFFIC (WEAVERS FIELDS, BOISHAKHI MELA) ORDER 2016

NOTICE IS HEREBY GIVEN that the Council of the London Borough of Tower Hamlets made the above-mentioned Order under section 16A of the Road Traffic Regulation Act 1984 (as amended by Special Events Act 1994). The effect of the Order will be to prohibit vehicular traffic from proceeding in the streets listed below to enable the Weavers Fields, Boishakhi Mela to be held on and adjacent to the public highway: 1. Derbyshire Street and Voss Street east of their junctions with Vallance Road; 2. Mape Street, Kelsey Street, Chester Street and Menotti Street; 3. Osborn Street and Brick Lane, between its junction with the northern kerb of Whitechapel High Street and its junction with the railway bridge just north of its junction with Pedley Street; 4. Chicksand Street, Hopetown Street, Henagee Street, Fashion Street, Fournier Street, Pincelet Street, Hanbury Street, Quaker Street, Woodseer Street and Buxton Street at their junctions with Brick Lane; 5. Hunton Street, Code Street and Spital Street at their junctions with Buxton Street; 6. Spital Street, between its junction with Woodseer Street and its junction with Buxton Street; 7. Dunbridge Street, between its junction with Vallance Road and its junction with Brady Street; 8. Dunbridge Street between its junction with Ramsey Street and its junction with Vallance Road; 9. Vallance Road, between its junction with Bethnal Green Road and Dunbridge Street; 10. Three Colts Lane between its junction with Tapp Street and its junction with Brady Street; 11. Hamming Street at its junction with Selby Street; 12. Wodeham Gardens, Lomas Street, Buxton Street, Fakrudin Street and Spital Street at their junctions with Vallance Road will be closed only during the procession; 13. Wentworth Street, Old Montague Street, Casson Street, Greatlors Street and Vallance Road between its junctions with Old Montague Street and Dunbridge Street will be closed only during the procession.

Throughout the duration of the Brick Lane Boishakhi Mela:

A). Suspension of One-way working - the existing one-way working in Osborn Street, Brick Lane, between Whitechapel High Street and Buxton Street; Henagee Street; Fashion Street; Fournier Street; Pincelet Street; Hanbury Street; Buxton Street and Quaker Street will be temporarily suspended;

B). Imposition of One-way working - one-way working will be imposed in the following directions in the following lengths of street: • Westbound in Hanbury Street between Spelman Street and Spital Street. • Northbound in Spital Street between Hanbury Street and Woodseer Street. • Eastbound in Woodseer Street between Spital Street and Deal Street. • Southbound in Deal Street between Woodseer Street and Hanbury Street.

The Procession will leave at 11.00 hours from Allen Gardens and progress via Brick Lane, Old Montague Street, and Vallance Road into Weaver Field via Chester Street and should have duration of approximately one hour. Exemption has been provided in the Order for access by Police, Fire and Ambulance vehicles in an emergency, or anything done with the permission of a Police Officer. Drivers of high-sided vehicles should take care, as there are low bridges in Vallance Road south of its junction with Dunbridge Street and streets to the east of Vallance Road adjoining Dunbridge Street.

The restrictions on vehicular traffic will operate at times when temporary traffic signs, traffic cones and traffic barriers are placed on the public highway on Sunday 31st July 2016, between 06.00 hours and 20.30 hours at nos. 1 and 2 above, between 10.45 hours and 14.00 hours at nos. 3 to 6, between 11.00 hours and 20.30 hours at nos. 7 to 11 above. Whilst the event is taking place, stewards will be present at some of the traffic barriers to provide access for residents and emergency services.

Dated: 21st July 2016

ROY ORMSBY Service Head, Public Realm,
John Onslow House, 1 Ewart Place, London E3 5EQ

LONDON BOROUGH OF TOWER HAMLETS ROAD

TRAFFIC REGULATION ACT 1984 - SECTION 14 (1)

TEMPORARY PROHIBITION OF TRAFFIC - EDGAR STREET E3 NOTICE IS HEREBY GIVEN, that the Council of the London Borough of Tower Hamlets, propose to make an Order, which will prohibit vehicular traffic from entering, stopping or proceeding in the following temporary prohibition: Location: Edgar Street between its junction with Bromley High Street and its junction with Bruce Road; Reason: To allow resurfacing and repair works to be carried out on the public highway by LBTH; Alternative Route: For vehicular traffic will be via Bromley High Street, St. Leonards Road and Bruce Road; Period: On Wednesday 10th August 2016 and Thursday 11th August 2016. Please refer any queries regarding the above traffic restriction to Monsur Rahman, Graduate Highway Engineer, Engineering, on 020 7364 4469 or email, monsur.rahman@towerhamlets.gov.uk Dated: 21st July 2016 ROY ORMSBY Service Head, Public Realm John Onslow House, 1 Ewart Place, London E3 5EQ

LONDON BOROUGH OF TOWER HAMLETS ROAD TRAFFIC REGULATION ACT 1984 - SECTION 14 (1) TEMPORARY PROHIBITION OF TRAFFIC - HAWGOOD STREET E3 NOTICE IS HEREBY GIVEN, that the Council of the London Borough of Tower Hamlets, propose to make an Order, which will prohibit vehicular traffic from entering, stopping or proceeding in the following temporary prohibition: Location: Hawgood Street between its junction with Furze Street and its junction with Gale Street; Reason: To allow resurfacing and repair works to be carried out on the public highway by LBTH; Alternative Route: For vehicular traffic will be via Gale Street, Devons Road and Furze Street and vice versa; Period: On Monday 8th August 2016 and Tuesday 9th August 2016. Please refer any queries regarding the above traffic restriction to Monsur Rahman, Graduate Highway Engineer, Engineering, on 020 7364 4469 or email, monsur.rahman@towerhamlets.gov.uk Dated: 21st July 2016 ROY ORMSBY Service Head, Public Realm John Onslow House, 1 Ewart Place, London E3 5EQ

LONDON BOROUGH OF TOWER HAMLETS ROAD

TRAFFIC REGULATION ACT 1984 - SECTION 14 (1)

TEMPORARY PROHIBITION OF TRAFFIC - WADE'S PLACE E14 NOTICE IS HEREBY GIVEN, that the Council of the London Borough of Tower Hamlets, having consulted Transport for London, propose to make an Order, which will prohibit vehicular traffic from entering, stopping or proceeding in the following temporary prohibition: Location: Wade's Place between its junction with East India Dock Road and its junction with Poplar High Street; Reason: To allow resurfacing and repair works to be carried out on the public highway by LBTH; Alternative Route: For vehicular traffic will be via East India Dock Road, Hale Street and Poplar High Street and vice versa or East India Dock Road, Saltwell Street and Poplar High Street and vice versa; Period: On Friday 12th August 2016 and Saturday 13th August 2016. Please refer any queries regarding the above traffic restriction to Monsur Rahman, Graduate Highway Engineer, Engineering, on 020 7364 4469 or email, monsur.rahman@towerhamlets.gov.uk Dated: 21st July 2016 ROY ORMSBY Service Head, Public Realm John Onslow House, 1 Ewart Place, London E3 5EQ

LONDON BOROUGH OF TOWER HAMLETS ROAD TRAFFIC REGULATION ACT 1984 - SECTION 14 (1) TEMPORARY PROHIBITION OF TRAFFIC - WADE'S PLACE E14 NOTICE IS HEREBY GIVEN, that the Council of the London Borough of Tower Hamlets, having consulted Transport for London, propose to make an Order, which will prohibit vehicular traffic from entering, stopping or proceeding in the following temporary prohibition: Location: Wade's Place between its junction with East India Dock Road and its junction with Poplar High Street; Reason: To allow resurfacing and repair works to be carried out on the public highway by LBTH; Alternative Route: For vehicular traffic will be via East India Dock Road, Hale Street and Poplar High Street and vice versa or East India Dock Road, Saltwell Street and Poplar High Street and vice versa; Period: On Friday 12th August 2016 and Saturday 13th August 2016. Please refer any queries regarding the above traffic restriction to Monsur Rahman, Graduate Highway Engineer, Engineering, on 020 7364 4469 or email, monsur.rahman@towerhamlets.gov.uk Dated: 21st July 2016 ROY ORMSBY Service Head, Public Realm John Onslow House, 1 Ewart Place, London E3 5EQ

LONDON BOROUGH OF TOWER HAMLETS ROAD

TRAFFIC REGULATION ACT 1984 - SECTION 14 (1)

TEMPORARY PROHIBITION OF TRAFFIC - WADE'S PLACE E14 NOTICE IS HEREBY GIVEN, that the Council of the London Borough of Tower Hamlets, having consulted Transport for London, propose to make an Order, which will prohibit vehicular traffic from entering, stopping or proceeding in the following temporary prohibition: Location: Wade's Place between its junction with East India Dock Road and its junction with Poplar High Street; Reason: To allow resurfacing and repair works to be carried out on the public highway by LBTH; Alternative Route: For vehicular traffic will be via East India Dock Road, Hale Street and Poplar High Street and vice versa or East India Dock Road, Saltwell Street and Poplar High Street and vice versa; Period: On Friday 12th August 2016 and Saturday 13th August 2016. Please refer any queries regarding the above traffic restriction to Monsur Rahman, Graduate Highway Engineer, Engineering, on 020 7364 4469 or email, monsur.rahman@towerhamlets.gov.uk Dated: 21st July 2016 ROY ORMSBY Service Head, Public Realm John Onslow House, 1 Ewart Place, London E3 5EQ

LONDON BOROUGH OF TOWER HAMLETS ROAD TRAFFIC REGULATION ACT 1984 - SECTION 14 (1) TEMPORARY PROHIBITION OF TRAFFIC - WADE'S PLACE E14 NOTICE IS HEREBY GIVEN, that the Council of the London Borough of Tower Hamlets, having consulted Transport for London, propose to make an Order, which will prohibit vehicular traffic from entering, stopping or proceeding in the following temporary prohibition: Location: Wade's Place between its junction with East India Dock Road and its junction with Poplar High Street; Reason: To allow resurfacing and repair works to be carried out on the public highway by LBTH; Alternative Route: For vehicular traffic will be via East India Dock Road, Hale Street and Poplar High Street and vice versa or East India Dock Road, Saltwell Street and Poplar High Street and vice versa; Period: On Friday 12th August 2016 and Saturday 13th August 2016. Please refer any queries regarding the above traffic restriction to Monsur Rahman, Graduate Highway Engineer, Engineering, on 020 7364 4469 or email, monsur.rahman@towerhamlets.gov.uk Dated: 21st July 2016 ROY ORMSBY Service Head, Public Realm John Onslow House, 1 Ewart Place, London E3 5EQ

LONDON BOROUGH OF TOWER HAMLETS LICENSING ACT 2003

13th July 2016

Notice is given that Mo-Hawk Productions Ltd has applied to London Borough of Tower Hamlets Licensing Authority for a Time Limited Premises License under the Licensing Act 2003. Premises: Second Floor Block F, Old Truman Brewery, 91 Brick Lane, E1 6QL.

The licensable activities and timings are:

The operation of a recreational activity based event space for all members of society that involves the pastime Shuffleboard. Dates in operation: 4.10.16 - 3.1.17
Open: Monday - Wednesday 12.00 - 22.30; Thursday - Saturday 12.00 - 22.30; Sunday 12.00 - 22.00
Sale of alcohol: Monday - Wednesday 12.00 - 22.00; Thursday - Saturday 12.00 - 22.30; Sunday 12.00 - 21.30
Anyone who wishes to make representations regarding this application must give notice in writing to Licensing section, London Borough of Tower Hamlets, John Onslow House, 1 Ewart Place, London E3 5EQ
Website: www.towerhamlets.gov.uk tel: 02073645008.
Representations must be received no later than 11th August 2016.

The Application Record and Register may be viewed between 10am and 4pm Monday to Friday during normal office hours at the above address.

It is an offence under section 158 of the Licensing Act 2003, knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which the person is liable on summary conviction for the offence is up to level 5 on the standard scale (£5000).

LICENSING ACT 2003

APPLICATION FOR A PREMISES LICENCE

(Section 17)

Notice is hereby given that Piled for the People Limited has applied to London Borough of Tower Hamlets for the grant of a premises licence in respect of Unit 5 North West Block Goodman's Fields London E1 8EJ and intends to carry on the following licensable activity: sale of alcohol from 10:00 to 23:00 and opening hours from 09:00 to 23:30 7 days a week. The Licensing Register containing a record of the application may be inspected at The Licensing Section, London Borough of Tower Hamlets, Mulberry Place 5 Clore Crescent London E14 2BG. Website: www.towerhamlets.gov.uk Tel: 020 7364 5008 between 10am and 4pm Monday to Friday (except public holidays). Any representation by a Responsible Authority or any other person must be made in writing to the above address by 10 August 2016. It is an offence knowingly or recklessly to make a false statement in connection with an application punishable on summary conviction by a maximum fine of £5,000.

JOELSON JD LLP

Solicitors 747709

PATRICK MATTHEW DORAN

(Deceased)

Pursuant to the Trustee Act 1925 any persons having a claim against or an interest in the Estate of the aforementioned deceased, late of 127 Grafton House Welling Way Bow London E3 4UF, who died on 20/07/2015, are required to send particulars thereof in writing to the undersigned Solicitors on or before 30/09/2016, after which date the Estate will be distributed having regard only to claims and interests of which they have had notice.

STERNBERG REED

Focal House 12/18 Station Parade

Barking IG11 8DN T477452

SET UP A JOB ALERT TODAY

Look local with **jobs24.co.uk**

Appendix 13

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

10th August 2016

London Borough of Tower Hamlets
Licensing Section
6th Floor
Mulberry Place
5 Clove Crescent
London
E14 2BG

SENT BY EMAIL TO: Licensing@towerhamlets.gov.uk

Dears Sirs

Metropolis, 234 Cambridge Heath Road - representations re current licensing applications

There are currently two licencing applications in process for the above premises.

1. new premises licence
2. variation of licence for sexual entertainment venue

I wish to make representations which apply to both of the above applications in my capacity as a resident of a property in close proximity to the venue in question (Cambridge Court being on the corner of Cambridge Heath Road and Parmiter Street).

Between them the applications request permission to allow the premises to be used as a lap-dancing bar, 7 days a week from 9am to 5am.

My representations are as follows:

- the area immediately surrounding the premises is a densely populated residential area, in particular along Bishops Way, Cambridge Heath Road & Parmiter Street
- many families with children live in the immediate vicinity & a presence of a sexual entertainment venue is unpleasant for local residents
- the venue does not currently control dispersal of customers effectively; customers frequently leave the venue and make lots of noise in the early hours as they walk from the venue to taxis and/or their own cars - this is unacceptable to local residents; the venue is not a good neighbour
- if the venue is to continue running it would be much more appropriate for the hours to be reduced from those sought in the current application - e.g.
 - 1am instead of 5am
 - Not Sundays - i.e. just Monday to Saturday

Yours faithfully

[REDACTED]

Email:

[REDACTED]
[REDACTED]

Andrew Heron

From: [REDACTED]
Sent: 27 July 2016 14:51
To: Licensing
Subject: Re: CLC/EHTS/LIC/92592 - Metropolis 234 Cambridge Heath Road, E2

My address is: [REDACTED]

[REDACTED]

> On 27 Jul 2016, at 11:35, Licensing <Licensing@towerhamlets.gov.uk> wrote:

>

> Dear [REDACTED]

>

> Thank you for your email, the contents of which are noted.

>

> However, in order to validate your representation, you must provide your home address so that we can establish your proximity to the venue.

>

> Regards,

>

>

> Andrew Heron

> Licensing Officer

>

> Licensing Section

> London Borough of Tower Hamlets

> John Onslow House

> 1 Ewart Place

> London E3 5EQ

[REDACTED]

[REDACTED]

> www.towerhamlets.gov.uk

>

>

>

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

> From: [REDACTED]

> Sent: 25 July 2016 17:37

> To: Licensing

> Subject: REF: CLC/EHTS/LIC/92592 - Metropolis 234 Cambridge Heath

> Road, E2

>

>

>

> As a local resident, I strongly object to the request for a variation in licensing at the above premises, as outlined in your letter dated 18th July. This will increase foot fall to a busy premises & encourage antisocial behaviour in a residential area, already blighted by late night activity.

>

> Yours faithfully

>
>
>
>



>
>

> *****

> ***** Working Together for a Better Tower Hamlets Web site :

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

>

> London Borough of Tower Hamlets E-Mail Disclaimer.

>

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> If your request relates to a Freedom of Information enquiry, please

> resend this to foi@towerhamlets.gov.uk

> *****

> *****

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

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> If your request relates to a Freedom of Information enquiry, please

> resend this to foi@towerhamlets.gov.uk

> *****

> *****

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Appendix 14

Appendix One

Tower Hamlets Council

Sex Establishment Licensing Policy

Introduction

This policy sets out Tower Hamlets Council's proposed approach to regulating sex establishments and the procedure that it will adopt in relation to applications for sex establishment licences.

The policy of the Council is to refuse applications for sexual entertainment venues. This policy is intended to be strictly applied and will only be overridden in genuinely exceptional circumstances. Such circumstances will not be taken to include the quality of the management, its compliance with licence conditions, the size of the premises or its operating hours.

The policy is intended as a guide to applicants, licence holders, people who want to object to applications and members of the Licensing Committee who are responsible for determining contested applications. It also aims to guide and reassure the public and other public authorities, ensuring transparency and consistency in decision making.

When the decision making powers of the Council are engaged each application will be dealt with on its own merits but this policy gives prospective applicants an early indication of whether their application is likely to be granted or not. It also provides prospective applicants details of what is expected of them should an application be made.

The legal controls for sex establishment premises are contained in the Local Governmental (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009.

There are 3 types of sex establishments which fall into the licensing regime:-

Sex shops

Sex cinemas

Sexual entertainment venues

The role of the Council in its position as Licensing Authority is to administer the licensing regime in accordance with the law and not in accordance with moral standing. The Council recognises that Parliament has made it lawful to operate a sex establishment and such businesses are a legitimate part of the retail and leisure industries.

Policy Rationale

The policy has been developed that sets out how the legislation will be administered and applied. The policy identifies how the Council would exercise the licensing regime in relation to sexual entertainment venues.

The policy has been developed to reflect and complement existing Council plans and strategic approach, namely:-

- Tower Hamlets Community Plan.
- Tower Hamlets Crime & Drug Reduction Partnership Plan.
- Tower Hamlets Enforcement Policy.
- Tower Hamlets Core Strategy.
- Tower Hamlets Town Centre Spatial Strategy.
- Tower Hamlets Statement of Licensing Policy (Licensing Act 2003).
- Tower Hamlets Statement of Licensing Policy (Gambling Act 2005).

The policy has also been prepared with regard to:

- Consultation responses
- Human Rights Act 1998
- Equalities Act 2010

The policy seeks to contribute to the “One Tower Hamlets” principle by fostering community cohesion, reducing inequalities and empowering communities. The public consultation that was undertaken concerning the adoption of a nil policy did not have overwhelming support. Therefore careful consideration has been given to the policy response, given the balance that the consultation returns did not give overwhelming support.

Policy Considerations

Existing Licensed Premises

The Council has had the ability to licence sex shops and sex cinemas under the Local Government (Miscellaneous Provisions) Act 1982 for many years.

There are no licensed sex shops in Tower Hamlets.

The businesses that hold premises licences under the Licensing Act 2003 with permissions that will be affected by the adoption of the sexual entertainment venue licensing regime are as follows:-

NAME	ADDRESS
THE BEEHIVE	104-106 Empson Street, London, E3 3LT
EONE CLUB	168 Mile End Road, London, E1 4LJ
NAGS HEAD PUBLIC HOUSE	17-19 Whitechapel Road, London, E1 1DU
THE PLEASURE LOUNGE	234 Cambridge Heath Road, London, E2 9NN
WHITE SWAN	556 Commercial Road, London, E14 7JD
ASTON'S CHAMPAGNE AND WINE BAR BASEMENT & 1ST FLOOR	187 Marsh Wall, London, E14 9SH
CLUB PAISA	28 Hancock Road, London, E3 3DA
OOPS	30 Alie Street, London, E1 8DA
WHITE'S GENTLEMANS CLUB	32-38 Leman Street, London, E1 8EW
SECRETS	43-45 East Smithfield, London, E1W 1AP
IMAGES	483 Hackney Road, London, E2 9ED

Tower Hamlets Council has adopted schedule 3 Local Government (Miscellaneous Provisions) Act 1982 with effect from 1st June 2014 so that it can:

- set a limit on the number of sexual entertainment venues
- determine premises that are appropriate for the borough and
- licence sexual entertainment venues

Sexual entertainment venues are those that regularly provide lap dancing and other forms of live performance or live display of nudity.

Establishments that hold events involving full or partial nudity less than once a month may be exempt from the requirements to obtain a sex establishment licence and applicants are advised to contact the Licensing Team for advice.

Limits on the number of licensed premises

The Council has determined that there are a sufficient number of sex shops, sex cinemas and sexual entertainment venues currently operating in the borough and it does not want to see an increase in the numbers of premises that are currently providing these activities.

The Council intends to adopt a policy to limit the number of sexual entertainment venues in the borough to nil however it recognises that there are a number of businesses that have been providing sexual entertainment in Tower Hamlets for several years. The Council will not apply this limitation when considering applications for premises that were already trading with express permission for the type of entertainment which is now defined as sexual entertainment on the date that the licensing provisions were adopted by the authority if they can demonstrate in their application:

- High standards of management
- A management structure and capacity to operate the venue
- The ability to adhere to the standard conditions for sex establishments

The Council will consider each application on its merit although new applicants will have to demonstrate why the Council should depart from its policy. Furthermore if any of the existing premises cease trading there is no presumption that the Council will consider any new applications more favourably.

Location of premises

The Council's policy is that there is no locality within Tower Hamlets in which it would be appropriate to license a sex establishment. Accordingly, the appropriate number of sex establishments for each and every locality within Tower Hamlets is zero.

As previously stated in the policy the Council will treat each application on its own merits however applicants should be aware that the Council will take into consideration the location of the proposed premises and its proximity to:

- residential accommodation,
- schools,
- premises used by children and vulnerable persons
- youth, community & leisure centres,
- religious centres and public places of worship
- access routes to and from premises listed above
- existing licensed premises in the vicinity

Impact

In considering applications for the grant of new or variation applications the Council will assess the likelihood of a grant causing impacts, particularly on the local community.

The Council will take the following matters into account:

- the type of activity
- the duration of the proposed licence
- the proposed hours of operation
- the layout and condition of the premises
- the use of other premises in the vicinity
- the character and locality of the area
- the applicant's previous knowledge and experience
- the applicant's ability to minimise the impact of their business on local residents and businesses
- any evidence of the operation of existing /previous licences held by the applicant

- any reports about the applicant and management of the premises received from residents, Council officers or the police
- the ability of the proposed management structure to deliver compliance with licensing requirements, policies on staff training and the welfare of performers
- crime and disorder issues
- cumulative impact of licensed premises, including hours of operation
- the nature and concerns of local residents
- any evidence of complaints about noise or disturbance caused by premises
- planning permission and planning policy considerations

In considering applications for renewal the Council will take into account

- the applicant's ability to minimise the impact of their business on local residents and businesses
- any reports about the licensee and management of the premises received from residents, Council officers or the police
- whether appropriate measures have been agreed and put into place to mitigate any adverse impacts
- any evidence of complaints about noise or disturbance caused by premises

In considering applications for transfer the Council will take into account:

- the applicants previous knowledge and experience
- the applicants ability to minimise the impact of their business on local residents and businesses
- any evidence of the operation of existing /previous licences held by the applicant
- any reports about the applicant and management of the premises received from residents, Council officers or the police

- the ability of the proposed management structure to deliver compliance with licensing requirements, policies on staff training and the welfare of performers

Applicants

Where appropriate the Council expects applicants to:

- demonstrate that they are qualified by experience
- have an understanding of general conditions
- propose a management structure which will deliver compliance with operating conditions for example through
- Management competence
- Presence
- Credible management structure
- enforcement of rules internally – training & monitoring
- a viable business plan covering door staff, CCTV
- policies for welfare of performers
- demonstrate that they can be relied upon to act in best interests of performers through remuneration, facilities, protection, physical and psychological welfare
- have a transparent charging scheme with freedom from solicitation
- a track record of management compliant premises or employ individuals with such a track record

New applicants may be invited for interview by the Licensing Officer and /or Police Officer prior to the application being referred to the Licensing Committee for determination.

Applications from anyone who intends to manage the premises on behalf of third party will be refused.

Premises appearance and layout

The Council expects premises to:-

- have an external appearance which is in keeping with the locality
- prevent the display outside the premises of photographs or other images which may be construed as offensive to public decency

- adequate lighting to allow monitoring of all public areas
- surveillance by CCTV
- surveillance by CCTV of all private booths

Conditions

The council will prescribe, and from time to time revise, standard conditions which will apply generally to licences that the council will grant or renew.

Through standard conditions the council seeks to ensure that sexual entertainment venues are well managed and supervised, restrict the sexual entertainment activities and the manner in which they are permitted to be provided, protect performers, and control the impact of the venue and its customers in relation to its locality.

Specifically, standard conditions could include measures which are found in the appendix of this policy.

The Application Process

Making a new, renewal, transfer or variation application

The Act requires the Council to refuse all application if the applicant:

- Is under the age of 18 or
- Has had their licence revoked in the last 12 months or
- Is not resident in the UK, or has not been a UK resident for the last 6months
or
- Has been refused an application in the last 12 months or
- Is a corporate body which in not incorporated in the UK

Applications forms and details of current fee levels are available:

- on the Council's website ([www.towerhamlets .gov.uk](http://www.towerhamlets.gov.uk))
- from the Licensing Team on 020 7364 5008
- by email to [licensing@towerhamlets .gov.uk](mailto:licensing@towerhamlets.gov.uk)

The Council prefers to receive electronic applications and *offers a choice off payment options the details of which are contained in the application pack.*

The Council expects the premises to have planning consent for the intended use and hours of operation, or otherwise have lawful planning status before making an application for a new licence.

In order for the application to be valid the applicant must:

- Submit the completed application form
- Pay the application fee
- Submit a floor plan, drawn to scale showing the layout of the premises(new applications only)
- Submit a location plan (1;1250) showing the location of the premises(NB. plans will not be required for transfers nor renewal applications)
- 2 passport size photos of the applicant where the applicant is an individual rather than a limited company
- 2 passport size photos of the manager if applicant is a limited company(NB: photos will only be required if there has been a change of applicant or manager since the last application)
- Display an A4 notice at the proposed premises for 21 days following the date that the completed application is submitted setting out the application details. The notice must be in a prominent position so that it can be easily read by passers-by. A notice template will be provided with the application form.
- publish a notice on at least one occasion in a local newspaper, during the period of ten working days starting on the day the application was given Council. The advert can be any size or colour but must be readable.

Applicants who wish to advertise the application in another local newspaper are advised to contact the Licensing Team beforehand, to confirm that it is acceptable.

On receipt of a valid application the Council will consult:

- The Police
- The Fire Brigade
- Building Control
- Health and Safety
- Ward Councillors

For new and variation applications the Council will also consult:

- Development Control Team
- Local residents living within 50m of the premises

Authorised Officers from the Council, Fire Brigade and Police may choose to inspect the premises and require works to be carried out to bring the premises up to the required standard before the premises can be used for licensable activities.

The Council will not determine an application for a licence unless the applicant allows an authorised officer reasonable opportunity to enter the premises to make such examination and enquiries as may be necessary to determine the suitability of the applicant and the sex establishment.

Representations

Anyone wishing to object to the application must submit a representation, in writing, within 28 days of the date that the valid application was received by the Council.

Representations can either be submitted via

- Our website: www.towerhamlets.gov.uk
- Email to: licensing@towerhamlets.gov.uk
- Post to: Consumer and Business Regulations, Licensing Team, 6th Floor, Mulberry Place, 5 Clove Crescent, E14 2BG.

A person making a representation must clearly state their name, address, and the grounds for objecting to the application and indicate whether they consent to have their name and address revealed to the applicant. Copies of representations will be made available to the applicant 14 days before the committee hearing.

The Council will not consider objections that are frivolous or vexatious or which relate to moral grounds (as these are outside the scope of the Act).

The Council prefers to receive electronic representations.

Late representations may be admissible at the discretion of the Council if there's sufficient reason to indicate that applicants will not be significantly prejudiced by the

decision to allow a late objection to be considered. In making such a decision the Council will take into account:

- The length of the delay
- The amount of time that the applicant has to consider the representation before the hearing date
- If other representations have been received before the deadline

Determining an application

Applications with no representations will be approved under delegated authority to officers.

Applications with representations recommending that conditions be attached to the licence and which are acceptable to both the applicant and person making the representation can be approved under delegated authority to officers.

All other contested applications will be referred to the Licensing Committee for determination. The applicant, anyone making a representation and the ward Councillors will be notified the date, time and venue of the hearing and invited to attend to address the committee in person.

Applications can take up to 14 weeks to be determined. If an application is likely to take longer than 14 weeks to determine the Council will notify the applicant in writing before this deadline. Applications for sex establishment licenses are exempt from the tacit consent provisions of the EU Services Directive on the grounds of public interest and the legitimate interests of third parties.

The applicant will be notified in writing about the outcome of their application within 5 working days of the decision being made.

Sex Establishment licences are usually issued for 12 months, but can be issued for a shorter period if deemed appropriate.

In order to continue operating as a sex establishment the licence holder must make a renewal application prior to the expiry of the existing licence.

Appeals

Any applicant who is aggrieved by a decision to refuse an application or by the imposition of any conditions can appeal to the Magistrates Court within 21 days of receiving the decision in writing.

Grounds for refusing an application

1. The applicant is unsuitable to hold a licence by reason of having been convicted of any offence or for any other reason
2. That if the license were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a license if he made the application himself
3. That the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for that locality
4. That the grant or renewal of the license would be inappropriate, having regard:-
 - a. to the character of the relevant locality
 - b. to the use to which any premises in the vicinity are put; or
 - c. to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

Transitional Arrangements

Broadly speaking, those existing sexual entertainment venues (lap dancing clubs etc) with a premises licence under the Licensing Act 2003, under which it is lawful to provide such entertainment, will continue to be able to operate for one year after the Council adopts the 2009 Act provisions or, if later, the determination of any application submitted during that year.

The 'transitional period' will last for 12-months beginning with the date that the Council resolves that Schedule 3 as amended by the 2009 Act will come into force in their area ('the 1st appointed day'). Six months following the 1st appointed day will be known as the '2nd appointed day' and the day on which the transitional period ends will be known as the '3rd appointed day

Existing Operators

To allow time to comply with the new regime, existing operators, who, immediately before the 1st appointed day, have a 2003 Act licence and lawfully use premises as a sexual entertainment venue under that licence or are undertaking preparatory work to use the venue in that way will be allowed to continue to provide relevant entertainment until the 3rd appointed day or the determination of any application they have submitted before that time (including any appeal against the refusal to grant a licence), whichever is later

For the purposes of the Transition a "2003 Act Licence" means a premises licence or club premises certificate under the Licensing Act 2003 under which it is lawful to provide relevant entertainment.

"Preparatory work" refers to work carried out by an operator, such as a refurbishment or refit, in order that they can use the premises as a sexual entertainment venue in the future. The operator will have been granted a 2003 Act licence before the 1st appointed day but will not have used the premises as a sexual entertainment venue by that date. It is likely that such operators will be known to the Council. However, where a dispute arises between the Council and

a licence-holder over whether the licence-holder qualifies as an existing operator by virtue of this provision the Council will need to seek evidence from the licence-holder to demonstrate that they clearly intended to operate a sexual entertainment venue in the future and work had been done to achieve this end.

For the purposes of the Transition a “2003 Act Licence” means a premises licence or club premises certificate under the Licensing Act 2003 under which it is lawful to provide relevant entertainment.

Appointed Days

1st Appointed Day

The day on which the Sexual Entertainment Venue regime comes into force in the Borough and the beginning of the transitional period (1st June 2014)

2nd Appointed Day

The day 6 months after the 1st appointed day (1st December 2014)

3rd Appointed Day

The day 6 months after the 2nd appointed day and the end of the transitional period (1st June 2015)

New Applications

New applicants are people who wish to use premises as a sexual entertainment venue after the 1st appointed day but do not already have a premises licence or club premises certificate to operate as such under the 2003 Act or do have such a licence but have not taken any steps towards operating as such. After the 1st appointed day new applicants will not be able to operate as a sexual entertainment venue until they have been granted a sexual entertainment venue licence

Determining Applications Received On or Before the 2nd Appointed Day

Applicants will be able to submit their application for a sexual entertainment venue from the 1st appointed day onwards.

As the Council is able to refuse applications having regard to the number of sex establishments they consider appropriate for a particular locality, all applications made on or after the 1st appointed day but on or before the 2nd appointed day shall be considered together. This will ensure that applicants are given sufficient time to submit their application and all applications received on or before the 2nd appointed day are considered on their individual merit and not on a first come first serve basis.

No applications shall be determined before the 2nd appointed day. After the 2nd appointed day the appropriate authority shall decide what if any licences should be granted. If a new applicant is granted a licence it will take effect immediately. If an existing operator is granted a licence, it will not take effect until the 3rd appointed day, up to which point they will be allowed to continue to operate under their existing premises licence or club premises certificate.

Determining Applications Received After the 2nd Appointed Day

Applications made after the 2nd appointed day shall be considered when they are made but only once all applications made on or before that date have been determined. However, reference to determination here does not include references to the determination of any appeal against the refusal of a licence.

As with applications received on or before the 2nd appointed day, licences granted to new applicants shall take effect immediately and licences granted to existing operators shall take effect from the 3rd appointed day or, if later, the date the application is determined.

Outstanding Applications

The Council will attempt where possible to determine outstanding applications made under the 2003 Act, which include an application for the provision of

relevant entertainment, before the date that Schedule 3 as amended by the 2009 Act comes into force in their area.

Where it has not been possible to determine application before the 1st appointed day, applicants will need to submit an application for a sex establishment licence as set out in Schedule 3 if they wish to provide relevant entertainment. From the 1st appointed day onwards outstanding applicants shall be dealt with as though they are new applicants

Additional information and advice

Please contact:

Consumer and Business Regulations
Licensing Team
6th Floor,
Mulberry Place,
5 Clove Crescent,
E14 2BG.
licensing@towerhamlets.gov.uk
020 7364 5008

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Agenda Item 4.2

Committee : Licensing Committee	Date 13 th September 2016	Classification Unclassified	Report No.	Agenda Item No.
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Report of: David Tolley Head of Environmental Health & Trading Standards Originating Officer: Mohshin Ali Senior Licensing Officer	Title: Licensing Act 2003 Application for a Premises Licence for Metropolis, 234 Cambridge Heath Road, London E2 9NN Ward affected: St. Peter's
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1.0 Summary

Applicant: **Steve Martin, Victor Martin and Melanie Graham**

Name and **Metropolis**

Address of Premises: **234 Cambridge Heath Road
London
E2 9NN**

Licence sought: **Licensing Act 2003 – premises licence**

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

Representations: **Local Resident**

2.0 Recommendations

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

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

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

File Only

Mohshin Ali
020 7364 5498

3.0 Background

- 3.1 This is an application for a variation to an existing premises licence for Metropolis, 234 Cambridge Heath Road, London E2 9NN. A copy of the existing licence is enclosed as **Appendix 1** for information only. The existing licensable activities and timings are detailed below:-

Ground Floor, First Floor and Second Floor

The provision of Regulated Entertainment

(Films / Live Music / Recorded Music / Performance of Dance (including striptease) / Entertainment of a similar description/ Provision of facilities for making music ,dancing, or entertainment of a similar description)

- Monday to Sunday, from 09:00 hrs to 05:00 hrs the following day

The provision of Late Night Refreshment

- Monday to Sunday, from 11:00 hrs to 05:00 hrs the following day

The Sale by retail of alcohol (On and off sales)

- Monday to Sunday, from 09:00 hrs to 05:00 hrs the following day

The opening hours of the premises

- There are no restrictions on the hours during which this premises is open to the public

- 3.2 The premises is also granted a Sexual Entertainment Venue (SEV) Licence under the Local Government (Miscellaneous Provisions) Act 1982 (as amended). A copy of the existing SEV licence is enclosed as **Appendix 2** for information only. The licence consists of the basic licence, plus additional conditions relevant to that premises only. In addition, the Tower Hamlets Standard SEV Conditions also apply and form part of the licence.

This licence was in force up to: 31st May 2016 or during the time that the licensee(s) is/are the occupier of the premises, whichever is the shorter period, or unless sooner surrendered or revoked. At the time of writing this report, the SEV renewal application and a SEV variation application were waiting to be considered by the Licensing Committee.

The hours permitted are:

- Monday to Sunday from 09:00hrs to 05:00hrs (the following day)

- 3.3 A copy of the variation application form is enclosed as **Appendix 3**. The applicant has stated *“in essence, this application is a variation to plans application because it is not seeking to increase the hours of licensable activities or to add any further such activities”*. [sic]

- 3.4 This application seeks the following:
- to add the basement floor to the licence
 - to add the third floor/roof terrace to the licence.
 - to include internal refurbishment works
- 3.5 The licensable activities and timings that have been applied for are as follows:-

Basement Floor, Ground Floor, First Floor, Second Floor and Third Floor/Roof

The provision of Regulated Entertainment

(Films and Live Music - Indoors)

- Monday to Sunday, from 09:00 hrs to 05:00 hrs the following day

Recorded Music and Performance of Dance (including striptease) – Indoors and outdoors

- Monday to Sunday, from 09:00 hrs to 05:00 hrs the following day

The provision of Late Night Refreshment - Indoors

- Monday to Sunday, from 23:00 hrs to 05:00 hrs the following day

The Sale by retail of alcohol (On sales only)

- Monday to Sunday, from 09:00 hrs to 05:00 hrs the following day

The opening hours of the premises

- Monday to Sunday, from 00:00 hours to 00:00 hrs the following day (24 hours)

4.0 Location and Nature of the premises

- 4.1 Photographs of the venue and immediate vicinity will be provided at the hearing.
- 4.2 The site plan of the venue is included as **Appendix 4**.
- 4.3 Maps showing the vicinity are included as **Appendix 5**.
- 4.4 Details of other licensed venues in the immediate vicinity are included as **Appendix 6**.

5.0 Licensing Policy and Government Advice

- 5.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on the 1st November 2013.
- 5.2 Relevant Sections of the policy are brought to the attention of Members within the Licensing Officers report.

- 5.3 The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government's website, www.homeoffice.gov.uk. It was last revised in March 2015.
- 5.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, that in some areas Tower Hamlets, after a proper consideration of local circumstances, has not followed the Government's advice, or has developed it further.

6.0 Representations

- 6.1 All representations have to meet basic legal and administrative requirements. If they fail to do so they cannot be accepted. When rejected the person sending in the representation must be written to, and an explanation for rejection given in writing
- 6.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 6.3 All representations must be "about the likely effect of the grant of the premises licence on the promotion of the licensing objectives." Likely means something that will probably happen, i.e. on balance more likely than not.
- 6.4 Representations by responsible authorities do not have to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 6.5 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.
- 6.6 Section 182 Advice by the Home Office concerning relevant, vexatious and frivolous representations is attached as **Appendix 7**.
- 6.7 All the representations in this report have been considered by the relevant officer (Team Leader Licensing & Safety) and determined to have met the requirements of the Licensing Act 2003.
- 6.8 This hearing is required by the Licensing Act 2003, because relevant representations have been made by a local resident.
- 6.9 Please see **Appendix 8** for the representation of Matthew Knight, a local resident.

- 6.10 All of the responsible authorities have been consulted about this application. They are as follows:
- The Licensing Authority
 - The Metropolitan Police
 - The LFEPA (the London Fire and Emergency Planning Authority).
 - Planning
 - Health and Safety
 - Noise (Environmental Health)
 - Trading Standards
 - Child Protection
 - Public Health
- 6.11 In addition the application was required to be advertised in a local newspaper and by a blue poster. Only objections that relate to the following licensing objectives are relevant:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 6.12 In summary, the objector has stated the following:
- Variation will increase foot fall to a busy premises & encourage antisocial behaviour in a residential area.
 - The area immediately surrounding the premises is a densely populated residential area with many families with children.
 - The venue does not currently control dispersal of customers effectively.
 - Customers frequently leave the venue and make lots of noise in the early hours as they walk from the venue to taxis and/or their own cars.
 - The venue is not a good neighbour.
 - If the venue is to continue running it would be much more appropriate for the hours to be reduced from those sought in the current application.
- 6.13 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.
- 6.14 The applicant has offered measures in the operating schedule of the application that address the promotion of the Licensing Objectives. If there were no representations, the Licensing Authority would grant the licence, with conditions consistent with the operating schedule, which are relevant, proportionate and enforceable. Members are asked to consider the schedule and incorporate any conditions as necessary to address the licensing objectives.

7.0 Conditions consistent with Operating Schedule

- 7.1 *Notices will be displayed at each exit-requesting customers to leave quietly and in an orderly fashion and that staff ensure patrons leaving the premises do so in an orderly manner at all times.*
- 7.2 *The licensee shall ensure that noise shall not emanate from the licenced premises, so as to disturb local residents.*
- 7.3 *Registered Door Supervisors shall be in attendance at each exit door, from 11.00pm until all persons have left the premises. All door supervisors must be registered with the Security Industry Authority.*
- 7.4 *The two steel shutters sited at the exit doors shall be in the open position whenever the premise is open to the public.*
- 7.5 *The inward opening final exit door on the emergency exit route from the first floor bar shall be locked in the open position whenever the premises is open to the public.*
- 7.6 *The pavement hatch exit flaps shall be clear and available for use whenever the premise is open to the public.*
- 7.7 *The music noise levels at the premises are set at a level to be agreed with the Environmental Health Officer in liaison with the licence holder's acoustic expert.*
- 7.8 *Unless the roof terrace has been fully enclosed by the retractable roof cover, the roof terrace shall not be used other than between the hours of 12 noon and 12 midnight.*
- 7.9 *Prior to first use of the roof terrace hereby approved, the recommendations made in the Noise Assessment, 27 January, prepared by SRL (reference C/13988/TOI/JHW) shall be implemented, including the use of automatic closing doors, and shall be retained and maintained in perpetuity thereafter.*
- 7.10 *There shall be no amplified public address system or music system used in any part of the premises so as to be audible outside the premises or within adjoining premises.*
- 7.11 *The external staircase shall only be used during emergencies.*

8.0 Conditions in consultation with the Responsible Authorities

- 8.1 *The Met Police have not made a representation. However, the applicant has proposed (please see **Appendix 9**) the following additional conditions in consultation with them.*
- 9.0 *To agree a drugs policy with Tower Hamlets Police Licensing Unit.*

10.0 *The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of 31 days. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity. There must also be someone on the premises, who can download the images and present them on request by a police officer or other responsible authority.*

10.1 Environmental Protection has not objected to the application subject to the conditions on their email (please see **Appendix 10**). These are the following:

11.0 *The Third Floor Terrace Bar area licensable activities until Midnight only, subject to detailed information of the noise mitigation measures to be agreed by Environmental Health.*

12.0 *The Third Floor Terrace Bar area with the retractable roof in place licensable activities until 0500 hours, subject to detailed information of the noise mitigation measures to be agreed by Environmental Health.*

13.0 *A noise limiter is fitted at a determined noise level to all musical amplification within the Licensed Area of the Premises, to the satisfaction of an authorised officer of Environmental Health, Premises Management so as to ensure that no noise nuisance is caused to Local Residents or Businesses.*

14.0 *No noise shall emanate from the premises nor vibration be transmitted through the structure which gives rise to a nuisance.*

15.0 The applicant has incorporated these into their updated proposed conditions as detailed in Appendix 10

16.0 **Licensing Officer Comments**

16.1 The following is intended simply to advise Members of the relevant aspects of the Borough's Licensing Policy, guidance from the Secretary of State, legislation and good practice. Members may depart from the Council's Licensing Policy and/or Government advice, provided they consider it appropriate to do so, and have clear reasons for their decision.

16.2 Guidance issued under section 182 of the Licensing Act 2003

- ❖ As stated in the guidance it is "(what is?) provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act." It is a key medium for promoting best practice, ensuring

consistent application and promoting fairness equal treatment and proportionality (1.7).

- ❖ Also “as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons. Departure from this Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.” Therefore licensing authorities will need to give full reasons for their actions (1.9).
- ❖ Also Members should note “A Licensing Authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives.” (1.12)
- ❖ Also, “The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.” Therefore, conditions may not be imposed for the purpose other than promoting the licensing objectives and in some cases no additional conditions will be appropriate. (10.8)
- ❖ Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule (10.4).
- ❖ The Guidance states: “Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.” (10.14)
- ❖ Mandatory conditions must be imposed (10.27) and censorship avoided (10.17).
- ❖ The Guidance states: “It is still permitted to sell alcohol using promotions (as long as they are compatible with any other licensing condition that may be in force), and the relevant person should ensure that the price of the alcohol is not less than the permitted price. Detailed guidance on the use of promotions is given in the guidance document available on the Gov.uk website.” (10.60) Also, “Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club licences or club premises certificates in an area.” (10.21)

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

- 16.4 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 16.5 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 16.6 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff and standardised conditions should be avoided where they cannot be shown to be appropriate. (1.16/1.17)
- 16.7 The Council’s Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.
- 16.8 In **Appendices 11 - 17** Members are given general advice, and also have explanations of the Council’s Licensing Policy, Government advice and other legislation relating to the matters previously identified.

17.0 **Exemptions**

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

18.0 Legal Comments

- 17.1 This report is asking the Licensing Committee to consider an application for the variation of a Premises Licence at premises trading as Metropolis at 234 Cambridge Heath Road, London E2 9NN. Members will be aware that such applications are normally heard by a Licensing Sub-Committee as the Licensing Committee has sub-delegated its functions pursuant to section 10(1) of the Licensing Act 2003. The fact that a function has been delegated however does not stop the Licensing Committee from considering a matter. In this case, this report is linked with an application for variation of an SEV Licence at the same premises and as SEV applications can only be considered by the Licensing Committee then this application is also being presented to the Licensing Committee for its consideration.
- 17.2 As this is an application pursuant to the Licensing Act 2003 then the Rules of Procedure governing applications for Premises Licences and other permissions under the Licensing Act 2003 apply.
- 17.3 Further, as this is an application for a variation then Members are not making a decision as to the current licence but merely on grant of a licence for the extension requested.
- 17.4 In considering this application, Members must carry out this function with a view to promoting the licensing objectives and which are:
- (a) the prevention of crime and disorder;
 - (b) public safety (*this concerns the safety of people using the relevant premises*);
 - (c) the prevention of public nuisance (*public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises*); and
 - (d) the protection of children from harm (*this relates to children having access to licensed premises and includes the protection of children from moral, psychological and physical harm. It is not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment)*).
- 17.5 Further, Members must also have regard to the Council's licensing statement published under section 5 of the Licensing Act 2003, and the guidance issued by the Secretary of State under section 182 of the Act.
- 17.6 The Council's legal officer will be present to give advice at the hearing.

19.0 Finance Comments

19.1 There are no financial implications arising from this report.

20.0 Appendices

Appendix 1	A copy of the existing premises licence
Appendix 2	A copy of the existing SEV licence
Appendix 3	A copy of the application for variation
Appendix 4	Site Plan
Appendix 5	Maps of the surrounding area
Appendix 6	Other licensed venues in the area
Appendix 7	Section 182 Guidance by the Home Office
Appendix 8	Representation of local resident
Appendix 9	Applicant has agreed conditions with the Met Police
Appendix 10	Environmental Protection no objection email
Appendix 11	Licensing Officer comments on noise while the premise is in use
Appendix 12	Licensing Officer comments on access/egress Problems
Appendix 13	Licensing Officer comments on crime and disorder on the premises
Appendix 14	Licensing Officer comments on crime and disorder from patrons leaving the premises
Appendix 15	Striptease or Similar Entertainment
Appendix 16	Planning
Appendix 17	Licensing Policy relating to hours of trading

Appendix 1

**(The Pleasure Lounge)
234 Cambridge Heath Road
London
E2 9MN**

Licensable Activities authorised by the licence

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

See the attached licence for the licence conditions

Signed by

**John Cruse _____
Team Leader Licensing**

Date: 24th August 2005



Part A - Format of premises licence

Premises licence number

09140

Part 1 - Premises details

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

(The Pleasure Lounge)
234 Cambridge Heath Road

Post town
London

Post code
E2 9MN

Telephone number
[REDACTED]

Where the licence is time limited the dates

N/a

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of licensable activities

Regulated Entertainment

(Films / Live Music / Recorded Music / Performance of Dance (including striptease)
/ Entertainment of a similar description/ Provision of facilities for making music ,dancing, or
entertainment of a similar description)

Monday to Sunday 9am- 5am

Late Night Refreshment

Monday to Sunday 11pm –5am

Sale by retail of alcohol

Monday to Sunday 9am- 5am

The opening hours of the premises

There are no restrictions on the hours during which this premises is open to the public

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

On and off sales

Part 2

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

Steven Victor Martin /|Victor Martin / Melanie Jane Graham

C/o
Gareth Hughes
Jeffery Green Russell Solicitors
Apollo House
56 New Bond Street
London
W1S 1RG

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

N/A

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

Miss Melanie JaneGraham

[REDACTED]
[REDACTED]
[REDACTED]

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

Issuing Authority: [REDACTED]

Licence No. [REDACTED]

Annex 1 - Mandatory conditions

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.

Effective from 10th October 2010:

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.

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

Door Supervisors

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

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, such individuals must be licensed with the Security Industry Authority.

This does not apply to premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001, (premises with premises licences authorising plays or films), or

in respect of premises in relation to-

any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

any occasion within paragraph 8(3)(d) of Schedule 2 (occasions prescribed by regulations under that Act) unless the Licence specifically states otherwise.

Security activity means an activity to which paragraph 2(1)(a) of Schedule 2 of the Private Security Industry Act 2001 of that schedule applies, and Paragraph 8(5) of Schedule 2 (interpreting of references to an occasion) applies as it applies in relation to paragraph 8 of Schedule 2 of the Private Security Industry Act 2001

Children in Bars

No-one under the age of 18 to be allowed on the premises.

Private Entertainment

The premises may be used for the following purpose, that is to say, dancing, music, or other entertainment of the like kind which-

- a) is not a public entertainment but
- b) is promoted for private gain

Regulated Entertainment

Regulated Entertainment consisting of, or a combination of, will be permitted at the times specified above:

- Exhibition of Films
- Live Music
- Recorded Music
- Performance of Dance (including striptease)
- Entertainment of a similar description
- Provision of facilities for making music ,dancing, or other entertainment of a similar description

Annex 2 - Conditions consistent with the operating Schedule

- The number of persons accommodated at any one time shall not exceed the following:-

Ground Floor Bar – 190 at any one time

First and second floors combined a maximum of 80 at any one time.

The total overall capacity should not exceed 270.

- The number of clientele permitted in the 'screened off' segregated area on the ground floor, shall be limited to 12 members of the public at any given time.
- The payment of performers is made before any 'personal dancing' takes place and in no way should form part of the performance.
- Notices will be displayed at each exit-requesting customers to leave quietly and in an orderly fashion and that staff ensure patrons leaving the premises do so in an orderly manner at all times.
- The licensee shall ensure that noise shall not emanate from the licensed premises, so as to disturb local residents
- Registered Door Supervisors shall be in attendance at each exit door, from 11.00pm until all persons have left the premises. All door supervisors must be registered with the Security Industry Authority
- The 2 steel shutters sited at the exit doors shall be in the open position whenever the premise is open to the public.
- The inward opening final exit door on the emergency exit route from the 1st floor bar shall be locked in the open position whenever the premises is open to the public.
- The pavement hatch exit flaps shall be kept clear and available for use whenever the premise is open to the public.
- This premise is not suitable for persons with a disability in wheel chairs to be admitted to the first floor.
- The performers shall be restricted to the approved stage, table and booth performance areas only.
- The striptease entertainment shall be given only by paid performers/entertainers who are engaged exclusively for that purpose.
- There shall be no physical participation by the audience.
- Any performance will be restricted to dancing and the removal of clothes, there must not be any other form sexual activity. However, this condition shall be read in conjunction with an agreed letter of understanding between the licensee and the Council which sets out certain specific forms of entertain which shall be permissible on the premises.

- All striptease shall take place in an area that is not visible from the street or overlooking buildings.
- After each performance the performer, when undressed, shall be escorted from the stage to the dressing rooms by a steward or other employee of the licence holder.
- The performer shall be provided with a changing room which must be separate and apart from public facilities.
- There shall be no sexually explicit external advertising likely to cause offence as to the nature of the activity being held at the premises.
- Whilst striptease is taking place no person under the age of 18 shall be allowed on any part of the premises licensed for the sales of alcohol and a notice shall be displayed in clear terms at each entrance that :-**NO PERSON UNDER 18 TO BE ADMITTED**
- The licensee shall ensure that gratuities are not thrown at the performer.
- There shall be no contact between the performer and any of the audience during performances.
- Where premises are within a radius of 100 metres of places of worship the entertainment shall not be held at such times as would cause offence to religious observers.
- Where premises are within a radius of 100 metres of any school or educational establishment, striptease performances will not take place until after 8.30p.m. except on Saturday and Sunday.
- The music noise levels are restricted in the second floor to no more than 85 dBA and the bass speakers are turned off. The air conditioning plant is not to be used until it has been acoustically treated. The licence is issued subject to a condition to resolve the above within a period of three months.

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

N/a

Annex 4 - Plans

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

12th July 2005



Part B - Premises licence summary

Premises licence number

09140

Premises details

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

(The Pleasure Lounge)
234 Cambridge Heath Road

Post town
London

Post code
E2 9MN

Telephone number

[REDACTED]

Where the licence is time limited the dates

N/a

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of licensable activities

Regulated Entertainment
(Films / Live Music / Recorded Music / Performance of Dance (including striptease) / Entertainment of a similar description/ Provision of facilities for making music ,dancing, or entertainment of a similar description)
Monday to Sunday 9am- 5am
Late Night Refreshment
Monday to Sunday 11pm –5am
Sale by retail of alcohol
Monday to Sunday 9am- 5am

The opening hours of the premises

There are no restrictions on the hours during which this premises is open to the public

Name, (registered) address of holder of premises licence

Steven Victor Martin /Victor Martin / Melanie Jane Graham

C/o
Gareth Hughes
Jeffery Green Russell Solicitors
Apollo House
56 New Bond Street
London
W1S 1RG

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

On and off sales

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

N/a

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

Melanie Jane Graham

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

No person under 18 to be allowed on the premises.

Appendix 2

LICENCE FOR A SEXUAL ENTERTAINMENT VENUE

Licence Number: 19572

The LONDON BOROUGH OF TOWER HAMLETS under provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, in relation to the licensing of sex establishments, as amended by section 27 of the Policing and Crime Act 2009, grants, in accordance to its Licensing Policy:

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

(1) Steven Victor Martin (2) Victor Martin and (3) Melanie Jane Graham

to use premises:

Postal address of premises, or if none, ordnance survey map reference or description Metropolis 234 Cambridge Heath Road	
Post town London	Post Code E2 9MN
Telephone number [REDACTED]	

as a Sexual Entertainment Venue.

This licence is in force up to: **31st May 2016** or during the time that the licensee(s) is/are the occupier of the premises, whichever is the shorter period, or unless sooner surrendered or revoked.

The hours permitted are: **Monday to Sunday from 09:00hrd to 05:00hrs (the following day)**

The named management responsible for this premises are

Melanie Graham - Manager
Wendy Kearey
Michael Antick
Faye-Marie Lyons

This licence is granted subject to conditions as follows:

1. the Standard Conditions of the London Borough of Tower Hamlets made under paragraph 13 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as revised on 23rd June 2015 and sent to the Licence Holder as part of the Decision Notice dated 17th July 2015. It is the duty of the licence holder to be aware of and abide by those conditions.
2. the following additional conditions specific to this Premises:
 42. The number of persons to be accommodated in the Premises at any one time shall not exceed the following: (a) Ground floor bar – 190 persons at any one time; (b) First and Second floors combined maximum of 80 persons at any one time; and (c) the overall capacity should not exceed 270 persons at any one time, excluding staff.
 43. The maximum number of members of the public permitted in the “screened off” segregated area on the ground floor (as shown on the attached plan) shall not exceed 12 at any one time.
 44. Notices will be displayed at each exit requesting customers to leave quietly and in an orderly fashion and staff are to ensure that patrons leaving the Premises do so in an orderly manner at all times.
 45. The two steel shutters sited at the exit doors shall be in the open position whenever the Premises is open to the public.
 46. The inward opening final exit door on the emergency exit route from the First Floor bar shall be locked in the open position whenever the Premises is open to the public.
 47. The pavement hatch exit flap should be kept clear and available whenever the Premises is open to the public.
 48. Standard Condition 27 is exempt in respect of the Shower Scene (/Car Wash Scenario) on the second floor of the Premises only in so far as audience participation shall be permitted but shall be limited to the use and operation of the toy spray guns which must be of such manufacture so as not to cause any injury or harm to the performers and be tested to the British Standard Kite Mark of Safety.
 49. Clear signage shall be displayed forbidding the toy spray guns to be aimed or targeted towards the performers’ genitalia, anus or eyes.

50. Performers must not encourage patrons to spray water at their genitalia or anus.

51. Performers must re-dress and / or have towels at the conclusion of a performance.

Other requirements or restrictions:

This licence must be prominently and visibly displayed inside the entrance to the Premises.

This licence together with the standard conditions must be available at the Premises at all times.

Signed by

John McCrohan 
Trading Standards and Licensing Manager

STANDARD CONDITIONS FOR SEXUAL ENTERTAINMENT VENUES
(REVISED 23RD JUNE, 2015)

Definitions

In this Licence,

‘approved layout’ means the layout of the Premises shown on the attached plan.

‘authorised officers’ means officers of the Borough Council or of the Police

‘drinks tariff’ means a tariff showing the price of all drinks

‘entertainment tariff’ means a tariff showing the price of all sexual entertainment performances, displays of nudity and services related to the sexual entertainment performance (including charges for admission to any part of the Premises; for hire of rooms, booths or reserved areas; or for the company of performers)

‘nudity’ , ‘display of nudity’ and ‘sexual entertainment’ are references to those terms as defined by section 27 of the Policing and Crime Act 2009.

‘performers’ means persons engaged by or through the Licensee who provide or participate in sexual entertainment

‘premises’ includes land, buildings, stalls, structures or erections, and all forms of vessels or vehicles (including for the avoidance of doubt bicycles, motor vehicles, boats and aircraft). It does not include any private dwelling to which the public is not admitted.

‘the Premises’ means the premises authorised in this Licence as a sexual entertainment venue and shown on the attached plan.

‘public area(s)’ means the area(s) outlined in blue on the attached plan, being the area within the Premises that the public are permitted to enter.

‘the public’ includes customers, guests and visitors to the premises, but excludes performers and those employees or agents of the Licensee lawfully engaged in managing or operating the Premises.

‘sexual entertainment area(s)’ means the area(s) outlined in red on the attached plan, being locations where sexual entertainment is permitted to take place.

‘suggestive advertising content’ means photographs, sculptures, images, tableaux, displays, sounds, spoken words or writing - including graphics, logos or trademarks- that depict, indicate or suggest that sexual entertainment takes place on the Premises

General

1. The Licensee must remain in personal control of the premises at all times that it is trading or nominate in writing an individual over the age of 18 with the authority to direct activities within the Premises.
2. The Licensee shall notify the Council, in writing, of any change in directors, trustees, partners or other persons concerned in the management of the licensed activities within 14 days of such change.
3. The Licensee shall admit authorised officers to the Premises at all reasonable times and at any time when the Premises are providing sexual entertainment. The Licensee shall provide in a timely fashion copies of any documents reasonably required by an authorised officer to prove compliance with this Licence.
4. The Licensee must give written notice to the Council if s/he wishes to surrender the licence.
5. A suitable and sufficient number of door supervisors and trained staff will be employed (based on a risk assessment) when sexual entertainment is offered. Their duties will include monitoring customers to ensure that the Code of Conduct for Performers and the House Rules are being obeyed.
6. The Licensee is to implement a suitable policy for the safety of the performers when they leave the Premises.
7. The Council reserves the right to amend or alter these conditions (provided that such change will not prevent the operators from viably carrying on the business of the Premises) following consultation with the licensees.

Premises

8. The approved layout of the Premises shall not be altered without prior consent of the Council.
9. The Licensee shall ensure that the interior of the Premises where sexual entertainment is offered shall not be capable of being seen from the outside of the Premises, and that the exterior is maintained with a suitable level of decorum (i.e. that it does not have anything that depicts, indicates or suggests that sexual entertainment takes place on the Premises).
10. Sexual entertainment shall take place only in the designated sexual entertainment areas.
11. No member of the public shall be permitted to go anywhere outside the public areas. The public shall not be permitted access to the performers' changing rooms.
12. Without prejudice to condition 13 below CCTV shall be installed to cover the inside and the outside of the Premises, covering all public areas, including private performance areas and booths, entrances and exits, but excluding the interior of toilets. All cameras must be maintained in working order. All cameras shall continually record whilst the Premises are open to the public and the recorded images shall be kept available for a minimum of 31 days. Recorded images shall be made available to an authorised officer together with facilities for viewing. The recordings for the preceding 2 days shall be made available immediately upon request. Recordings outside this period shall be made available on 24 hours' notice.
13. CCTV cameras shall be installed and maintained at the locations shown on the attached plan, to the reasonable satisfaction of the licensing authority.
14. Members of the public may not enter or remain in the toilet cubicles in the company of any performer. Only one person at a time to enter a toilet cubicle.

Advertising

15. The Licensee shall neither cause nor permit the display of suggestive advertising content which is directed at or may be seen or heard by any person from within the London Borough of Tower Hamlets:

on any public highway, street, waterway or railway;
in any place of general public use or access; or
in publicly accessible areas of premises open to the public.

This condition shall apply to prevent suggestive advertising content being displayed on the exterior of the Premises or handed out as flyers on the street. It shall also apply to prevent suggestive advertising content being displayed on or in street furniture; telephone booths; hoardings, billboards, screens or projections; as well as advertising displayed on or within any vehicles located on or near the highway. The Licensee shall not permit any person to tout for business or encourage other persons to visit the Premises whilst on a public highway.

For the avoidance of doubt, this condition shall not be taken to prevent the Licensee from advertising the Premises using suggestive advertising content in media that restrict access to persons over the age of 18 years and would not reasonably be expected to be directed at persons in a public place (for instance, in adult magazines, websites or television channels).

16. All persons engaged or employed to attend to the entrance area or exterior of the Premises must be suitably dressed and conduct themselves so as not to indicate or suggest the availability of sexual entertainment at the Premises.
17. Where the Council has given notice in writing to the Licensee objecting to an advertisement on grounds that it would offend public decency or be likely to encourage or incite crime or disorder, that advertisement shall be removed or not be displayed.

Admission to the Premises

18. No person under the age of 18 years shall be admitted to nor permitted to remain on the Premises when sexual entertainment is being offered, and a clear notice to this effect will be displayed at each entrance to the Premises.

19. Customers who appear to be under the age of 21 must be asked to provide a Pass-scheme approved photographic card, their passport or photographic driving licence to prove their age. Prominent notices must be clearly displayed to this effect at each entrance to the Premises.

House Rules

20. The Licensee shall prepare House Rules governing the conduct of customers.
21. The House Rules shall be prominently and legibly displayed close to each entrance of the Premises.
22. The House Rules must be made known to customers prior to their admission to the Premises when sexual entertainment is provided
23. Signs must be displayed at appropriate locations advising that any customer attempting to make physical contact with a performer will be asked to leave.
24. No member of the public shall be admitted or allowed to remain at the Premises if they appear to be intoxicated or under the influence of illegal substances.
25. Customers may not be permitted to photograph, film or electronically record any performance.
26. The House Rules must be implemented and effectively enforced at all times when the premises are operating with sexual entertainment.

Performers

27. Sexual entertainment will be given only by the performers engaged by or through the Licensee and there will be no audience participation in any performances.
28. The Licensee shall keep a record of each performer, including their proper name and any aliases, and their residential address. With each record the Licensee shall keep a copy of a photographic form of identity and proof of address of the performer. With each record the Licensee shall keep a clear copy of an authorised document demonstrating that each Performer and each member of the staff is

entitled to work within the UK. A clear copy of this record shall be kept on the Premises at all times and be made immediately available for inspection by authorised officers.

29. On days when sexual entertainment is provided, the Licensee or their representative shall keep a record of those performers working at the Premises on that day in a daily record. The daily record shall be retained securely for at least 31 days and shall be made immediately available for inspection by authorised officers.

Tariffs

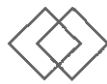
30. The Licensee shall prominently and legibly display the drinks tariff at or by the bar and at the entrance. No charge shall be made nor payment accepted for any drink other than in accordance with the tariff, save for clearly advertised discounts to the tariff.
31. The Licensee shall prominently and legibly display the entertainment tariff in the entrance area and at key locations within the Premises including entrances to any private performance areas and so far as possible at the place(s) at which payment for any performance or service is transacted as marked on the attached plan. No charge shall be made nor payment accepted by the Licensee for any services other than in accordance with the tariff or clearly advertised discounts to the tariff.
32. The Licensee shall so far as reasonably practicable keep such records as are necessary to prove that the sums charged and payments taken are for products or services advertised on the relevant tariff at the amount shown on that tariff. These records must be made available within a reasonable time if requested by an authorised officer.

Code of Conduct

33. The Licensee shall prepare and implement a suitable Code of Conduct for performers.
34. The Licensee shall ensure that each performer signs the Code of Conduct in their proper name, acknowledging that they have read and understood and are prepared to abide by the Code of Conduct, and signed copies be kept on the premises for inspection by authorised officers.

35. During a performance there shall be no intentional physical contact between a performer and the customer other than the transfer of money or token at the beginning, during and at the conclusion of a dance into the hand or a garter worn by the performer. For the avoidance of doubt nothing in this condition shall prevent Performers from acting to prevent, deter or counter any attempts of physical contact by a customer.
36. Without prejudice to standard condition 35 above, at the conclusion of a performance there shall be no intentional physical contact between a performer and the customer, save for a handshake. For the avoidance of doubt kissing is not permitted.
37. The Licensee must not permit gratuities or any other items to be thrown at performers.
38. During a performance there shall be no full body physical contact between performers and they are not to touch each other's breasts or genitalia either with their bodies or with objects. Any performance shall be restricted to dancing and the removal of clothes. There must not be any other form of sexual activity, including but not limited to acts or the simulation of acts of personal stimulation.
39. Performers shall be provided with a changing room to which the public have no access.
40. Performers must remain fully dressed while on the Premises, except while performing in the sexual entertainment areas and in the changing rooms shown on the approved plan. [Without prejudice to this requirement, there is to be no display of nudity in the public areas of the Premises, other than during the course of a performance].
41. Performers must re-dress at the conclusion of a performance.

Appendix 3



GORDON DADDS

Our Ref: G.GBH/G.LAH/G.20778-00001/12524096v1

25 July 2016

Your ref:

Licensing Section
Tower Hamlets Council
John Onslow House
1 Ewart Place
London
E3 5EQ

Dear Sirs,

Application for a premises licence under the Licensing Act 2003 in respect of Metropolis, 234 Cambridge Heath Road, London, E2 9NN

This is an application in respect of the above mentioned premises for a new premises licence under the Licensing Act 2003 to mirror all those licensable activities and the hours of operation currently contained within premises licence number 09140 which has been in place since the conversion of licenses under the 2003 Act. The premises had benefited from both a licence to sell alcohol under the 1964 Act and to provide public entertainment under the London Government Act 1963 in one form or another since 1976.

It also benefits from a Sexual Entertainment Venue licence under the Local Government (Miscellaneous Provisions) Act 1982. That licence has been subject to a renewal under the annual renewal provisions in the 1982 Act and is also subject of a variation request to take into account the same matters which have resulted in the necessity of this application.

In essence, this application is a variation to plans application because it is not seeking to increase the hours of licensable activities or to add in any further such activities.

The premises is subject to a major refurbishment following the grant of planning permission by London Borough of Tower Hamlets a copy of which is attached with this application as an annex. The plans are therefore to be varied to take in the rooftop terrace area and have been subject on the planning permission to conditions with regard to noise. We seek to replicate those conditions within this application. Secondly, the applicants seek to include the basement area within the licensable area – no such planning permission was required in this respect and



Gordon Dadds LLP
6 Agar Street, London WC2N 4HN
dx: 40003 Covent Garden

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was therefore approved by the planning department (hannah.murphy@towerhamlets.gov.uk).

The premises have operated as a lap dancing venue with the ability to sell alcohol and including the licensable activities set down on the current premises licence for 5 decades without any serious issues ever arising. The management have always exerted firm control over the activities in the premises and have adhered to licence conditions.

During the planning process and in the run up to this application the licence holders have drafted in both noise acoustic experts and have taken the advice of their fire risk consultants who have commented that the plans as presented are satisfactory in terms of the public safety licensing objective and provide adequate means of escape in case of fire. We have attached the Noise Acoustic report with this application as a further annex.

There will be a proposed increase in capacity by virtue of the works being carried out to about 600 people and it is anticipated that this will remove from the streets immediately outside the premises any issues arising from significant numbers of people having to queue in order to gain access.

Because the premises predominantly provides sexual entertainment and facilities to the lesbian, bisexual, gay and transgender community many of those queuing up outside the premises to gain entry have been the subject of attacks from passers-by which has necessitated the erection of temporary barriers around the queue to protect those in it. The police were notified of these homophobic attacks and have maintained surveillance outside the premises. It is anticipated that the increase in numbers will allow for those who were previously queuing to have access to the premises and to reduce the necessity for such queuing.

Furthermore, the licence holder has amended the dispersal policies to address the issues of numbers leaving the premises at night and a copy of this policy is attached as a further annex to this application.

The premises are not contained within a Tower Hamlets stress area and are, therefore, subject to the normal rules with regard to the upholding of the four licensing objective. In this respect it is submitted that the significant number of conditions of the existing premises licence are sufficient to uphold those four objectives and have accordingly been suggested as the conditions which should attach to the new licence should it be granted. The proposed conditions are contained with this application as a further annex.

In all the circumstances, the licence holder asks the licensing authority to examine this application in the light of a 40 year operation on the same site which is family run. The licence holder has never been anyone else other than Mr Victor Martin and/or his son Mr Steven Martin. They have run a successful and orderly establishment for all of these years and have proposed a raft of conditions on the new premises licence to address the four licensing objectives. It is submitted that the new arrangements will have the effect of reducing the numbers of people on the street outside during the evening and good transport links as well as a consistent taxi service and a private hire company engaged through the operation will mean that those leaving the premises can leave in an orderly fashion as has been the case to date.

Yours faithfully,



Gareth Hughes
Gordon Dadds LLP





* required information

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Section 1 of 19

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

Main telephone number Include country code.

Other telephone number

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

Is the applicant:

Applying as a business or organisation, including as a sole trader

Applying as an individual

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

Continued from previous page...

Address

* Building number or name
* Street
District
* City or town
County or administrative area
* Postcode
* Country

Agent Details

* First name
* Family name
* E-mail
Main telephone number
Other telephone number

Include country code.

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

Are you:

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

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

Agent Business

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

* Registration number
* Business name

If your business is registered, use its registered name.

You must enter a valid VAT number

* VAT number

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

* Legal status
* Your position in the business

Home country

The country where the headquarters of your business is located.

Continued from previous page...

Agent Registered Address

Address registered with Companies House.

* Building number or name	6
* Street	Agar Street
District	
* City or town	London
County or administrative area	
* Postcode	WC2N 4HN
* Country	United Kingdom

Section 2 of 19

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name	234
Street	Cambridge Heath Road
District	
City or town	London
County or administrative area	
Postcode	E2 9NN
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	50,000

Section 3 of 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 19

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details 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.

First name

Steven

Family name

Martin

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Applicant Postal 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

Applicant Contact Details

Are the contact details the same as (or similar to) those 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.

E-mail

Telephone number

Other telephone number

Second Applicant Name

Is the name the same as (or similar to) the details 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.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Second Applicant Postal 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

[Redacted]

Street

[Redacted]

District

[Redacted]

City or town

London

County or administrative area

[Redacted]

Postcode

[Redacted]

Country

United Kingdom

Second Applicant Contact Details

Are the contact details the same as (or similar to) those 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.

E-mail

[Redacted]

Telephone number

[Redacted]

Other telephone number

[Redacted]

Remove this applicant

Add another applicant

Section 5 of 19

OPERATING SCHEDULE

When do you want the premises licence to start?

25 / 08 / 2016
dd mm yyyy

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

[] / [] / []
dd mm yyyy

Provide a general description of the premises

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

The Premises has operated as Metropolis for 40 years - a bar and sexual entertainment venue over the whole of that period over several floors. It currently operates under the authority of a premises licence number 09140 and a sexual entertainment venue licence number 19572

Third Applicant:

First Name: Melanie

Family Name: Graham

Is the applicant 18 years of age or older: Yes

[REDACTED]

[REDACTED]

City: London

[REDACTED]

Country: United Kingdom

[REDACTED]

Continued from previous page...

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

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

Yes

No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

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

Continued from previous page...

SUNDAY

Start 00:00

End 05:00

Start 09:00

End 00:00

Will the exhibition of films take place indoors or outdoors or both?

- Indoors
- Outdoors
- Both

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

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

Films primarily shown as background

State any seasonal variations for the exhibition of film

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where the premises will be used for the exhibition of film at different times from those listed in the column on the left, list below

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

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

- Yes
- No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

- Yes
- No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

- Yes
- No

Standard Days And Timings

Continued from previous page...

MONDAY

Start 00:00

End 05:00

Start 09:00

End 00:00

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

TUESDAY

Start 00:00

End 05:00

Start 09:00

End 00:00

WEDNESDAY

Start 00:00

End 05:00

Start 09:00

End 00:00

THURSDAY

Start 00:00

End 05:00

Start 09:00

End 00:00

FRIDAY

Start 00:00

End 05:00

Start 09:00

End 00:00

SATURDAY

Start 00:00

End 05:00

Start 09:00

End 00:00

SUNDAY

Start 00:00

End 05:00

Start 09:00

End 00:00

Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

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

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

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

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

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes No

Standard Days And Timings

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

MONDAY

Start 00:00

End 05:00

Start 09:00

End 00:00

TUESDAY

Start 00:00

End 05:00

Start 09:00

End 00:00

WEDNESDAY

Start 00:00

End 05:00

Start 09:00

End 00:00

THURSDAY

Start 00:00

End 05:00

Start 09:00

End 00:00

FRIDAY

Start 00:00

End 05:00

Start 09:00

End 00:00

SATURDAY

Start 00:00

End 05:00

Start 09:00

End 00:00

SUNDAY

Start 00:00

End 05:00

Start 09:00

End 00:00

Continued from previous page...

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

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

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

Recorded music through speakers internally and on roof terrace but roof terrace to be subject to a condition as on the planning permission PA/15/03131 that there shall be no amplified public address system or music system used in any part of the premises so as to be audible outside the premises or within adjoining premises.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

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

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

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

Continued from previous page...

THURSDAY

Start 00:00

End 05:00

Start 09:00

End 00:00

FRIDAY

Start 00:00

End 05:00

Start 09:00

End 00:00

SATURDAY

Start 00:00

End 05:00

Start 09:00

End 00:00

SUNDAY

Start 00:00

End 05:00

Start 09:00

End 00:00

Will the performance of dance take place indoors or outdoors or both?

Indoors

Outdoors

Both

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

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

State any seasonal variations for the performance of dance

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

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

Section 13 of 19

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

Continued from previous page...

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

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

- Indoors Outdoors Both

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

Continued from previous page...

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

[Empty box for activity details]

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

[Empty box for seasonal variations]

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

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

[Empty box for non-standard timings]

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start 00:00

Start 09:00

End 05:00

End 00:00

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

TUESDAY

Start 00:00

Start 09:00

End 05:00

End 00:00

WEDNESDAY

Start 00:00

Start 09:00

End 05:00

End 00:00

THURSDAY

Start 00:00

Start 09:00

End 05:00

End 00:00

Continued from previous page...

FRIDAY

Start 00:00

End 05:00

Start 09:00

End 00:00

SATURDAY

Start 00:00

End 05:00

Start 09:00

End 00:00

SUNDAY

Start 00:00

End 05:00

Start 09:00

End 00:00

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

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

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

Name

First name

Melanie Jane

Family name

Graham

Continued from previous page...

Enter the contact's address

Building number or name [Redacted]

Street [Redacted]

District [Redacted]

City or town [Redacted]

County or administrative area [Redacted]

Postcode [Redacted]

Country [United Kingdom]

Personal Licence number (if known) [Redacted]

Issuing licensing authority (if known) [Redacted]

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known) [Redacted]

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 19

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

The premises operates under the authority of a sexual entertainment venue licence number 19572

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start [00:00]

Start [00:00]

End [00:00]

End [00:00]

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

Continued from previous page...

TUESDAY

Start 00:00

End 00:00

Start 00:00

End 00:00

WEDNESDAY

Start 00:00

End 00:00

Start 00:00

End 00:00

THURSDAY

Start 00:00

End 00:00

Start 00:00

End 00:00

FRIDAY

Start 00:00

End 00:00

Start 00:00

End 00:00

SATURDAY

Start 00:00

End 00:00

Start 00:00

End 00:00

SUNDAY

Start 00:00

End 00:00

Start 00:00

End 00:00

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

There are no restrictions on opening hours

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

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

Section 18 of 19

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

Please see attached conditions which have been taken from the existing premises licence and which address the licensing objectives and we would invite the licensing authority to attach to the licence.

Should this application be granted as sought, the existing premises licence number 90140 will be surrendered.

b) The prevention of crime and disorder

See annex 4

c) Public safety

See annex 4

d) The prevention of public nuisance

See annex 4

e) The protection of children from harm

See annex 4

Section 19 of 19

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.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4,300 = £100.00

Band B - £4,301 to £33,000 = £190.00

Band C - £33,001 to £8700 = 315.00

Band D - £87001 to £12500 = £450.00*

Band E - £125001 and over = 635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £7001 to £12500 = £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment only

Continued from previous page...

where the entertainment is provided by and at the school or college and for the purposes of the school or college. If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 = £1,000.00

Capacity 10000 -14999 = £2,000.00

Capacity 15000-19999 = £4,000.00

Capacity 20000-29999 = £8,000.00

Capacity 30000-39000 = £16,000.00

Capacity 40000-49999 = £24,000.00

Capacity 50000-59999 = £32,000.00

Capacity 60000-69999 = £40,000.00

Capacity 70000-79999 = £48,000.00

Capacity 80000-89999 = £56,000.00

Capacity 90000 and over = £64,000.00

* Fee amount (£)

315.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

The 28 full days consultation period on the public notice on the premises and on the newspaper must state the same consultation end date. The advert on the local newspaper must be published on at least one occasion during the period of 10 working days starting on the day after the day on which the application was given to the Licensing Authority.

You must check the box for this declaration

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)

SIGNATURE FOR APPLICANT

28/07/2016

Add another signatory

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/premises-licence/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.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Annex Index

No	Annex
1	Planning Permission granted by London Borough of Tower Hamlets
2	Noise Acoustic Expert Report
3	Dispersal Policy
4	Proposed Licence Conditions

Annex 1

Planning Permission granted by London Borough of Tower Hamlets

Gareth Hughes

From: Hannah R Murphy
Sent: 05 May 2016 14:20
To: Gareth Hughes
Subject: PF/16/00008 - 234 Cambridge Heath Road

Dear Mr Hughes

The proposed internal works (including refurbishment, new layout, raised flooring and a new staircase) do not require planning permission.

Regarding the change of use of the lower ground floor from storage & staff area to public use, given that the existing use is already considered to be ancillary to the main use of the building, planning permission will not be required in this instance.

Finally, regarding the raising of the parapets and the proposed roof terrace, a planning application has already submitted and will likely be approved within the next few days. This planning application also includes an external fire escape staircase.

Pending the granting of this planning application (ref: PA/15/03131), no other works mentioned in the pre-application cover letter or shown on the plans will require planning permission. It is therefore not deemed necessary to provide pre-application advice.

Kind regards

Hannah R Murphy
Planning Officer
London Borough of Tower Hamlets

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

London Borough of Tower Hamlets E-Mail Disclaimer.

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

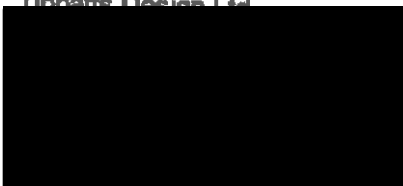
Please consider your environmental responsibility: Before printing this e-mail or any other document, ask yourself whether you need a hard copy.

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

London Borough of Tower Hamlets E-Mail Disclaimer.



Mr Shafiq Nowrozle
Tibbatts Design Ltd



Application Number: PA/15/03131

09/05/2016

Dear Sir/Madam,

Development & Renewal
Town Planning
Town Hall, Mulberry Place
5 Clove Crescent
London
E14 2BG

www.towerhamlets.gov.uk

Enquiries to: Hannah R Murphy

Tel:

Fax:



Town and Country Planning Act 1990 (as amended)

CONDITIONAL PERMISSION FOR DEVELOPMENT

In accordance with the Act and Order mentioned above, Tower Hamlets Council as Local Planning Authority hereby gives notice of its decision to grant permission for the development referred to in the schedule to this notice and as shown on the submitted plans and particulars subject to the conditions set out in the schedule.

You are advised that this permission does not modify or extinguish any covenants, easements or other restrictions applying to or affecting the land, or the rights affecting the land, or the rights of any other person entitled to the benefits thereof. You are also advised that this permission does not relieve you of the need to obtain any approval necessary under the Building Act 1984, Building Regulations 2000, or other related legislation. In this connection you should contact the Head of Building Control, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG (020 7364 5241) for advice or guidance on the necessity for obtaining building regulation approval in this particular case.

Applicants are reminded of the need to comply with the provisions of Part II of the London Building Acts (Amendment) Act 1939 in order to obtain official geographical and postal addresses and to get any newly created streets and access-ways officially named. In order to avoid delays at completion stage of the work the application should be made on commencement of the work or shortly thereafter. Details of the development, including site, block and internal plans annotated with unique plot numbers and additional development information such as tenure, number of bedrooms etc. with completed application forms (available from the Street Naming and Numbering webpage on the Councils website) should be sent to Planning and Building Control, Street Naming and Numbering, Mulberry Place, 5 Clove Crescent, London, E14 2BG.

Your attention is drawn to the following statement of applicants' rights:-

1) Appeals to the Secretary of State

If you are aggrieved by this decision you may appeal to the Secretary of State for Communities & Local Government in accordance with Section 78 of the Town and Country Planning Act 1990. If you want to appeal from the date of your decision notice then you must

do so within six months, or 28 days, if the development in your application is the

same or substantially the same as development that is currently or subsequently the subject of an enforcement notice. You must use a form which you can get from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel 0303 444 5000). The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order. In practice the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

2) Purchase Notice

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor can they render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Act 1990.

3) Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him. These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990.

Yours sincerely,



Owen Whalley, Head of Planning and Building Control

SCHEDULE

Full Planning Permission

Location: 234 Cambridge Heath Road, London, E2 9NN

Proposal: Erection of roof terrace and external fire escape staircase to serve a gentlemen's club.

Date: 09/05/2016

Reference: PA/15/03131

Application Received on: 6 November, 2015

Application Registered on: 6 November, 2015

Documents and Drawings 1697-PL01; 1697-001; 1697-002A; 1697-003D; 1697-004F; 1697-005E; Metropolis Acoustic Assessment of Proposed Smoking Terrace, 27 January 2016 (reference: C/1398/T01/1HW).

Statement of positive and proactive engagement

The Local Planning Authority has worked with the applicant in a positive and proactive manner by making available a formal pre-application process, including free duty officer advice. The Local Planning Authority has also produced policies and provided written guidance, all of which are available on the Council's website and which has been followed in this instance.

Conditions and Reasons:

1 - The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2 - The development hereby permitted shall be carried out in accordance with the approved plans listed in the Schedule to this planning permission.

Reason: For the avoidance of doubt and in the interests of proper planning.

3 - The materials to be used for the external surfaces of the development hereby permitted shall match those of the existing building. All new works and works of making good to the retained fabric shall be finished to match the adjacent work with regards to material, colour, texture and profile except where otherwise stated on the approved drawings.

Reason: To ensure that the external appearance of the building is satisfactory in accordance with the requirements of policy SP10(4) of the Tower Hamlets Core Strategy 2010.

4 - No development shall take place until samples and full particulars of the retractable roof cover have been submitted to and approved in writing by the local planning authority.

The development shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the external appearance of the building is satisfactory in accordance with the requirements of policy DM24 of the Managing Development Document 2013 and SP10 of the Core Strategy 2010.

5 - Unless the roof terrace has been fully enclosed by the retractable roof cover, the roof terrace shall not be used other than between the hours of 12 noon and 12 midnight.

Reason: To safeguard the amenity of adjacent residents and the area generally and to accord with policy DM24 of the Managing Development Document 2013 and policy SP10 of the Core Strategy 2010.

6 - Prior to first use of the roof terrace hereby approved, the recommendations made in the Noise Assessment, 27 January, prepared by SRL (reference C/13988/T01/JHW) shall be implemented, including the use of automatic closing doors, and shall be retained and maintained in perpetuity thereafter.

Reason: To safeguard the amenity of adjacent residents and the area generally, in accordance with policy SP10 of the adopted Core Strategy (2010) and policy DM25 of the Managing Development Document (2013) with modifications which seek to minimise disturbance to residents from noise and other environmental pollution.

7 - There shall be no amplified public address system or music system used in any part of the premises so as to be audible outside the premises or within adjoining premises.

Reason: To safeguard the amenity of adjacent residents and the area generally and to accord with policy DM24 of the Managing Development Document 2013 and policy SP10 of the Core Strategy 2010.

8 - The external staircase shall only be used during emergencies.

Reason: To safeguard the amenity of adjacent properties and the area generally and to meet the requirements of policies SP03 of the Core Strategy (2010) and policy DM25 of the Managing Development Document (2013) which seek to ensure that development does not result in undue noise disturbance or compromise neighbouring amenity.

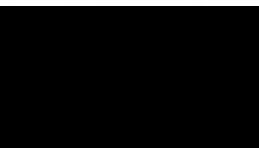
Annex 2

Noise Acoustic Expert Report

C/13988/T01/JHW

27 January 2016

Scott Halls
Architectural Technician



Dear Scott

Metropolis - Acoustic Assessment of Proposed Smoking Terrace

I understand that you have obtained planning permission for a smoking terrace at Metropolis. The permission has restricted hours of operation (until 00:00 hrs), however you would like to extend this to 05:00 hrs. SRL visited Metropolis on Friday 15th January 2016 between 19:00 hrs and 23:00 hrs to measure operational noise levels and existing background noise levels at a location representative of the nearest residential accommodation. Using an unmanned noise logger, we measured the external noise levels from 19:00 hrs on the 15th January to 10:30 hrs on the 18th January. Our measurements therefore represent the worst case background noise levels, i.e. the quietest (see Appendix A). Metropolis closed at 05:00 hrs on Friday, Saturday and Sunday whilst the unmanned noise logger was running.

The venue is located at 234 Cambridge Heath Road, London, E2 9NN and I understand that the closest residential accommodation is located next to the club on Cambridge Heath Road. The closest window of the residential accommodation is approximately 7m from the proposed terrace location. The proposed terrace area for the venue is located in a well in the roof (see Appendix B - Breley Design's drawing 1040-02 rev B). Access to the proposed terrace area is to be via a single external door.

The typical background noise level measured during the proposed operational smoking terrace opening hours (until 05:00 hrs) at the nearest residential accommodation (L_{A90}) is between 45-49 dB(A), the existing ambient noise level (L_{Aeq}) is typically 51 dB(A), and the highest maximum noise levels (L_{Amax}) are 79-80 dB(A). The noise sources contributing the measured ambient noise level were typically road traffic the adjacent railway and some aircraft. The highest maximum noise levels were generally due to police sirens.

It is also worth noting that on Sunday night the background noise level drops marginally lower than the typical throughout the rest of the weekend. However, it is unlikely that the club will be busy on the Sunday evening therefore the noise from people using the proposed smoking terrace is also likely to be lower than is considered typical in this assessment.

C/13988/T01/JHW
27/01/2016

Music Noise Break-out

Normally, intermittent noise should not cause disturbance if the L_{Amax} of the noise is no greater than the quietest background noise (L_{A90}) at the facade of the residential accommodation. I have therefore considered both overall and octave band music noise levels between 63Hz and 4 kHz.

I have assessed the music noise break-out of the venue from the second floor bar area, through the staircase and up into the smoking terrace. My assessment considers the worst case scenario on the Saturday night, with the music at its highest volume. The trading patterns of this venue will mean the music noise level is lower during other nights of the week. There are 2 sets of doors in this access path to the proposed terrace separated by the staircase.

My assessment shows that when one set of doors are open, music noise from the terrace access will be 45 dB(A) L_{Amax} at the facade of the nearest residential accommodation 7 metres away. The typical measured L_{A90} background noise level on a Saturday night is 49 dB(A). Therefore it is unlikely that any adverse comment due to music would result from the proposed roof top smoking terrace scheme.

Noise from Patrons using the Smoking Terrace

I have used noise levels for patrons talking and shouting based upon levels SRL has measured at other venues we have visited. The patrons on the terrace had been inside the nightclub prior to being on the terrace and normally people will talk louder than normal following being subjected to loud music. Typically we expect noise levels for a smoking terrace at this type of premises of 70 dB L_{Aeq} for a small group of people at a distance of 1 metre.

As well as the external terrace measurements, we have measured someone shouting as loud as they physically could. I have therefore assumed that the L_{Amax} could be as high as 95 dB L_{Amax} .

I have calculated the general "hubhub" at the nearest residential accommodation due to people on the terrace. The flank walls between the terrace and the residential accommodation will be built up to stop any line of sight from the residential accommodation and will therefore help to provide some acoustic shielding at the residential accommodation.

Using the noise data as stated I have assumed a small group of people will be on the terrace and they will create a noise level of around 70 dB(A). This will reduce to approximately 43 dB(A) L_{Aeq} outside the nearest residential accommodation, due to the distance attenuation and noise barrier effect of the proposed flank walls. This is 6 dB(A) below the existing background noise level (L_{A90}) and 8 dB(A) below the existing ambient noise level during proposed operational hours.

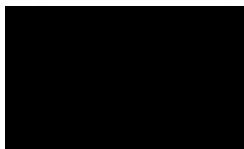
Hubhub from the patrons is therefore unlikely to cause adverse comment, even if as we expect, some people will talk in a raised voice.

If there are shouts on the terrace this will create a maximum noise level of around 95 dB(A) at 1m. I predict that the external noise level at the nearest residential facade will be 71 dB L_{Amax} from a shout. This is no higher than the highest existing L_{Amax} levels experienced at the nearest residential facade, and with good management of the terrace it is our experience that shouts are unlikely to happen often. I therefore also consider this is unlikely to cause any adverse comment, subject acceptable management of the terrace.

Notwithstanding the above, the management of the venue must take all reasonable measures to avoid excessive noise on the terrace. These measures should include having a maximum number of patrons allowed to use the external terrace at the same time, as well as constant supervision of the area by a member of staff to ensure that shouts are not permitted in this area, and that at least one of the doors in the noise path from the second floor bar is closed at all times (automatic door closers are therefore necessary). I also recommend that you use visible signs asking your patrons to respect your neighbours and to keep noise level low on the terrace.

Please do not hesitate to contact me if you have any questions

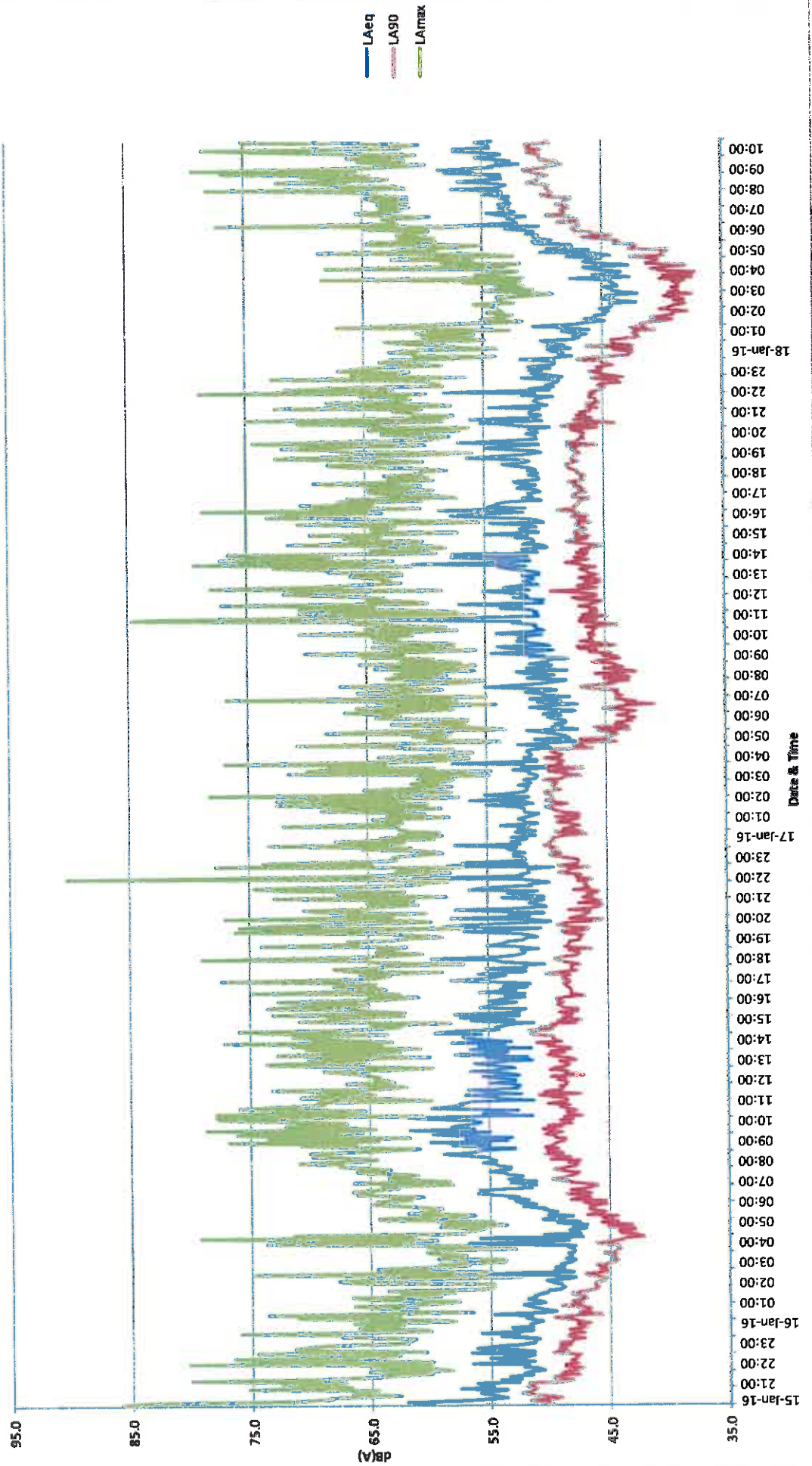
Yours sincerely,



Josh Wilson
For and on behalf of
SRL Technical Services Limited



Metropolis - Unmanned Logger Noise Data: 15 - 18 January 2016



Annex 3

Dispersal Policy

Metropolis Club Dispersal Policy

Metropolis Club has always emphasised building and maintaining good relationships with local residents and the premises are operated accordingly. We try and deal with complaints in a timely and effective manner, with such complaints being escalated to the licence holder.

In addition, Metropolis ensures that it enjoys close working relationships with the local authority and the police in order to make itself aware of any local issues and aid with those issues.

In relation to dispersal, the following procedures are adhered to in order to operate the premises in a neighbourly manner:-

- Effective management of customer behaviour whilst inside the premises and exterior smoking areas. This is achieved through:
 - High SIA door staff to customer ratio.
 - No drinks allowed to be taken outside.
 - Numbers of smokers limited.
 - 6ft high balustrades surrounding smoking area to block noise and make sure patrons leave premises in appropriate manner.
 - Experienced management team coordinating customer management.
- Two dedicated SIA Quiet Marshals on street stationed on corner and directly outside premises to settle down and disperse any patrons making excessive noise.
- All door staff and Quiet Marshals are linked to the same radio system to coordinate efforts.
- Work closely with licensed hackney carriage firm.
 - Patrons are asked on entry whether they have booked a taxi and whether they would like to book.
 - A Taxi Coordinator from the hackney carriage firm, in high visibility, organises taxi operation throughout our opening hours.
 - We ask taxi collections to take place on the opposite side of the road where there are no residential dwellings.
- Employed cleaners patrol inside the premises and on the streets in the vicinity of the premises during and after opening hours.
- Appropriate signage will be placed at exit doors asking patrons to respect neighbours and keep noise levels at a minimum.

Experience shows that there is a steady flow of dispersal throughout the night rather than full capacity leaving upon closing time. We therefore do not anticipate the premises being at their occupancy limit at closing time and aim to have the streets clear by 15 minutes after closing.

Annex 4

Proposed Licence Conditions

Metropolis 234 Cambridge Heath Road – Proposed Conditions

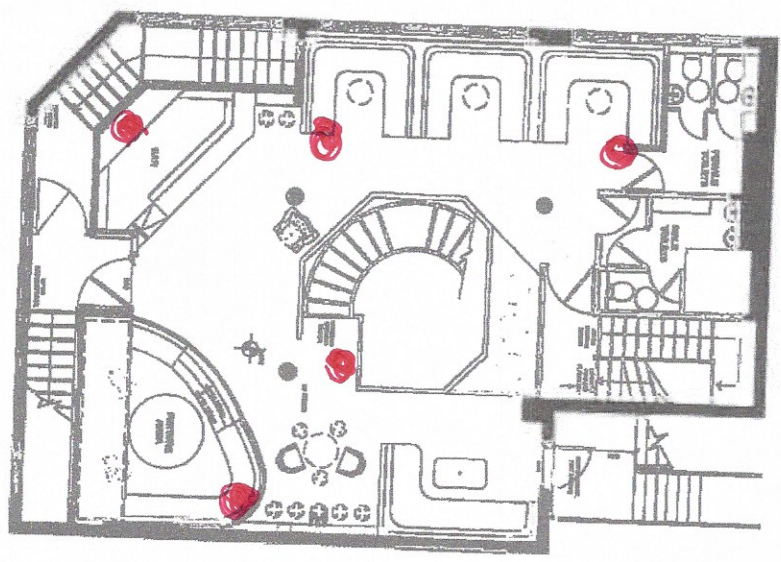
1. Notices will be displayed at each exit-requesting customers to leave quietly and in an orderly fashion and that staff ensure patrons leaving the premises do so in an orderly manner at all times.
2. The licensee shall ensure that noise shall not emanate from the licences premises, so as to disturb local residents.
3. Registered Door Supervisors shall be in attendance at each exit door, from 11.00pm until all persons have left the premises. All door supervisors must be registered with the Security Industry Authority.
4. The 2 steel shutters sited at the exit doors shall be in the open position whenever the premise is open to the public.
5. The inward opening final exit door on the emergency exit route from the 1st floor bar shall be locked in the open position whenever the premises is open to the public.
6. The pavement hatch exit flaps shall be clear and available for use whenever the premise is open to the public.
7. The music noise levels at the premises are set at a level to be agreed with the Environmental Health Officer in liaison with the licence holder's acoustic expert.
8. Unless the roof terrace has been fully enclosed by the retractable roof cover, the roof terrace shall not be used other than between the hours of 12 noon and 12 midnight.
9. Prior to first use of the roof terrace hereby approved, the recommendations made in the Noise Assessment, 27 January, prepared by SRL (reference C/13988/T01/JHW) shall be implemented, including the use of automatic closing doors, and shall be retained and maintained in perpetuity thereafter.
10. There shall be no amplified public address system or music system used in any part of the premises so as to be audible outside the premises or within adjoining premises.

11. The external staircase shall only be used during emergencies.

Appendix 4

First Floor Plan/Discovery Notes:

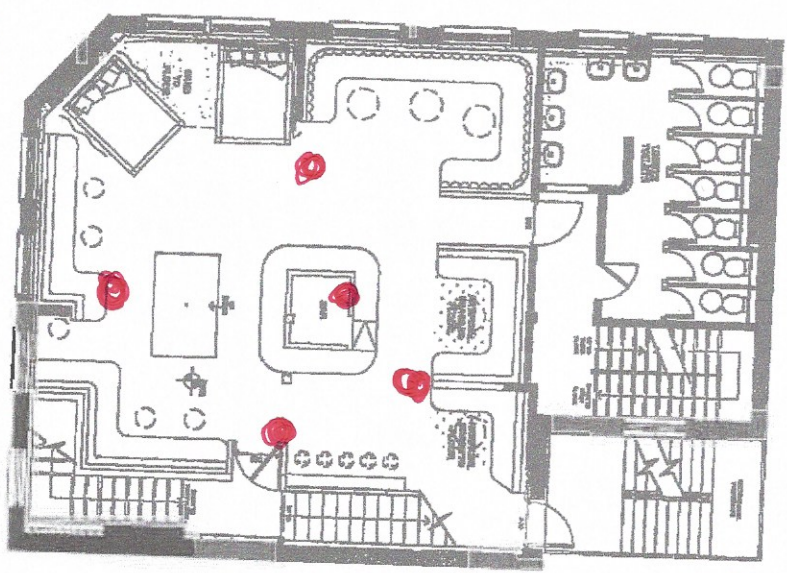
Traditionally, there were three walking paths from the first floor to the second floor, two walking over door and window openings and one walking over the exterior stairs. We have also found an interior set to the second floor stairs with one door open, we suspect a canopy on this set of stairs.



Proposed First Floor Plan
SCALE 1/8" @ 1'

Second Floor Plan/Discovery Notes:

Traditionally, there were two walking paths from the second floor to the first floor, one walking over door and window openings and one walking over the exterior stairs. We have also found an interior set to the first floor stairs with one door open, we suspect a canopy on this set of stairs.



Proposed Second Floor Plan
SCALE 1/8" @ 1'

TIBBATT'S ABEL
Architects - Architects

1000 North 1st Street, Suite 100
Portland, Oregon 97227
Phone: 503.228.1111
Fax: 503.228.1112
www.tibbattsabel.com

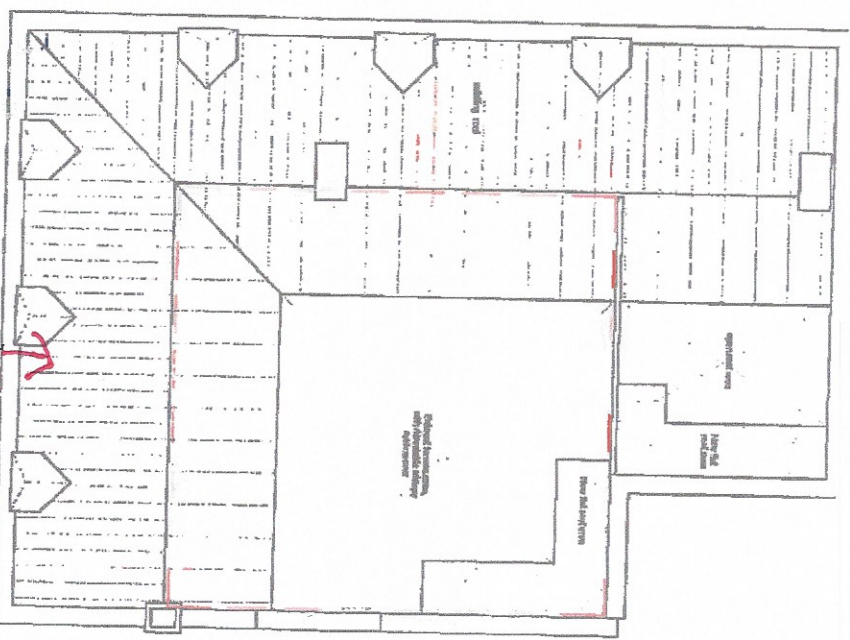
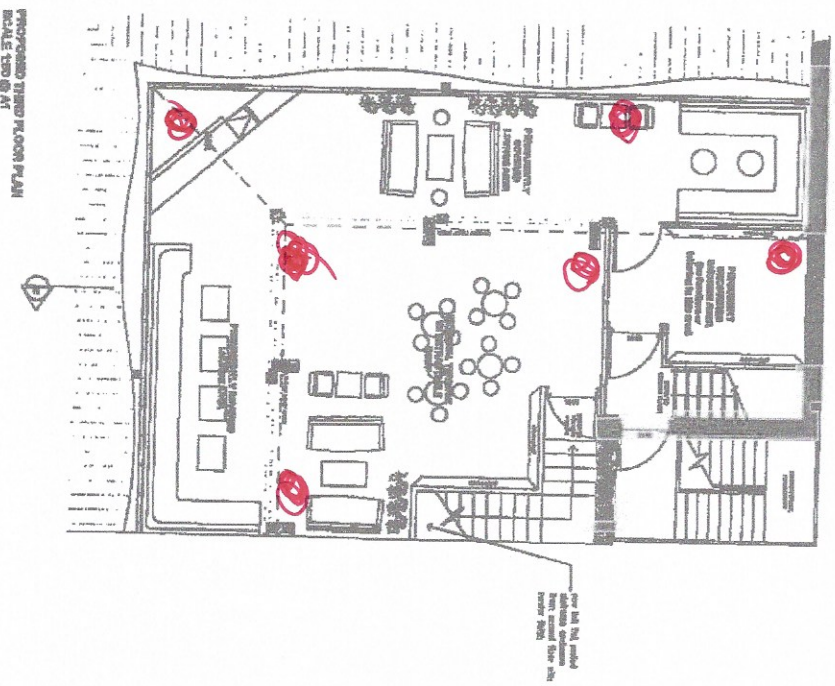
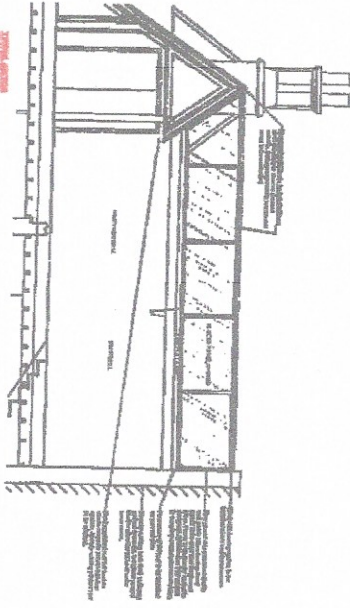
Project: Proposed First & Second Floor Plans
Date: 10/17/17
Scale: 1/8" @ 1'

1000 North 1st Street, Suite 100
Portland, Oregon 97227
Phone: 503.228.1111
Fax: 503.228.1112
www.tibbattsabel.com

Tibbatt's Abel Building

Being a new construction, we have shown with the floor plan to the general floor plan showing you an example of the work we have completed for a recent building and the floor being to illustrate the structure in this case.

Based upon these plans and floor plan, we request a copy of the floor plan for your review.



TIBBATT'S ABEL
Architectural Firm

10000 10th Street, Suite 100
Denver, CO 80202
Tel: 303.733.1111
Fax: 303.733.1112
www.tibbattsabel.com

Project: Proposed Third Floor
At River Plaza

Scale: 1/8" = 1'-0"

10000 10th Street, Suite 100
Denver, CO 80202
Tel: 303.733.1111
Fax: 303.733.1112
www.tibbattsabel.com

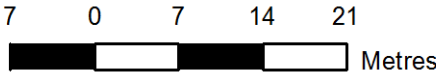
Appendix 5



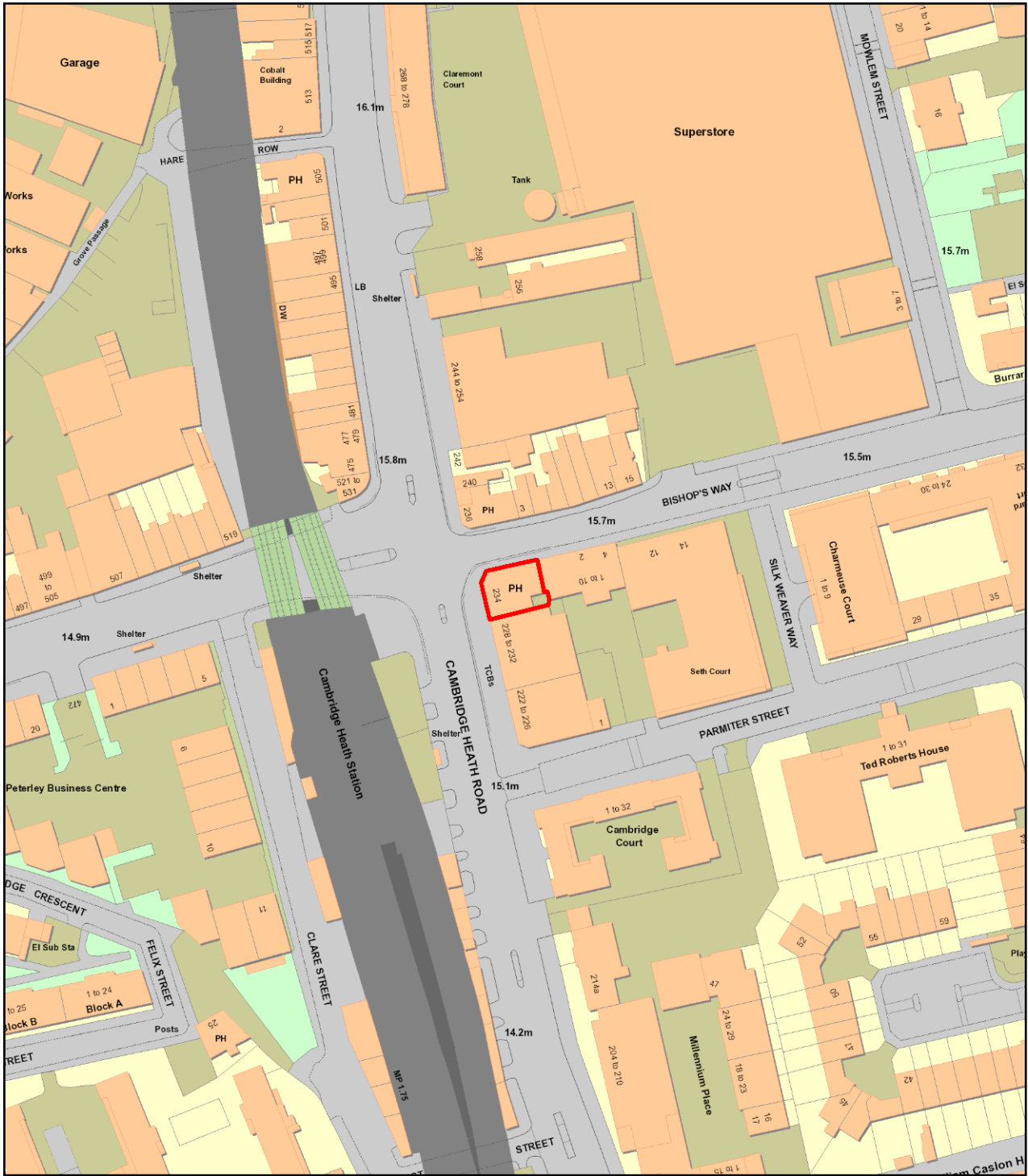
Metropolis



Scale 1:769



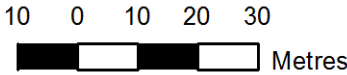
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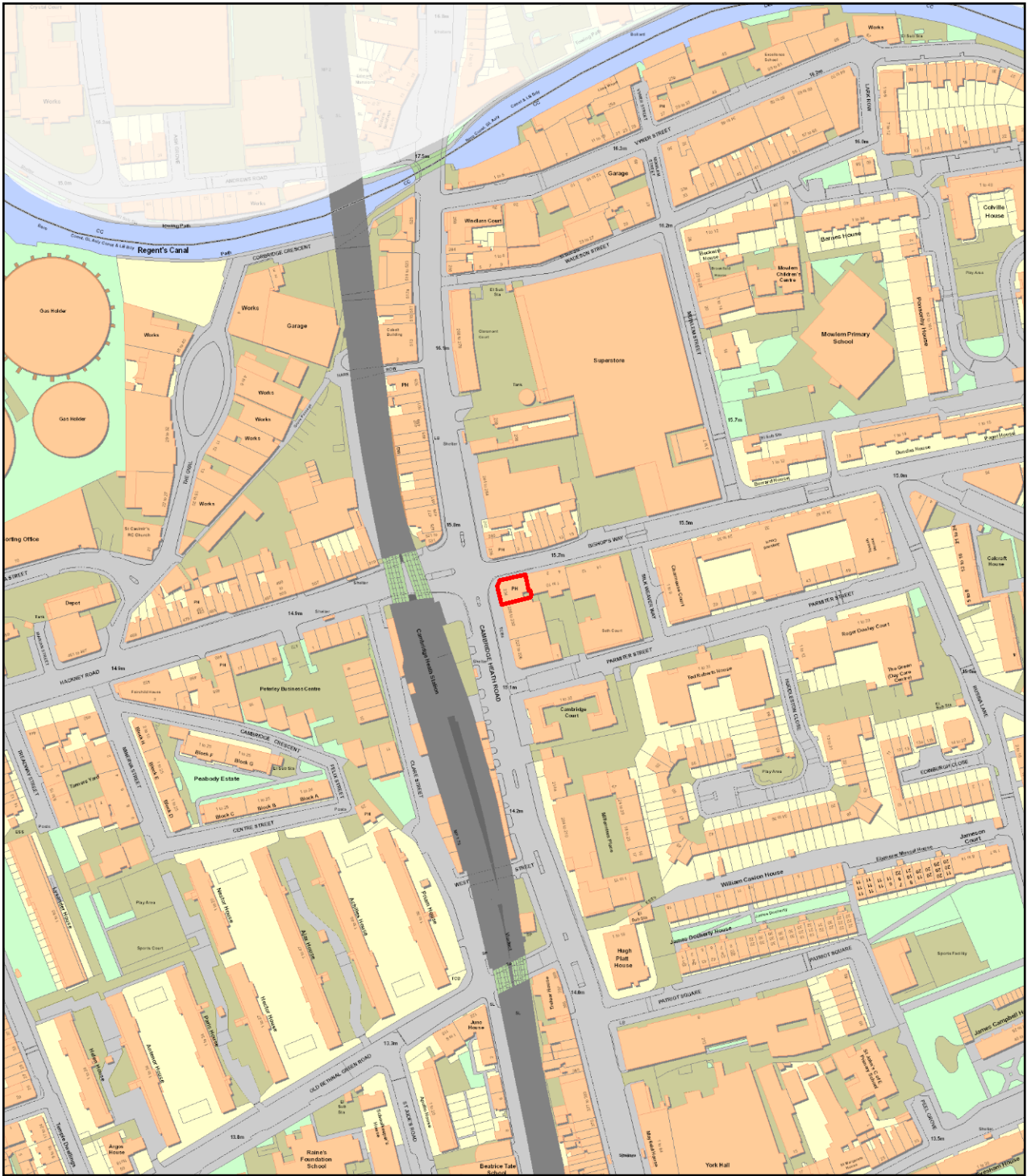
Metropolis



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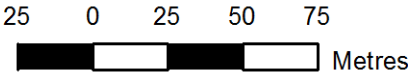
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Metropolis



Scale 1:3074



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Appendix 6

Other licensed venues in the immediate vicinity

**The Pleasure Lounge/Metropolis
234 Cambridge Heath Road, London E2 9NN**

Existing licensed premises in the vicinity	<p>Cambridge Heath Road same side as premises</p> <ul style="list-style-type: none">• Takeaway Lemon Spice, 240 Cambridge Heath Road• Wholesaler Bestway Cash & Carry Ltd, 260-278 Cambridge Heath Road <p>Cambridge Heath Road opposite side as premises</p> <ul style="list-style-type: none">• Mini-grocer Shop and Savers, 475-477 Cambridge Heath Road,• Restaurant Al Amin Tandoori Restaurant, 483 Cambridge Heath Road,• Café: The Café Chantant, Arch 300, Cambridge Heath Road, London E2 9HA• Chicken shop: Perfect Chicken, 491 Cambridge Heath Road, London E2 9BU• Mini-Market/off licence: Kivre Food Centre, 497- 499 Cambridge Heath Road, London E2 9BU <p>Hackney Road</p> <ul style="list-style-type: none">• Takeaway Perfect Fried Chicken, 509 Hackney Road• Restaurant Raizes, 460 Hackney Road,
--	--

Appendix 7

**Section 182 Advice by the Home Office
Updated on March 2015**

Relevant, vexatious and frivolous representations

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

- 9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared by officials for consideration by the sub- committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.
- 9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.
- 9.10 Licensing authorities should consider providing advice on their websites about how any person can make representations to them.

Appendix 8

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

10th August 2016

London Borough of Tower Hamlets
Licensing Section
6th Floor
Mulberry Place
5 Clove Crescent
London
E14 2BG

SENT BY EMAIL TO: Licensing@towerhamlets.gov.uk

Dears Sirs

Metropolis, 234 Cambridge Heath Road - representations re current licensing applications

There are currently two licencing applications in process for the above premises.

1. new premises licence
2. variation of licence for sexual entertainment venue

I wish to make representations which apply to both of the above applications in my capacity as a resident of a property in close proximity to the venue in question ([REDACTED]).

Between them the applications request permission to allow the premises to be used as a lap-dancing bar, 7 days a week from 9am to 5am.

My representations are as follows:

- the area immediately surrounding the premises is a densely populated residential area, in particular along Bishops Way, Cambridge Heath Road & Parmiter Street
- many families with children live in the immediate vicinity & a presence of a sexual entertainment venue is unpleasant for local residents
- the venue does not currently control dispersal of customers effectively; customers frequently leave the venue and make lots of noise in the early hours as they walk from the venue to taxis and/or their own cars - this is unacceptable to local residents; the venue is not a good neighbour
- if the venue is to continue running it would be much more appropriate for the hours to be reduced from those sought in the current application - e.g.
 - 1am instead of 5am
 - Not Sundays - i.e. just Monday to Saturday

Yours faithfully

Matthew Knight

Email:
[REDACTED]
[REDACTED]

Appendix 9

Mohshin Ali

From: Ben Frost <b[REDACTED]>
Sent: 25 August 2016 09:35
To: Licensing; Mohshin Ali
Cc: Alan.D.Cruickshank[REDACTED]; Gareth Hughes
Subject: Metropolis 234 Cambridge Heath Road - Premises Licence Application
Attachments: Proposed conditions - 12525634.docx

Dear Sirs,

In consultation with the Metropolitan Police, please find attached amended proposed conditions for the application at the above address for the grant of a new premises licence.

Please note that the only amendments are the addition of the final two conditions.

Kind regards

Ben Frost | Trainee Solicitor | Commercial Mediator



[REDACTED]
[REDACTED]
6 Agar Street London WC2N 4HN | dx: 40003 Covent Garden

www.gordondadds.com

See my Mediation profiles at:

<https://sites-gordondadds.vuturvex.com/19/289/uploads/ben-frost---mediation-pen-portrait-apr16.pdf>

<http://www.clerksroom.com/profile.php?type=mediators&fl=F&pid=1715>

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Please consider the environment before printing this email.

Metropolis 234 Cambridge Heath Road – Proposed Conditions

1. Notices will be displayed at each exit-requesting customers to leave quietly and in an orderly fashion and that staff ensure patrons leaving the premises do so in an orderly manner at all times.
2. The licensee shall ensure that noise shall not emanate from the licences premises, so as to disturb local residents.
3. Registered Door Supervisors shall be in attendance at each exit door, from 11.00pm until all persons have left the premises. All door supervisors must be registered with the Security Industry Authority.
4. The 2 steel shutters sited at the exit doors shall be in the open position whenever the premise is open to the public.
5. The inward opening final exit door on the emergency exit route from the 1st floor bar shall be locked in the open position whenever the premises is open to the public.
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8. Unless the roof terrace has been fully enclosed by the retractable roof cover, the roof terrace shall not be used other than between the hours of 12 noon and 12 midnight.
9. Prior to first use of the roof terrace hereby approved, the recommendations made in the Noise Assessment, 27 January, prepared by SRL (reference C/13988/T01/JHW) shall be implemented, including the use of automatic closing doors, and shall be retained and maintained in perpetuity thereafter.
10. There shall be no amplified public address system or music system used in any part of the premises so as to be audible outside the premises or within adjoining premises.

11. The external staircase shall only be used during emergencies.
12. To agree a drugs policy with Tower Hamlets Police Licensing Unit.
13. The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of 31 days. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity. There must also be someone on the premises, who can download the images and present them on request by a police officer or other responsible authority.

Appendix 10

Mohshin Ali

From: John Smith
Sent: 25 August 2016 13:39
To: Mohshin Ali
Subject: FW: Premises License Application - Metropolis 234 Cambridge Heath Road

From: Nicola Cadzow
Sent: 25 August 2016 13:35
To: Licensing
Cc: [Alan.D.Cruickshank](#) [REDACTED]; Ben Frost [REDACTED]
Subject: Premises License Application - Metropolis 234 Cambridge Heath Road

Dear Licensing,

I have no objections to the Premise License Application for Metropolis, following a meeting yesterday, 24th August 2016, but subject to the following conditions as discussed:

- The Third Floor Terrace Bar area licensable activities until Midnight only, subject to detailed information of the noise mitigation measures to be agreed by Environmental Health.
- The Third Floor Terrace Bar area with the retractable roof in place licensable activities until 0500 hours, subject to detailed information of the noise mitigation measures to be agreed by Environmental Health.
- A noise limiter is fitted at a determined noise level to all musical amplification within the Licensed Area of the Premises, to the satisfaction of an authorised officer of Environmental Health, Premises Management so as to ensure that no noise nuisance is caused to Local Residents or Businesses.
- No noise shall emanate from the premises nor vibration be transmitted through the structure which gives rise to a nuisance.

Kind regards

Nicola Cadzow
Environmental Health Technical Officer
Noise Pollution Team
Environmental Protection
London Borough of Tower Hamlets

Mohshin Ali

From: Ben Frost <[REDACTED]>
Sent: 30 August 2016 09:54
To: Mohshin Ali
Cc: Alan.D.Cruickshank@[REDACTED]; Nicola Cadzow
Subject: Metropolis - Premises licence conditions [ID=G.20778-00001]
Attachments: 1-12590012 - Proposed conditions - 12525634 - 12590013.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Mohshin,

Further to our conversation last week, I have now incorporated Nicola's suggested conditions into the attached proposed conditions.

Kind regards

Ben Frost | Trainee Solicitor



[REDACTED]
[REDACTED]
6 Agar Street London WC2N 4HN | dx: 40003 Covent Garden

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Metropolis 234 Cambridge Heath Road – Proposed Conditions

1. Notices will be displayed at each exit-requesting customers to leave quietly and in an orderly fashion and that staff ensure patrons leaving the premises do so in an orderly manner at all times.
2. Registered Door Supervisors shall be in attendance at each exit door, from 11.00pm until all persons have left the premises. All door supervisors must be registered with the Security Industry Authority.
3. The 2 steel shutters sited at the exit doors shall be in the open position whenever the premise is open to the public.
4. The inward opening final exit door on the emergency exit route from the 1st floor bar shall be locked in the open position whenever the premises is open to the public.
5. The pavement hatch exit flaps shall be clear and available for use whenever the premise is open to the public.
6. Prior to first use of the roof terrace hereby approved, the recommendations made in the Noise Assessment, 27 January, prepared by SRL (reference C/13988/T01/JHW) shall be implemented, including the use of automatic closing doors, and shall be retained and maintained in perpetuity thereafter.
7. There shall be no amplified public address system or music system used in any part of the premises so as to be audible outside the premises or within adjoining premises.
8. The external staircase shall only be used during emergencies.
9. To agree a drugs policy with Tower Hamlets Police Licensing Unit.
10. The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of 31 days. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity. There must also be someone on the

premises, who can download the images and present them on request by a police officer or other responsible authority.

11. The Third Floor Terrace Bar area licensable activities restricted to 12 noon until Midnight only when retractable roof open, subject to detailed information of the noise mitigation measures to be agreed by Environmental Health.
12. The Third Floor Terrace Bar area with the retractable roof in place licensable activities until 0500 hours, subject to detailed information of the noise mitigation measures to be agreed by Environmental Health.
13. A noise limiter is fitted at a determined noise level to all musical amplification within the Licensed Area of the Premises, to the satisfaction of an authorised officer of Environmental Health, Premises Management so as to ensure that no noise nuisance is caused to Local Residents or Businesses.
14. No noise shall emanate from the premises nor vibration be transmitted through the structure which gives rise to a nuisance.

Appendix 11

Noise while the premise is in use

General Advice

If they conclude this is a problem Members should consider whether it is possible to carry out suitable and proportionate noise control measures so that noise leakage is prevented. In addition Members may consider that only certain activities are suitable.

The hours of operation also need to be considered (see below).

If Members believe that there is a substantial problem of noise while the premises are in use and it cannot be proportionately address by licensing conditions they should refuse the application.

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. **(See Sections 8.1 of the Licensing Policy)**.

While all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. **(See Section 12.11)**.

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. **(See Section 8.2 of the Licensing Policy)**.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. **(See Appendix 2 Annex D of the Licensing Policy)**. In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a "beer garden", or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly
- Conditions controlling the use of explosives, pyrotechnics and fireworks
- Conditions controlling the placing of refuse
- Conditions controlling noxious smells

- Conditions controlling lighting (this needs to be balanced against potential crime prevention benefits)

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

The Licensing Policy has adopted the recommended Pool of Conditions as permitted (13.20 and Annex D).

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community (2.33).

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.36) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder (2.38).

Other Legislation

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

The Anti-social Behaviour Act 2003, Sections 40 and 41 give Environmental Health Officers the power of closure up to 24 hours in certain circumstances.

Appendix 12

Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

Comment

The above have been grouped together as egress problems. Of course the particular facts will be different for each alleged problem.

Egress only is referred to-if necessary access can be added or substituted in.

General Advice

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

The hours of operation also need to be considered.

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

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. **(See Section 10 of the Licensing Policy)**.

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. **(See Section 10.2 of the Licensing Policy)**.

The policy also recognises that staggered closing can help prevent problems at closure time **(See Section 15.1)**.

However, while all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. **(See Section 15.5)**

The Council has adopted a set of framework hours **(See 15.8 of the licensing policy)**. This relates to potential disturbance caused by late night trading.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Pool of Conditions relating to the prevention of Public Nuisance. (**See Annex G of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a “beer garden”, or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly

Guidance Issued under Section 182 of the Licensing Act 2003

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community. (2.19).

Licence conditions should not duplicate other legislation (1.16).

Any conditions should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues. (2.20)

Measures can include ensuring the safe departure of customers, these can include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.22) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder.

Appendix 13

Anti-Social Behaviour on the Premises

Licensing Policy

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Section 6 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 3 of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

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

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

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public safety.

Guidance Issued under Section 182 of the Licensing Act 2003

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

The key role of the Police and SIA is acknowledged (2.1-2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff or agents, but can directly impact on the behaviour of

Customers in the immediate vicinity of the premises as they seek entry or leave (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (2.3 - 2.7).

Guidance Issued under Section 182 of the Licensing Act 2003

Conditions can be imposed for large capacity “vertical consumption” premises (10.23 – 10.24).

Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices.

Other Legislation

- The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.

Appendix 14

Anti-Social Behaviour on the Premises

Licensing Policy

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Section 6 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 3 of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

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

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

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public safety.

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The key role of the Police and SIA is acknowledged (2.1-2.2).

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Customers in the immediate vicinity of the premises as they seek entry or leave (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (2.3 - 2.7).

Guidance Issued under Section 182 of the Licensing Act 2003

Conditions can be imposed for large capacity “vertical consumption” premises (10.23 – 10.24).

Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices.

Other Legislation

- The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.

Appendix 15

Striptease or a Similar Entertainment

General Advice

Local residents or others often have a strongly held objection to striptease, on the grounds that it is immoral, or exploits women. However sympathetic Members may be to these views; this is not a relevant consideration and must be ignored.

All objections must relate, as with any other application, to the licensing objectives.

Where, for example, the concern is that local residents will be harassed; the same approach should be taken as any other complaint of feared or actual anti-social behaviour.

Licensing Policy

The LBTH Licensing Policy does not deal with Sexual Entertainment Venues (SEVs). This is dealt with by a separate legislative regime under SEV Policy after the Council adopted amendments to the Local Government (Miscellaneous Provision) Act 1982 schedule 3 in June 2014. (see Section 18 of the Licensing Policy).

Sexual Entertainment is dealt with under Section 18 of the LBTH Licensing Policy. A non-SEV premises can apply for relevant entertainment (which is adult entertainment, including lap dancing and pole dancing) by use of a Temporary Events Notice; on no more than 11 occasions in any 12 month period, with none of those occasions lasting longer than 24 hours or taking place within a month of any other such occasion.

In the LBTH Sex Establishment Licensing Policy, the Council's proposed approach to regulating sex establishments is set out (including sex shops, sex cinemas and SEVs) and the procedure that it will adopt in relation to applications for sex establishment licences.

Guidance Issued under Section 182 of the Licensing Act 2003

The Guidance states: "Dance that is sufficiently sexual in nature continues to be regulated. Performances of dance which are "relevant entertainment" within the meaning of the Local Government (Miscellaneous Provisions) Act 1982 ("the 1982 Act") are not deregulated, regardless of the size of the audience or the time of day. "Relevant entertainment" is defined in the 1982 Act as a live performance or live display of nudity that, ignoring financial gain, can be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience" (15.47).

In addition, 15.48 states: “In almost all cases where a performance of dance is potentially licensable as both the provision of **relevant** entertainment (under the 1982 Act) and **regulated** entertainment (under the 2003 Act), the 1982 Act disapplies the entertainment licensing regime in the 2003 Act in favour of its stricter regime for the control of sex establishments. However, an authorisation under the 2003 Act rather than the 1982 Act will continue to be required where:

- the premises are not licensed as a sex entertainment venue under the 1982 Act, and
- relevant entertainment has been provided at those premises on no more than 11 occasions in any 12 month period, with none of those occasions lasting longer than 24 hours or taking place within a month of any other such occasion.”

Appendix 16

Planning

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

Appendix 17

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 15.8 of the Licensing Policy)


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

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

(See 15.9 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates

Non-Executive Report of the: Licensing Committee 13 th September 2016	
Report of: Communities Localities and Culture	Classification: Unrestricted
Gambling Policy 2016 - 19	

Originating Officer(s)	David Tolley
Wards affected	All wards

Summary

All Local Authorities have to review and adopt a Gambling Policy every (3) three years and which defines how they will administer and exercise their responsibilities under the Gambling Act 2005.

The Gambling Act 2005 sets strict prescriptions and limits on the role of local authorities in this area. It is therefore not the role of the Gambling Policy to reach any moral conclusions about the acceptability or otherwise of gambling in society.

The Act requires licensing authorities to aim to permit the use of premises for gambling in so far as it is in accordance with the regulatory framework (including any codes of practice and Gambling Commission guidance). The Council's policy is reasonably consistent with the licensing objectives. This means that the Council can only refuse gambling that is not in accordance with the above and cannot, for example, ban gambling or specific forms of gambling. It should be noted however, the Council as Planning Authority, has recently had its powers strengthened in relation to betting shops by a recent government change to the Use Classes Order and which is outlined below in more detail.

The Gambling Policy is prescribed by Central Government and the Gambling Commission. The Council's policy has to comply with guidance issued by both of these bodies. The current policy is compatible with this advice and guidance.

A statutory consultation process commenced on the 19th October 2015 and continued for three months, until the 17th January 2016. The draft policy has also been to the Licensing Committee on the 6th December 2015 and Overview and Scrutiny on the 4th January 2016. The comments received have been analysed and incorporated into the policy where possible.

The Policy will progress to Cabinet before finally being presented to Full

Council for adoption under the provisions set out by the Council's Constitution.

Recommendations:

The Licensing Committee is recommended to:

1. Note, consider and comment on the Gambling Policy prior to agreement by full Council.

1. REASONS FOR THE DECISIONS

- 1.1 To ensure that the Council fulfils its statutory responsibility, the Licensing Committee is being given the ability to consider and comment on the Gambling Policy before being put to the Mayor and full Council for adoption.

2. ALTERNATIVE OPTIONS

- 2.1 The Committee may make further comments on the Policy for the Mayor and full Council to consider.

3. DETAILS OF REPORT

- 3.1 The Gambling Act 2005 gives local authorities a range of responsibilities relating to gambling. The Gambling Policy states how the Licensing Authority will exercise this responsibility and authority.

- 3.2 This policy covers the following:

- How the Licensing Authority will use its regulatory powers in relation to applications and reviews of the activities it regulates, to the extent it is allowed by statute.
- The main licensing objective for the authority is protecting the vulnerable.
- The Licensing Authority approach to regulation
- The scheme of delegation

- 3.3 The Gambling Policy complies with guidance issued by the Gambling Commission.

- 3.4 Members should note that some of the major issues and concerns about gambling are not addressed in the policy or by the approach of the consultation. For example, gambling addiction is outside the remit of the consultation, as are arguments about the public benefits, or otherwise, of a more liberal gambling regime.

- 3.5 The responsibilities the Council has under the Gambling Act 2005 have not been controversial. To date, 80 licences have been issued. These have primarily been to betting shops and adult amusement arcades. These businesses are nearly all national companies that have conducted their business within the legal requirements. The number of premises in a particular area is not grounds for objection.
- 3.6 The Council does not have the powers within its Gambling Policy to regulate on-line gambling sites. All gambling websites trading with, or advertising to, consumers in Britain must have a Gambling Commission licence issued by the Gambling Commission.
- 3.7 In April 2015 the government changed the use class order so that betting shops were removed from their previous A2 use class and made a 'sui generis' use. As such planning permission is now required to change the use from any other use to a betting shop. This has meant that there is slightly more control under planning legislation to control the growth of Betting Shops.
- 3.8 Planning powers cannot control existing betting shops if they have already opened up under a permitted change of use (i.e. before the recent changes to the use class order moving betting shops from A2 to 'sui generis'), however any further change of use applications for a betting shop would be subject to a planning application. As part of the determination of the application, issues such as the number of betting shops in the surrounding area could be a consideration if the area was becoming saturated with betting shops.
- 3.9 There have been several concerns raised though London Councils concerning the fixed odds betting terminals (FOBT's) that have been installed within betting shops. These B2 gambling machines play games of chance such as roulette. With a betting shop licence, the operator can install up to four machines, which have a maximum stake of £100 and a maximum prize of £500. London Councils are promoting that the maximum £100 stake on B2 machines should be changed to £2 to prevent the clustering of betting shops due to the profitability of such gambling machines. Tower Hamlets is a signatory to this campaign.
- 3.10 We have not experienced the same volume of applications in gambling as we have in other areas of licensing. There has been one application since 2014, this was for a Paddy Power Shop in Roman Road. This application was objected to by the community, but after consideration by the Licensing Sub Committee and legal advice the licence was issued.
- 3.11 The issues of betting shop clustering and concern over fixed odd betting terminals (FOBT) have shown that gambling generates extremely strong feelings. Whilst licensing authorities do not have the powers to refuse new applications or limit FOBT machines, the requirement for operators to prepare local risk assessments in relation to their premises from April 2016 means that licensing authorities need to set out their expectations within their statements of Gambling Policy.

- 3.12 The additional requirements to include in the Gambling Policy are noted below:
- to set out a local profile, the Policy links to the Borough profile held on the website, therefore the profile can be updated without the need to re-consult on amending the full Policy.
 - details of the inspection format to be used
 - risk assessment advice from operators
 - sample licence conditions
- 3.13 During the consultation process a number of representations were made by national Betting shop companies. We have reviewed the comments made therein and have made slight changes to the requirements that are required of operators in relation to their local risk assessments. We have also reflected on the content of our local profile and have added this information onto the website. No further suggestions or changes have been made. The proposed policy is at Appendix One.
- 3.14 The comments by the Campaign for Fairer Gambling were noted in relation to the use of FOBT's, but this can only be considered on an individual application basis. The written responses to the consultation are included within Annex 3 of the Policy.
- 3.15 The only controversial applications have been where betting shops have applied to open in close proximity to schools or places of worship. The powers the Council have are limited and it is not possible to make either policy or decisions regarding this issue under the Gambling Policy.
- 3.16 It is proposed that the current 'no casino' resolution that is currently in the existing policy remains.
- 3.17 An Equalities checklist has been undertaken as is at Appendix Two.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 There are no specific financial implications emanating from this report which notes the Council's responsibilities as the Licensing Authority. The committee is asked to review the policy for the next three years. The policy will be presented to Full Council for adoption under the provisions set out by the Council's Constitution.
- 4.2 The costs of each Gambling licence under the Act are reviewed annually as part of the discretionary fees and charges report to Cabinet. The fees cover the cost of administration and compliance contained within the budget for the service.

5. LEGAL COMMENTS

- 5.1 Section 349 of the Gambling Act 2005 ('the 2005 Act') requires the Council to prepare a statement of the principles that it proposes to apply in exercising its

functions under the Act and to determine and then publish this statement. This statement is more commonly known as a Gambling Policy or Statement of Gambling Policy. The legal requirement is for the preparation of the statement of principles to be undertaken every 3 years.

- 5.2 The current statement of policy was published on 1st November 2013, and therefore the fresh statement must be published before 1st November 2016.
- 5.3 Pursuant to section 25 of 2005 Act, the Gambling Commission shall from time to time issue guidance as to the manner in which local authorities are to exercise their functions under this Act, and in particular, the principles to be applied by local authorities in exercising functions under the Act. The 5th Guidance was issued in September 2015 and Part 6 of the same provides Guidance to local authorities on the preparation and publication of the statement of licensing policy. The Council should not depart from this guidance without good reason but as stated in paragraph 3.3 of this Report, the proposed Policy complies with the Guidance.
- 5.4 Prior to publishing the statement, the Council must undertake statutory consultation as provided by section 349(3) of the Act. Further, in consulting, the Council must comply with the common law principles set out in *R v Brent London Borough Council, ex p Gunning*, (1985) and recently approved by the Supreme Court in *R(Mosely) v LB Haringey 2014*. Those are '*Firstly, the consultation must be at a time when proposals are still at a formative stage. Secondly, the proposer must give sufficient reasons for any proposal to permit of intelligent consideration and response. Thirdly, adequate time must be given for consideration and response. Fourthly, the product of consultation must be conscientiously taken into account in finalising any statutory proposals.*'
- 5.5 Consultation has been carried out as referred to in paragraphs 3.13 and 3.14 of the report. The consultation responses have been taken into account to make relevant adjustments to the proposed Policy and Annex 3 of the proposed Policy at Appendix 1 gives a summary of the issues raised in the responses.
- 5.6 Pursuant to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, the Gambling Policy is required to be part of the Council's policy framework. Article 4 of the Constitution confirms this to be the case and a review of the Gambling Policy requires the procedure set out in the Budget and Policy Framework Procedure Rules. This requires pre-decision scrutiny by the Overview & Scrutiny Committee and a report is due to Overview & Scrutiny on 28th September 2016.
- 5.7 Also pursuant to the Council's Budget and Policy Framework Procedure Rules, the Mayor as the Executive is responsible for preparing the draft Policy for submission to the full Council. It will therefore be for the Mayor in Cabinet to recommend the draft Policy to Full Council. Prior to recommending, the Mayor as the Executive must also carefully analyse the consultation responses before making a decision to recommend to Full Council.

5.8 The terms of reference of the Licensing Committee provide that the Licensing Committee considers statements of Licensing Policy and it is consistent with those terms of reference that this report is being considered by the Committee.

5.9 In carrying out its functions, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty). An equality analysis will be required which is proportionate to the function in question and its potential impacts. An Equality Analysis Quality Assurance Checklist has been undertaken and which is at Appendix 2. The result of performing such is that “the policy does not appear to have any adverse effects on people who share *Protected Characteristics* and no further actions are recommended at this stage.

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1 An equalities impact assessment has been undertaken which shows no adverse impact

7. BEST VALUE (BV) IMPLICATIONS

7.1 The Gambling policy details the regulatory approach to gambling establishments with the Borough. The fees imposed for the licence are set by government and have been adopted by the Licensing Committee. The fees cover the cost of regulating and administering the Gambling Policy.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

8.1 There are no adverse impacts identified.

9. RISK MANAGEMENT IMPLICATIONS

9.1 There are no identified risks, current licence holders and their current terms of business are not affected. Any new application, if representations are made, will still be determined by the Licensing Sub – Committee and subjected to the procedures of that Sub-Committee

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 One of the key licensing objectives is to prevent gambling from being a source of crime and disorder. The policy supports and assists with crime and disorder reduction by controlling those who are able to offer gambling to members of the public and imposing conditions on relevant premises licences.

Linked Reports, Appendices and Background Documents

Linked Report – None

Appendices:

Appendix One: Proposed Gambling Policy 2013-2016

Appendix Two: Equalities Checklist

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

NONE.

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Gambling Act 2005

**The London Borough of Tower Hamlets
Gambling Policy 2016- 2019**

(Italics are changes after consultation)

Summary of Local Authority Gambling Policy

1. Licensing local authorities in England and Wales have all been required by the Gambling Act 2005 to adopt a gambling policy following consultation.
2. The following policy was adopted after consultation, including but not confined to the consultation required by the legislation.
3. The policy has to be reviewed every three years and consequently it is now being sent out for a new round of consultation. Again the consultation will include but not be confined to the statutory consultation.
4. The policy sets out in detail how the licensing authority will discharge its licensing functions under the Gambling Act 2005.
5. There are three licensing objectives set out in the Act, as follows:
 - Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
 - Ensuring that gambling is conducted in a fair and open way
 - Protecting children and other vulnerable people from being harmed or exploited by gambling
6. The main area of involvement for the licensing authority is protecting the vulnerable, and the licensing policy is largely devoted to seeking to achieve this, across the range of premises licences and permits which the authority will administer.
7. The licensing authority approach to enforcement is defined.
8. The scheme of delegation that defines the responsibility for decision making, administration and enforcement is also included.

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PART A

1. The Licensing Objectives

- 1.1 In exercising most of their functions under the Gambling Act 2005, (the Act) licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
 - Ensuring that gambling is conducted in a fair and open way
 - Protecting children and other vulnerable people from being harmed or exploited by gambling
- 1.2 The Gambling Commission's guidance emphasises that moral objections to gambling, or a view that it is generally undesirable are not licensing objectives and cannot inform any decisions by the licensing authority. Also neither public safety nor public nuisance are licensing objectives. These issues will largely be dealt with by the Council's Environmental Health Service
- 1.3 This authority recognises that in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it is:-
- in accordance with any relevant code of practice issued by the Gambling Commission
 - in accordance with any relevant guidance issued by the Gambling Commission
 - reasonably consistent with the licensing objectives in accordance with the authorities statement of licensing policy
- 1.4 The Gambling Commission's Licence Conditions and Code of Practice (LCCP) require gambling premises to undertake a risk assessment taking into consideration their local information. Specific information about localities is provided in this policy at Annexe 6.
- 1.5 The risk assessment is required to be shared with the Council where there is a new application and or a variation to an existing premises licence.

2 Introduction

- 2.1 The London Borough of Tower Hamlets is a single tier authority on the East side of inner London. The Borough is shown in the map in **Annex 1** where Gambling premises licences have been issued.
- 2.2 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles that they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from “time to time” and any amended parts re consulted upon. The statement must be then re-published.
- 2.3 Tower Hamlets Council has consulted widely upon its policy statement before finalising and publishing it. A list of the persons and organisations consulted is provided in **Annex 2** of the Policy adopted by the Council. We have consulted businesses, elected representatives, community and third sector organisations and responsible authorities.
- 2.4 The Gambling Act requires that the following parties are consulted by Licensing Authorities:
- The Chief Officer of Police
 - One or more persons who appear to the authority represent the interests of persons carrying on gambling businesses in the authority’s area
 - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority’s functions under the Gambling Act 2005.
- 2.5 The consultation took place between 19th October 2015 and 17th January 2016. The results of the consultation are summarised in **Annex 3**
- 2.6 The policy has to be approved at a meeting of the Full Council published via our website as well as being available in the Town Hall and Idea Stores.
- 2.7 It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence. Each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.
- 2.8 The Licensing Authority would like to encourage the highest standards within premises that hold a licence under the Gambling Act 2005. The Licensing Authority has produced a ‘Gambling Best Practice Guide’ to assist both new applicants and existing operators.

- 2.9 The list of recommended measures listed in **Annex 4** is not exhaustive but gives an indication of some of the suitable measures and procedures that are expected in well managed premises.

3 Declaration

- 3.1 In producing this licensing policy the Authority has had regard to the licensing objectives of the Gambling Act 2005 and the guidance issued by the Gambling Commission. The policy has also had regard to any responses from those consulted on the policy statement.

4 Responsible Authorities

- 4.1 The licensing authority is required to state the principles it will apply to designate a body which is competent to advise the authority about the protection of children from harm. The principles are:
- the need for the body to be responsible for an area covering the whole of the licensing authority's area
 - the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group
- 4.2 In accordance with the Gambling Commission's Guidance for local authorities this authority designates the Local Safeguarding Children Board for this purpose. This is the statutory body charged with coordinating the activities of organisations in Tower Hamlets who are instrumental in safeguarding and promoting the welfare of children.
- 4.3 The contact details of all the responsible authorities are found on the Council's website at www.towerhamlets.gov.uk

5 Interested parties

- 5.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. Interested parties are defined as a person who in the opinion of the licensing authority
- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
 - b) has business interests that might be affected by the authorised activities,
 - c) represents persons who satisfy paragraph (a) or (b)
- 5.2 The licensing authority is required to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party.

5.3 These principles are that :-

- Each case will be decided upon its merits.
- This authority will not apply a rigid rule to its decision making.
- It will consider the examples of considerations provided in the Gambling Commission's Guidance to local authorities.
- It will also consider the Gambling Commission's advice that "business interests" should be given its widest possible meaning and includes partnerships, charities, faith groups, and medical practices.

5.4 The Gambling Commission has recommended that the licensing authority states that interested parties include trade associations and trade unions, and residents' and tenants' associations. This authority will not however generally view these bodies as interested parties unless they have a member who can be classed as one under the terms of the Gambling Act 2005 e.g. lives sufficiently close to the premises to be likely to be affected by the activities being applied for.

5.5 Interested parties can be persons who are democratically elected, such as Councillors and MPs. Other than these persons, this authority will require written evidence that a person 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorities activities and/or business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

5.6 Individuals may wish to approach Councillors to ask them to represent their views. If Councillors take on a representative role they will not be able to be part of the decision making process. If they are a member of the Committee they will withdraw for the hearing.

6 Exchange of Information

6.1 Licensing Authorities have a number of responsibilities relating to the control and exchange of information that has been gained in carrying out its duties and responsibilities under the Act.

6.2 The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened.

6.3 The licensing authority will also have regard to any guidance issued by the Gambling Commission to Local Authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005. Any protocols that are adopted will be made available if requested.

7 Enforcement

- 7.1 Licensing authorities are required to state the principles to be applied by the authority in exercising the functions with respect to the inspection of premises; and the powers to institute criminal proceedings in respect of the offences committed under the Gambling Act 2005.
- 7.2 This Licensing Authority's general principles of enforcement are set out in its enforcement policy. In addition we will be guided by the Gambling Commission's Guidance for local authorities and we will endeavour to be:
- **Proportionate:** regulators should only intervene when necessary: Remedies should be appropriate to the risk posed, and costs identified and minimised;
 - **Accountable:** regulators must be able to justify decisions, and be subject to public scrutiny;
 - **Consistent:** rules and standards must be joined up and implemented fairly;
 - **Transparent:** regulators should be open, and keep regulations simple and user friendly; and
 - **Targeted:** regulation should be focused on the problem, and minimise side effects
 - **Avoid duplication** with other regulatory regimes so far as possible.
- 7.3 This licensing authority has, as recommended by the Gambling Commission's Guidance for local authorities, adopted a risk based inspection programme.
- 7.4 The local authority does expect that premises that are licensed are aware of and keep to the terms of their licence. The Authority will take appropriate enforcement action to ensure that this is the case, and is especially concerned to ensure that the licensing objective relating to children is met in full.
- 7.5 The main enforcement and compliance role for this licensing authority will be to ensure compliance with the Premises Licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the Operator and Personal Licences. Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission.
- 7.6 This licensing authority also intends to monitor non-licensed gambling, and is especially concerned to stop non-destination gambling by children and young adults. Non destination gambling is where the destination is not primarily a gambling premises and is mainly visited for a different purpose. This typically (but not exclusively) involves gaming machines in premises open to the public such as public houses

- 7.7 This Licensing Authority will continue to keep informed of developments with the work from Central Government and sister organisations on the principles of Better Regulation Executive in its consideration of the regulatory functions
- 7.8 Bearing in mind the principle of transparency, this licensing authority's enforcement/compliance protocols/written agreements will be available upon request to the licensing department and on the Council's web site. Our risk methodology will also be available upon request. (A charge may be made for hard copies).
- 7.9 The authority recognises that bookmakers and other operators may have a number of premises within its area. In order to ensure that compliance issues are recognised and dealt with at the earliest possible stage, operators are requested to give the authority a single named contact., who should be a senior individual, and whom the authority will contact first should any compliance queries or issues arise. The authority however, reserves the right to institute proceedings, or take other action as necessary and consistent with its general policies.
- 7.10 The Authority uses the templates inspection forms produced by the Leicester, Rutland and Leicestershire Licensing Forum and Leicestershire Local Economic Partnership.
- 7.11 To assist the targeting of the Council's enforcement activity the Council will request that operators / premises share:-
- test purchasing results (subject to the terms of primary authority agreements) ;
 - incidents in premises, which managers are likely to be required to report to head office;
 - information about numbers of self-excluded gamblers to help it develop its understanding about the risk of problem gambling in its area.
- 7.12 This information will help the Council to get a clearer picture of which premises may be experiencing issues, meaning that the inspection and enforcement activity is appropriately structured
- 7.13 Operators are not automatically required to share their risk assessments with licensing authorities except when they are applying for a new premises licence or to vary an existing one. However, the Gambling Commission is advising operators to do so.
- 7.14 The Council will request a copy of each premises risk assessment during the first year of this Policy.

8 Licensing Authority Functions

8.1 Licensing Authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences
- Issue Provisional Statements ("in principle" licences where premises are not yet developed)
- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issue Club Machine Permits to Commercial Clubs (Commercial Clubs are member clubs that operate on a "for profit" basis)
- Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres (Premises where low level gambling is permitted for children)
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Grant Licensed Premises Gaming Machine Permits for premises licensed to
- sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines are required
- Register small society lotteries below prescribed thresholds
- Issue Prize Gaming Permits
- Receive and Endorse Temporary Use Notices
- Receive Occasional Use Notices
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
- Maintain registers of the permits and licences that are issued under these functions

8.2 This list may be added to on the advice of the Gambling Commission

8.3 Local licensing authorities will not be involved in licensing remote gambling. (Remote gambling is via the internet or interactive television). This will fall to the Gambling Commission via Operator Licences.

PART B - Premises Licences and other matters

1 General Principles

- 1.1 Premises licences will be subject to the requirements set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

2 Premises

- 2.1 Premises are defined in the Act as “any place”. Different premises licences cannot apply in respect of a single premises at different times. However it is possible for a single building to be subject to more than one premises licence provided they are for different parts of the building. Different parts of the building can reasonably be regarded as being separate premises will always be a question of fact in the circumstances. However areas of a building that is artificially or temporarily separate can be properly regarded as different premises.
- 2.2 This licensing authority will take particular note of the Gambling Commission’s Guidance to local authorities that: -
- "Licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware that entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not “drift” into a gambling area"
 - "Licensing authorities should pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed), especially if this raises issues in relation to children. There will be specific issues that authorities should consider where children can gain access; compatibility of the two establishments; and ability to comply with the requirements of the Act. But, in addition an overriding consideration should be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act."
- 2.3 An applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling are constructed. The Gambling Commission has advised that reference to “the premises” are to the

premises in which gambling may now take place. Thus a licence to use premises for gambling will only be issued in relation to premises that are ready to be used for gambling. This authority agrees with the Gambling Commission that it is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence. The Gambling Commission emphasises that requiring the building to be complete ensure that the authority can, if necessary, inspect it fully, as can other responsible authorities with inspection rights.

3 Location

- 3.1 This licensing authority is aware that demand issues (for example whether or not there is sufficient customer demand to make a site commercially viable) cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. In line with the Gambling Commission's Guidance for local authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.
- 3.2 It is the licensing authorities' view that premises should not normally be licensed which are close to schools, playgrounds, or other educational establishments such as museums. However any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how the concerns can be overcome.
- 3.3 The council will need to be satisfied that there is sufficient evidence that the particular location of the premises would not be harmful to the licensing objectives.
- 3.4 From 6 April 2016, it is a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), under section 10, for licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at their premises and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in this policy.
- 3.5 The LCCP goes on to say licensees must review (and update as necessary) their local risk assessments:
 - a. to take account of significant changes in local circumstance, including those identified in this policy;
 - b. when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
 - c. when applying for a variation of a premises licence; and
 - d. in any case, undertake a local risk assessment when applying for a

new premises licence.

- 3.6 The Council expects the local risk assessment to consider as a minimum issues *presented by the local landscape, such as;*

Exposure to vulnerable groups

Identification of local specific risks

Type of footfall – children, visitors, families, residents

Educational facilities

Community Centers

Homelessness /rough sleeper hostels, provision of support services

- 3.7 In any case the local risk assessment should show how vulnerable people, including people with gambling dependencies, are protected.

- 3.8 Other matters that the assessment may include:

- The training of staff in brief intervention when customers show signs of excessive gambling, the ability of staff to offer brief intervention and how the manning of premises affects this.
- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- The layout of the premises so that staff have an unobstructed view of persons using the premises;
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those persons using the premises.
- Arrangements for monitoring and dealing with under age persons and vulnerable persons, which may include dedicated and trained personnel, leaflets, posters, self-exclusion schemes, window displays and advertisements not to entice passers-by etc.
- The provision of signage and documents relating to games rules, gambling care providers and other relevant information is provided in both English and the other prominent first language for that locality.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.

- 3.9 To assist operators, Annex 6 sets out the Council's Gambling Local Area Profiles criteria.

4 Duplication with other regulatory regimes and licensing objectives

- 4.1 This authority will seek to avoid any duplication with other statutory /

regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning or building consent, in its consideration of it. This authority will though listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

5 Licensing Objectives

5.1 Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission's Guidance to local authorities and some comments are made below.

5.2 *Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.*
This licensing authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime.

The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organized crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions. These will be addressed by the relevant regulatory authority e.g. Environmental Health.

5.3 *Ensuring that gambling is conducted in a fair and open way.* This licensing authority has noted that ensuring that gambling is conducted in a fair and open way is a matter for the Gambling Commission. This will not be the case if the licensing authority becomes involved in licensing betting track operators.

5.4 *Protecting children and other vulnerable persons from being harmed or exploited by gambling.* This licensing authority has noted the Gambling Commission Guidance to local authorities that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/ machines, segregation of areas.

- 5.5 This licensing authority will also make itself aware of the Codes of Practice which the Gambling Commission issues as regards this licensing objective, in relation to specific premises such as casinos.
- 5.6 As regards the term “vulnerable persons” it is noted that the Gambling Commission is not seeking to offer a definition but states that “it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.” This licensing authority will consider this licensing objective on a case by case basis. Should a practical definition prove possible in future then this policy statement will be updated with it, by way of a revision.

6 Conditions

- 6.1 Any conditions attached to licences will be proportionate and will be:
- relevant to the need to make the proposed building suitable as a gambling facility
 - directly related to the premises and the type of licence applied for;
 - fairly and reasonably related to the scale and type of premises: and
 - reasonable in all other respects.
- 6.2 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of control measures, this licensing authority will consider utilising should there be a perceived need, such as the use of door supervisors, supervision of adult gaming machines, appropriate signage for adult only areas.
- 6.3 The Gambling Commission has produced a list of sample conditions, and these are reproduced at Annex 5. These could be imposed in a number of circumstances to address evidence based concerns.
- 6.3 There are specific comments made in this regard under each of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to way in which the licensing objectives can be met effectively. The licensing authority will consider the following specific measures in relation to all licensed premises, to the extent that they are relevant to a specific application:
- Leaflets aimed at giving assistance to problem gamblers clearly displayed in prominent areas and also more discreet areas such as toilets
 - Self-exclusion forms available

- The odds clearly displayed on all fixed odds machines
- All ATM or other cash terminals to be separate from gaming machines, so that clients have to leave the machines for more funds as required. They should also display stickers with GamCare (or replacement organisation) Helpline information prominently displayed.
- There must be clear visible signs of any age restrictions in any gaming or betting establishments. Entrances to gambling and betting areas must be well supervised and age verification vetting operated.
- Posters with details of GamCare's (or replacement organisation) telephone number and website

The above list is not exhaustive.

- 6.4 This licensing authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of Gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.
- 6.5 This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:
- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
 - only adults are admitted to the area where these machines are located;
 - access to the area where the machines are located is supervised the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
 - at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.
- 6.6 These considerations will apply to premises including buildings where multiple premises licences are applicable.
- 6.7 This licensing authority is aware that betting tracks may be subject to one or more than one premises licence, provided each licence relates to a

specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

- 6.8 It is recognised that there are conditions which the licensing authority cannot attach to premises licences which are:
- any condition on the premises licence which makes it impossible to comply with an operating licence condition
 - conditions relating to gaming machine categories, numbers, or method of operation;
 - conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated) and
 - conditions in relation to stakes, fees, winning or prizes
 - Applicants will however need to demonstrate social responsibility and adhere to best practice in the protection of the vulnerable

7 Door Supervisors

- 7.1 The Gambling Commission advises in its Guidance for local authorities that licensing authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime.
- 7.2 The Private Security Industry Act 2001 exempts door supervisors for casinos and bingo halls from requiring a Door Supervisors Licence. Irrespective of the provision this authority will require door supervisors used at these premises to be licensed.
- 7.3 For other premises, where supervision of entrances/machines is appropriate any requirements for door supervisors or others will be on a case by case basis. In general betting offices will not require door supervisors for the protection of the public. A door supervisor will only be required if there is clear evidence that the premises cannot be adequately supervised from the counter and that door supervision is both necessary and proportionate.

8 Adult Gaming Centres

- 8.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access

to the premises.

Appropriate licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Door supervisors
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets/ helpful numbers for organisations such as GamCare

8.2 This list is neither mandatory nor exhaustive, and is merely indicative.

9 (Licensed) Family Entertainment Centres:

9.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas. Appropriate licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Door supervisors
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets/ helpful numbers for organisations such as GamCare
- Measures/training for staff on how to deal with suspected truant school children on the premises

9.2 This list is not mandatory, nor exhaustive, is it merely indicative.

9.3 This licensing authority will, in accordance with the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operator licences covering the way in which the area containing the category C. Category C machines give a higher payout than children are permitted to use should be delineated. This

licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

10 Casinos

- 10.1 The Gambling Act, section 166, allows licensing authorities to resolve not to issue casino premises licences. The licensing authority has consulted with residents and businesses to seek their views before deciding whether to make such a resolution. As a result of the consultation the council has resolved not to issue casino premises licences. (Council decision 18th September 2013)

11 Bingo premises

- 11.1 This licensing authority recognises that the Gambling Commission's Guidance states:

"It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted licensing authorities should ensure that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where the machines are located;
- access to the area where the machines are located is supervised;
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18."

- 11.2 This licensing authority is aware that the Gambling Commission is going to issue further guidance about the particular issues that licensing authorities should take into account in relation to the suitability and layout of bingo premises. This guidance will be considered by this licensing authority once it is made available.

12 Betting Premises

- 12.1 Betting Machines - This licensing authority will have regard to the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

13 Tracks – (This section refers to where racing takes place, such as horse or greyhound racing) and other matters

- 13.1 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. In accordance with the Gambling Commission's Guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 13.2 This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided
- 13.3 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:
- Proof of age schemes
 - CCTV
 - Supervision of entrances / machine areas
 - Physical separation of areas
 - Location of entry
 - Notices / signage
 - Specific opening hours
 - Self-barring schemes
 - Provision of information leaflets / helpline numbers for organisations such as GamCare
- 13.4 This list is not mandatory, nor exhaustive, and is merely indicative of example measures.
- 13.5 Gaming machines - Further guidance from the Gambling Commission is awaited as regards where such machines may be located on tracks and any special considerations that should apply in relation, for example, to supervision of the machines and preventing children from playing them. This licensing authority notes the Commission's Guidance that licensing authorities therefore need to consider the location of gaming machines at tracks, and applications for track premises licences will need to demonstrate that, where the applicant holds a pool betting operating

- licence and is going to use their entitlement to four gaming machines, these machines are located in areas from which children are excluded. Children and young people are not prohibited from playing category D gaming machines on a track.
- 13.6 Betting machines - This licensing authority will, having regard to the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number /nature / circumstances of betting machines an operator wants to offer. It will also take note of the Gambling Commission's suggestion that licensing authorities will want to consider restricting the number and location of such machines in respect of applications for track betting premises licences.
- 13.7 Condition on rules being displayed - The Gambling Commission has advised in its Guidance for local authorities that "licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office."
- 13.8 Applications and plans - This licensing authority awaits regulations setting-out any specific requirements for applications for premises licences but is in accordance with the Gambling Commission's suggestion "To ensure that licensing authorities gain a proper understanding of what they are being asked to license they should, in their licensing policies, set out the information that they will require, which should include detailed plans for the racetrack itself and the area that will be used for temporary "on-course" betting facilities (often known as the "betting ring") and in the case of dog tracks and horse racecourses fixed and mobile pool betting facilities operated by the Tote or track operator, as well as any other proposed gambling facilities." And that "Plans should make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence."
- 13.9 This licensing authority also notes that in the Commission's view that it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences, to ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

14 Travelling Fairs

- 14.1 It will fall to this licensing authority to decide whether, and where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, provided that the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 14.2 The licensing authority will expect applicants to show how they will meet the licensing objectives, in particular in relation to children and young persons.
- 14.3 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 14.4 It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

15 Provisional Statements ("in principle" licences where premises are not yet developed)

- 15.1 This licensing authority notes the Guidance for the Gambling Commission which states that "It is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence" and that "Requiring the building to be complete ensures that the authority could if necessary inspect it fully".
- 15.2 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances.
- 15.3 In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters: -
 - (a) which could not have been raised by objectors at the provisional licence stage; or
 - (b) which in the authority's opinion reflect a change in the operator's circumstances.

16 Reviews:

16.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities, however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below, as well as consideration as to whether the request is frivolous, vexatious, will certainly not cause this authority to wish alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.
- The licensing authority can also initiate a review of a licence on the basis of any reason which it thinks is appropriate.

PART C - Permits / Temporary & Occasional Use Notice

1 Unlicensed Family Entertainment Centre Gaming Machine Permits

1.1 Where premises do not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use

1.2 A licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission

1.3 The Gambling Commission's Guidance for local authorities also states: "In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permit. Licensing authorities will want to give weight to child protection issues."

1.4 Guidance also states: "An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed Family Entertainment Centres, and if the chief officer of police has been consulted on the application. Licensing authorities might wish to consider asking applicants to demonstrate:

- a full understanding of the maximum stakes and prizes of the

gambling that is permissible in unlicensed Family Entertainment Centres;

- that the applicant has no relevant convictions and
- that staff are trained to have a full understanding of the maximum stakes and prizes.

1.5 It should be noted that a licensing authority cannot attach conditions to this type of permit.

1.6 Statement of Principles - This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises. Location will also be expected to be dealt with, and it is the licensing authorities view that premises should not normally be licensed which are close to schools, playgrounds, or other educational establishments such as museums and places of worship.

1.7 This licensing authority will also expect that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed Family Entertainment Centres; that the applicant has no relevant convictions and that staff are trained to have a full understanding of the maximum stakes and prizes.

2 (Alcohol) Licensed premises gaming machine permits

2.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. Full definitions of the Gaming Machine Categories can be found on the Councils website; www.towerhamlets.gov.uk. The premises merely need to notify the licensing authority. In relation to all applications the licensing authority will use nationally recommended forms from LACORS as far as possible. The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied

- with);
 - the premises are mainly used for gaming; or
 - an offence under the Gambling Act has been committed on the premises
- 2.2 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “such matters as they think relevant..” The licensing authority will require that an application for more than two machines is considered against the above and the matters in 2.3 below before it is granted or refused.
- 2.3 This licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harmed or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff that will monitor that the machines are not being used by those under 18. Notices and signage may also be help.
- 2.4 As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.
- 2.5 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.
- 2.6 The licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for conditions (other than these) cannot be attached.
- 2.7 The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

3 Prize Gaming Permits

- 3.1 The licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit”.

- 3.2 This licensing authority has prepared a Statement of Principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:
- that they understand the limits to stakes and prizes that are set out in Regulations;
 - and that the gaming offered is within the law.
- 3.3 In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.
- 3.4 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:
- the limits on participation fees, as set out in regulations, must be complied with;
 - all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
 - the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
 - participation in the gaming must not entitle the player to take part in any other gambling.

4 Club Gaming and Club Machines Permits

- 4.1 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations.
- 4.2 A Club Gaming machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).
- 4.3 Gambling Commission Guidance states: "Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working

men's clubs, branches of Royal British Legion and clubs with political affiliations."

4.4 The Commission Guidance also notes that "licensing authorities may only refuse an application on the grounds that:

- a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- b) the applicant's premises are used wholly or mainly by children and/or young persons;
- c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- d) a permit held by the applicant has been cancelled in the previous ten years; or
- e) an objection has been lodged by the Commission or the police.

4.5 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the Gambling Commission's Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced." And "The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

4.6 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

5 Temporary Use Notices

5.1 The granting of a temporary use notice allows premises without a premises licence to be used by a gambling operator temporarily to provide facilities for gambling

- 5.2 Licensing authorities are being asked to mindful of the restrictions that allow premises to be licensed for at the most 21 days per year under Temporary Use Notices
- 5.3 It is possible licence part of a building or set of premises if the location can be rightfully regarded as being separate in terms of ownership, occupation and control.
- 5.4 This authority will object to a Temporary Use Notice application if it appears that regular gambling is taking place in locations the could be described as one set of premises.

6 Occasional Use Notices

- 6.1 Occasional Use Notices relate to occasional "track" uses. Betting Track is usually thought of as horse or dog racing. These notices will be for events like point to points on agricultural land.
- 6.2 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

PART D

1 Administration, Exercise and Delegation of Functions

- 1.1 The Council will be involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them.
- 1.2 Appreciating the need to provide a speedy, efficient and cost-effective service to all parties involved in the licensing process, the Committee has delegated certain decisions and functions and has established a number of Sub-Committees to deal with them.
- 1.3 Further, with many of the decisions and functions being purely administrative in nature, the grant of non-contentious applications where no representations have been made has been delegated to Council Officers. All such matters dealt with by Officers will be reported for information and comment only to the next Committee meeting. The decisions cannot be reversed.
- 1.4 The following Table sets out the agreed delegation of decisions and functions to Licensing Committee, Sub-Committees and Officers.

- 1.5 This form of delegations is without prejudice to Officers referring an application to a Sub-Committee, or a Sub-Committee to Full Committee, if considered appropriate in the circumstances of any particular case.

1 TABLE OF DELEGATIONS OF LICENSING FUNCTIONS

MATTER TO BE DEALT WITH	BY WHOM
Three year licensing policy (responsibility shared with Cabinet) Policy to permit or not to permit casinos	THE FULL COUNCIL
Fee Setting- (but when appropriate Corporate Director) Application - for a premises licence, variation of a premises licence, transfer of a premises licence, application for a provisional statement in connection with a premises, in all cases where representations have been received and not withdrawn. Review- of a premises licence. Application for, or cancellation of club gaming /club machine permits where representations have been received and not withdrawn Decision to give a counter notice to a temporary use notice	LICENSING COMMITTEE/ SUB-COMMITTEE
For a premises licence, variation of a premises licence, transfer of a premises, application for a provisional statement in connection with a premises, in all cases where no representations have been received/ or representations have been withdrawn. Application for a club gaming machine/ club machine permit where no representations received/ representations have been withdrawn. Applications for other permits Cancellation of licensed premises gaming machine permits Consideration of temporary use notice	OFFICERS

Annexes

Annex 1 Map of London Borough of Tower Hamlets showing where Gambling Premises Licences have been issued

Annex 2 Details of those consulted.

Annex 3 Results of Consultation

Annex 4 Gambling Best Practice Guide

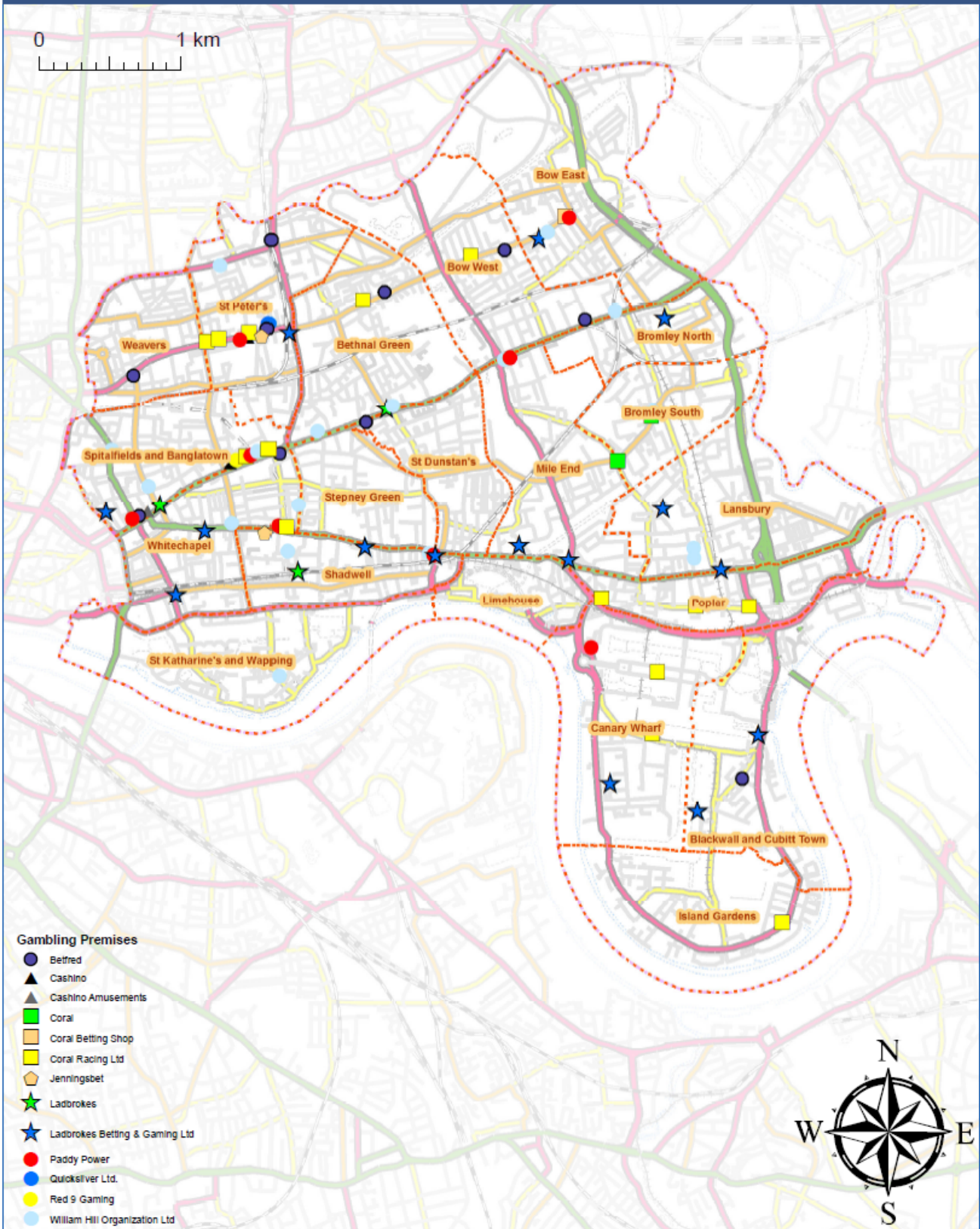
Annex 5 Sample conditions

Annex 6 Local area profiles

Annex 1



Gambling Premises



Annex 2

List of consultees:

Authorities/Bodies

The Gambling Commission
Metropolitan Police Service
Her Majesty's Revenue and Customs
Directorate of Development & Renewal (LBTH)
London Fire & Emergency Planning Authority
Maritime & Coastguard agency
Service Manager Child Protection & Reviewing
Canal & River Trust
The Environment Agency
NSPCC
Tower Hamlets Primary Care Trust
Young Mayor and Youth Panel
Inter Faith Forum
CCG
Council of Mosques
Adults Safeguarding Board
Community Safety Partnership
Public Health

Gambling Support Services

GamCare
Gamblers Anonymous
Responsibility in Gambling Trust

Businesses

Agora Betting (UK) Ltd
Arcade Shop
Bet Share Racing
Betex
Betfred Ltd
Better
Betting Shop Services Ltd
Canary Wharf Sports Exchange Ltd
Carousel Amusements
Cashino
Collins Bookmakers

Coral Racing Ltd
Frankice (Golders Green) Ltd
Gala Coral Group
Gold Room
Grove Leisure Ltd
Joe Jennings Bookmakers Ltd
Ladbrokes Betting & Gambling Ltd
Leisure World (UK) Ltd
Lucky 8 Limited
Paddy Power Limited
Quicksilver Limited
Roar Betting
Roma
Shirt Hot Limited
Talarus Ltd
Tote Bookmakers
TWL Holdings Limited
Two Way Media Ltd
William Claridge Ltd
William Hill Organisation Ltd

Licensing Committee Members

Khales Uddin Ahmed (Chair)
Rajib Ahmed (Member)
Mahbub Alam (Member)
Shah Alam (Member)
Gulam Kibria Choudhury (Member)
Amy Whitelock Gibbs (Member)
Peter Golds (Vice-Chair)
Clare Harrisson (Member)
Denise Jones (Member)
Md. Maium Miah (Member)
Mohammed Mufti Miah (Member)
Muhammad Ansar Mustaquim (Member)
Joshua Peck (Member)
Candida Ronald (Member)
Rachael Saunders (Member)

Housing Associations

A 2 Dominion Housing
Eastend Homes
Gateway Housing
Mitali Housing Association
One Housing Group
Poplar Harca
Peabody Housing Association
Spitalfields Housing Association
Tower Hamlets Community Housing

Tower Hamlets Homes
Oxford House
Industrial Dwellings Society
Karin Housing Association
Look Ahead Housing Care
Newlon
Old Ford Housing Association
Peter Bedford Housing Association
Reside Housing Association Ltd
South Poplar and Limehouse Action for Secure Housing
St Margarets House Settlement
The Kipper Project

Annex 3

Responses to the Gambling Policy Consultation 2016

<i>Body or Organisation</i>	<i>Summary of issues</i>
<i>Overview and Scrutiny January 2016</i>	<ul style="list-style-type: none"> • <i>Concern expressed on the number of FOBT's</i> • <i>Impact of FOBT's on quality of life of those poorer residents that gamble</i> • <i>Provision of services to addicted gamblers</i> • <i>Consider what other Councils are doing regarding FOBT's</i> • <i>Encourage schools to address negative impacts of gambling through PHSE</i> • <i>Consultation to reach out to greatest number of individuals and organisations as possible</i> • <i>LBTH to lobby for legislative changes</i> • <i>Consideration on control of advertising on Council sites</i>
<i>Campaign for Fairer Gambling</i>	<ul style="list-style-type: none"> • <i>Commission of test purchasing of premises and staff employed on those premises to transact gambling</i> • <i>Evaluate the effectiveness of self-exclusion, under age controls, anti-money laundering policies</i> • <i>Police call outs in the first nine months of 2014 were up 20% on the previous year</i> • <i>Consideration of condition against lone working policies</i> • <i>Use powers to restrict the number of FOBT's in betting shops</i> • <i>Suggest a statement supporting further regulatory action against FOBT's</i>
<i>Public Health</i>	<ul style="list-style-type: none"> • <i>More detail on how local risk assessments should be undertaken in relation to schools, places of worship and hostels</i> • <i>How licensed premises will support vulnerable people</i> • <i>Detail on how employers protect their staff – lone working and anti-social hours</i>
<i>Member of the Public</i>	<ul style="list-style-type: none"> • <i>Far too many betting shops in Tower Hamlets</i> • <i>Licenses only granted if no other shops in a mile and if the area is not one of low income/youth vulnerability</i> • <i>Gambling addiction support to be offered in Bengali, Hindi and Punjab</i> • <i>Gamcare is not enough</i>
<i>Coral Racing Ltd</i>	<ul style="list-style-type: none"> • <i>Has 1850 Betting shops, 20% of all betting shops in Great Britain</i>

	<ul style="list-style-type: none"> • <i>No evidence that betting shops within a proximity of schools causes harm</i> • <i>Local risk assessments to be specific to the licensing objectives and to assess whether control measures are going beyond the standard control measures that are needed.</i>
<i>William Hill</i>	<ul style="list-style-type: none"> • <i>17 premises in Tower Hamlets, largest retailer in the UK</i> • <i>Concerned that the Council is attempting to fashion an illegal exclusionary policy which reverses the burden of proof required in gambling licensing cases.</i> • <i>Cannot impose additional licence conditions without clear evidence to support such an imposition</i> • <i>Risk assessments can only be based on evidenced factors that are underpinned by empirical evidence</i> • <i>Local area profiles to be focused on aspects of gambling related harm that are evidenced</i> • <i>No legitimate justification for routine submission of information to the Council, under age test purchasing data is already supplied to the Primary Authority Partner and reports other related information to the Gambling Commission</i> • <i>Self-exclusion numbers does not assist the Council to form a view of gambling related harm, it cannot be used as a proxy for assessment of gambling related harm.</i> • <i>It is not for Operators to satisfy the Council that the location of premises would be harmful to the licensing objectives, only that facilities are being operated in a way that is reasonably consistent with the Licensing Objectives.</i> • <i>No go areas cannot be fashioned from areas of deprivation/ethnic make-up – this is discriminatory in relation to the aim to permit gambling and human rights</i> • <i>The presence of schools and playgrounds cannot be used as a reason to exclude a gambling premises from an area</i> • <i>Crime should be defined as crime associated with gambling, not situational crime committed against operators or its staff.</i> • <i>Need to define the distinction between disorder and mere public nuisance.</i> • <i>Should not mandate matters within the local area risk assessment – against better regulation principles</i> • <i>Sample conditions – should be removed, clear evidenced risk to be provided before such conditions can be used</i> • <i>Unlawful to include religious buildings in the local area profiles</i> • <i>Council has mis-directed itself in law, the language in the policy betrays the fact that the intention is to use it in an exclusionary way, thereby undermining ‘the aim to permit’ principle.</i>
<i>Power Leisure Bookmakers Ltd</i>	<ul style="list-style-type: none"> • <i>Paddy Power has 325 betting offices in the UK</i> • <i>Regulators (as per the Regulators Code) should recognise the compliance record and take an evidenced based approach to determining priority risks in their area. Risks need to be evidenced and controls proportionate</i> • <i>The draft policy does not adhere to better regulation</i> • <i>Additional conditions only to be imposed in circumstances where it is evidenced that risk are identified. They should not be included in the draft statement of gambling policy.</i> • <i>A blanket request for information relating to crime and disorder may be disproportionate and place an excessive regulatory burden on operators</i>

<p><i>Association of British Bookmakers</i></p>	<ul style="list-style-type: none"> • <i>Current regime offers key protections for communities</i> • <i>Planning law changes in April 2015 have increased the ability for Councils to consider betting shop applications.</i> • <i>In 2015, a decline of 179 betting shops nationally</i> • <i>Problem gambling is at 0.6% and has been stable</i> • <i>LGA – ABB Betting Partnership Framework signed in January 2015</i> • <i>Establishment of Primary Authority Partnerships with Councils</i> • <i>Councils should not prescribe the local risk assessment form</i> • <i>Local area profiles to be supported by substantive evidence</i> • <i>Additional conditions only imposed in exceptional circumstances</i> • <i>Delete reference to areas of deprivation and ethnic profile of residents as these have no bearing on the licensing objectives.</i> • <i>Additional conditions list – statement to be added in to make it clear that these can only be imposed if there is a risk to the licensing objectives</i> • <i>Local profile should not cover issues relating to religious buildings, the night time economy and social-economic make-up of the area.</i>
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Annex 4: Gambling Best Practice Guide

We expect all Gambling premises in the Borough to carry out the measures listed in this Best Practice Guide along with the measures detailed in the main Policy. This guide is about businesses that promote gambling have the responsibility in protecting the vulnerable who may be exposed by their activities.

- All premises to hold and maintain a log of incidences and the handling of problem gambling that occur in the premises. This information should be shared with Licensing Officers on request. Relevant data that should be held include the date and a short description of the intervention in relation to voluntary/mandatory exclusions and whether individuals have tried to gain entry, attempts of those that are underage to gain entry whether with an adult or not. Any incident requiring an intervention from staff
- Staff should be aware on how to tackle irresponsible gambling and have sufficient knowledge on how to promote responsible gambling. Be able to signpost customers to support services with respect to problem gambling, financial management and debt advice. Leaflets on how to identify problem gambling should available for customers in the premises.
- Staff should be aware of the importance of social responsibility, the causes and consequences of problem gambling, intervention with vulnerable persons, dealing with the exclusion of problem gamblers and escalating them for advice or treatment.
- Staff should be aware of refusing customers entry due to alcohol or drugs, age verification processes, identifying forged ID, the importance of time and spend limits
- Staff to be familiar with the offences under the Gambling Act, the categories of gaming machines, the stakes and odds associated with each

machine.

- Staff should also be aware of not encouraging customers to increase the amount or time they gamble, re-gamble winnings and chase losses.
- Staff to be excluded from gambling at the premises where they are employed and the premises to have a 'no tipping' rule.
- Applicants may wish to seek support with their applications from the Crime Reduction Officer and GamCare with a view to obtaining a certificate of Social Responsibility.
- Where Fixed Odds Betting Terminals are installed within the premises they should be positioned in direct sight of a supervised counter.

Appendix 5: Sample of premises licence conditions

This Annex, reproduced from the Gambling Commission's Guidance to Licensing Authorities, provides a sample of conditions that have been attached to premises licences by licensing authorities, with some amended for illustrative purposes. These are not blanket conditions but have been imposed in a number of circumstances to address evidence based concerns. Part 9 of the Gambling Commission's Guidance to Licensing Authorities provides further details on the principles licensing authorities should apply when exercising their discretion to impose premises licence conditions.

The conditions listed below have been grouped under specific headings for ease of reference. There will inevitably be some overlap between those conditions that address different concerns, for example those related to security and to anti-social behaviour.

1. Security

- 1.1 No pre-planned single staffing after 8pm and, when this is unavoidable, for a Maglock to be in constant use.
- 1.2 A minimum of two members of staff after 10pm.
- 1.3 A minimum of two members of staff will be on duty throughout the whole day.
- 1.4 The premises will have an intruder alarm and panic button.
- 1.5 Maglock systems are employed and access is controlled.
- 1.6 Requirements for full-height security screens to be installed.
- 1.7 A requirement for 50% of the shop frontage to be clear of advertising so that staff have a clear view and can monitor the exterior of the premises.
- 1.8 The premise shall maintain a 'safe haven' to the rear of the counter.
- 1.9 The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The

CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or an authorised officer throughout the preceding 31-day period.

- 1.10 A member of staff from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This member of staff must be able to show a member of the police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
- 1.11 A monitor shall be placed inside the premises above the front door showing CCTV images of customers entering the premises.
- 1.12 If at any time (whether before or after the opening of the premises), the police or licensing authority supply to the premises names and/or photographs of individuals which it wishes to be banned from the premises, the licensee shall use all reasonable endeavours to implement the ban through staff training.

2. Anti-social behaviour

- 2.1 The Licensee shall develop and agree a protocol with the police as to incident reporting, including the type and level of incident and mode of communication, so as to enable the police to monitor any issues arising at or in relation to the premises.
- 2.2 The Licensee shall take all reasonable steps to prevent street drinking of alcohol directly outside the premises and to ban from the premises those who do so.
- 2.3 The Licensee shall place a notice visible from the exterior of the premises stating that drinking alcohol outside the premises is forbidden and that those who do so will be banned from the premises.
- 2.4 Notices indicating that CCTV is in use at the premises shall be placed at or near the entrance to the premises and within the premises.
- 2.5 The Licensee shall place and maintain a sign at the entrance which states that 'only drinks purchased on the premises may be consumed on the premises'.
- 2.6 The Licensee shall implement a policy of banning any customers who engage in crime or disorder within or outside the premises.
- 2.7 The Licensee shall install and maintain an ultraviolet lighting system in the customer toilet.
- 2.8 The Licensee shall install and maintain a magnetic door locking system for the customer toilet operated by staff from behind the counter.
- 2.9 Prior to opening the Licensee shall meet with the Crime Prevention Officer in order to discuss any additional measures to reduce crime and disorder.

3. Underage controls

- 3.1 The Licensee shall maintain a bound and paginated 'Think 21 Refusals' register at the premises. The register shall be produced to the police or licensing authority forthwith on request.
- 3.2 Customers under 21 will have to provide ID.
- 3.3 The premises will operate a 'challenge 25' policy and prominent signage and notices will be displayed showing the operation of such policy
- 3.4 Compulsory third party test purchasing on a twice yearly external system and the results to be reported to the Local Authority and police. In the first twelve months (from the date of the Review) two additional internal test purchase operations to be carried out.
- 3.5 A physical barrier (ie a supermarket metal type or similar) acceptable to the licensing authority, and operated in conjunction with the existing monitored alert system, to be put in place within 3 months from the date of the review.
- 3.6 No machines in the Unlicensed Family Entertainment Centre to be sited within one meter of the Adult Gaming Centre entrance.

4. Player protection controls

- 4.1 Prominent GamCare documentation will be displayed at the premises.
- 4.2 There shall be no cash point or ATM facilities on the premises.
- 4.3 The Licensee shall train staff on specific issues related to the local area and shall conduct periodic refresher training. Participation in the training shall be formally recorded and the records produced to the police or licensing authority upon request.
- 4.4 New and seasonal staff must attend induction training. All existing staff must attend refresher training every six months.
- 4.5 All notices regarding gambling advice or support information within the vicinity of XXX must be translated into both simplified and local languages.
- 4.6 Infra Red Beam to be positioned across the entrance to the premises.
To be utilised whenever:
 - (a) The first member of staff is not positioned within the Cash Box or,
 - (b) The second member of staff is not on patrol

Annex 6

Local Area Profiles

The aim of local area profiles is to build up a picture of the locality, and in particular the elements of it that could be impacted by gambling premises.

The Council publishes Area profiles – ward profiles on its website at

http://www.towerhamlets.gov.uk/lgsl/901-950/916_borough_profile/area_profiles.aspx

Some publically available sources of information to assist in operators

completing a Local Area Profile include:


- a) Crime Mapping websites*
- b) Ward profiles*
- c) Websites or publications by local responsible authorities*
- d) Websites or publications by local voluntary schemes and initiatives*
- e) On-line mapping tools*

The Council will expect applicants for grant of new or variation to existing licences to include full details of their risk assessment in compliance with Social Responsibility (SR code) 10.11 and Ordinary code provisions 10.1.2 (both effective from 6th April 2016)

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Appendix 2

EQUALITY ANALYSIS QUALITY ASSURANCE CHECKLIST

Name of 'proposal' and how has it been implemented (proposal can be a policy, service, function, strategy, project, procedure, restructure/savings proposal)	Gambling Policy 2016 Review
Directorate / Service	CLC / Safer Communities
Lead Officer	David Tolley, Head of Environmental Health and Trading Standards
Signed Off By (inc date)	
Summary – to be completed at the end of completing the QA (using Appendix A) (Please provide a summary of the findings of the Quality Assurance checklist. What has happened as a result of the QA? For example, based on the QA a Full EA will be undertaken or, based on the QA a Full EA will not be undertaken as due regard to the nine protected groups is embedded in the proposal and the proposal has low relevance to equalities)	 Proceed with implementation As a result of performing the QA checklist, the policy does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.

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Stage	Checklist Area / Question	Yes / No / Unsure	Comment (If the answer is no/unsure, please ask the question to the SPP Service Manager or nominated equality lead to clarify)
1	Overview of Proposal		
a	Are the outcomes of the proposals clear?	Yes	The Committee is recommended to:


			<ul style="list-style-type: none"> • Agree the proposed Gambling Policy • Note that the 'no casino' resolution remain within the Gambling Policy. <p>All local authorities have to review and adopt a gambling policy every three years which defines how they will administer and exercise their responsibilities under the Gambling Act 2005.</p> <p>The Gambling Policy is prescribed by the central government and the Gambling Commission. The policy is compatible with this advice and guidance.</p> <p>Some of the major issues and concerns about gambling, including gambling addiction, are not addressed in the policy. Also, noise nuisance is not a licensing objective. Any issues relating to noise and nuisance will be dealt with by the Council's noise team.</p>
<p>b</p>	<p>Is it clear who will be or is likely to be affected by what is being proposed (inc service users and staff)? Is there information about the equality profile of those affected?</p>	<p>Yes</p>	<p>The Gambling Policy states how the Licensing Authority will exercise its authority. This policy covers the following:</p> <ul style="list-style-type: none"> • How the Licensing Authority will use its regulatory powers in relation to applications and reviews of the activities it regulates, to the extent it is allowed by statute. • The main licensing objective for the authority is protecting children, preventing crime and disorder and ensuring gambling is fair and open. • The Licensing Authority approach to regulation • The scheme of delegation <p>The licencing objectives remain including protecting children and the vulnerable, including 'people may not be able to</p>

			<p>make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.’</p> <p>The business operators will be requested to undertake local risk assessments in relation to their premises. It is expected that the local risk assessment will consider various issues including exposure to vulnerable groups, type of footfall (e.g. children, families), education facilities and homelessness/ rough sleeper hostels. The local risk assessment is also expected to identify how these risks will be mitigated and monitored.</p>
2	Monitoring / Collecting Evidence / Data and Consultation		
a	Is there reliable qualitative and quantitative data to support claims made about impacts?	Yes	<p>The Gambling Policy is prescribed by the central government and the Gambling Commission. The policy is compatible with this advice and guidance.</p> <p>Regarding the business related data, the Development and Renewal (D&R) directorate have corporate lead responsibility for data capture and are currently reviewing the technical implications in developing an equalities strand of their business data base.</p>
	Is there sufficient evidence of local/regional/national research that can inform the analysis?	Yes	<p>Gambling premises will undertake a risk assessment taking into consideration their local information.</p> <p>The gambling policy is compatible with this advice and guidance by the central government and the Gambling Commission.</p>
b	Has a reasonable attempt been made to ensure relevant knowledge and expertise (people, teams and partners) have been involved in the analysis?	Yes	<p>As above. Also, a statutory consultation process commenced on 19 October 2015 and continued for three months, until 17 January 2016. The draft policy has also been consulted by the Licensing Committee on 4 December 2015 and the Overview and Scrutiny Committee on 4 January 2016. The comments received have been analysed and incorporated into the policy where necessary.</p>

c	Is there clear evidence of consultation with stakeholders and users from groups affected by the proposal?	Yes	A statutory consultation process commenced on 19 October 2015 and continued for three months, until 17 January 2016.
3	Assessing Impact and Analysis		
a	Are there clear links between the sources of evidence (information, data etc) and the interpretation of impact amongst the nine protected characteristics?	Yes	The gambling policy is compatible with this advice and guidance by the central government and the Gambling Commission. The licencing objectives remain including protecting children and the vulnerable, including 'people may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.'
b	Is there a clear understanding of the way in which proposals applied in the same way can have unequal impact on different groups?	N/A	
4	Mitigation and Improvement Action Plan		
a	Is there an agreed action plan?	Yes	The policy will be agreed by the full Council. All local authorities have to review and adopt a gambling policy every three years which defines how they will administer and exercise their responsibilities under the Gambling Act 2005.
b	Have alternative options been explored	Yes	The Gambling Policy is prescribed by the central government and the Gambling Commission.
5	Quality Assurance and Monitoring		
a	Are there arrangements in place to review or audit the implementation of the proposal?	Yes	All local authorities have to review and adopt a gambling policy every three years which defines how they will administer and exercise their responsibilities under the Gambling Act 2005.
b	Is it clear how the progress will be monitored to track impact across the protected characteristics?	Yes	The policy includes a number of measures to prevent children from taking part in gambling and restriction of advertising so that gambling products are not aimed at or are attractive to children.

			<p>The licensing authority will consider whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/ machines, segregation of areas.</p> <p>The policy also states that local risk assessment may include arrangements for monitoring and dealing with under age persons and vulnerable persons.</p>
6	Reporting Outcomes and Action Plan		
a	Does the executive summary contain sufficient information on the key findings arising from the assessment?	Yes	

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Non-Executive Report of the: Licensing Committee 13 September 2016	 TOWER HAMLETS
Report of: Service Head – Legal Services	Classification: [Unrestricted or Exempt]
Update in relation to Prosecutions and Appeals- Quarter 1 2016/2017	

Originating Officer(s)	Agnes Adrien
Wards affected	All wards

Summary

1.1 At its meeting on 4th June 2013, the Licensing Committee requested that regular reports should be prepared for the Licensing Committee giving details of licensing enforcement activity and specifically as to outcomes of prosecutions and appeals.

1.2 This report provides details of completed licensing related prosecutions and appeals for Quarter 1 2016/2017 (April to June).

Recommendations:

The Licensing Committee is recommended to:

1. Consider and comment upon the information provided in the report.

1. REASONS FOR THE DECISIONS

- 1.1 This report is for the information of the Committee and no specific decisions are required.

2. ALTERNATIVE OPTIONS

- 2.1 N/A

3. DETAILS OF REPORT

- 3.1 The London Borough of Tower Hamlets is a Licensing Authority and amongst its functions it is required to ensure compliance with conditions imposed on Premises Licences; take action against unlicensed premises; and act as a respondent on Appeals against decisions of the Licensing Sub-committee in respect of applications that come before it.

- 3.2 Where the Licensing Authority takes enforcement action to ensure compliance with conditions etc. then it does so in accordance with the Council's

enforcement Policy. The Enforcement Policy provides that the Council's approach to enforcement is founded on firm but fair regulation, around the principles of:

- raising awareness of the law and its requirements
- proportionality in applying the law and securing compliance
- consistency of approach
- transparency about the actions of the Council and its officers
- targeting of enforcement action.

3.3 Further, as a Licensing Authority the Council has a duty under section 4 of the Licensing Act 2003 to carry out its Licensing functions with a view to promoting the Licensing Objectives and in carrying out such functions must also have regard to its own statement of licensing policy and the Licensing Guidance issued pursuant to section 182 of the Licensing Act 2003.

Prosecutions

3.4 In Quarter 1, 2016/2017, proceedings were taken against one (1) business establishment and one (1) individual. Please see the results of the prosecution below

3.5 The results of the Prosecutions are as set out below:

No.	Offences	Outcome
1	<p>Shampan Restaurant , London, Breach s136(1) and (4) of the Licensing Act 2003 (breach of Condition 1 in Annex 3 of the Premises Licence - carrying out a licensable activity or from premises otherwise than in accordance with a licence</p> <p>Director 1 x S137(1) and (3) exposing for sale, by retail any alcohol where the sale is an unauthorised activity 1 x s138(1) and (4) has in his possession or under his control which he intends to sell for retail or supply in circumstances where the sale is an unauthorised activity.</p>	<p>Fine £2000 Costs £1637.50 Victim Surcharge £120.00 Total £3757.50</p> <p>Fine £400 Costs £800 Victim Surcharge £20 Total £1220.00</p>

Appeals

3.6 During quarter 1, 2016/2017, three (3) Appeals were concluded.

The Outcome of the Appeal is set out below:

No	Outcome
1	Hearing scheduled for 25.4.2016 .Appeal withdrawn. Costs awarded £3,500
2	<p>Consent Order agreed 26.4.2016.No drinks (alcoholic or soft) sold within the premises to be consumed on Three Colt Street outside the front of the premises at any time.</p> <p>Noise limiter must be fitted to the musical amplification system set a level determined by and to the satisfaction of an authorised Environmental Health and Designated Premises Supervisor. The noise limiter shall be secured by key or password and accessed only by persons authorised by the Premises License Holder</p> <p>Drinks (either alcoholic or soft) sold as an off sale must be in a sealed container.</p> <p>An incident book must be kept and all incidents of crime and disorder associated with the premises recorded. The report book must be available at all times for inspection by responsible authorities.</p>
3	<p>Consent Order agreed 29.6.2016. Off sales only agreed. No alcoholic goods to be purchased or taken from persons calling to the shop. No spirits shall be purchased in a resealed box without thorough checks being made as to whether it is legal to sell. Trading Standards to be informed immediately of any attempts to sell alcohol by any caller to the shop. Stock control system to be introduced so that the licensee can identify where and when alcohol purchased. Staff are trained on age restricted products and records of training maintained. Any refusals to sell to young persons are kept in a log. An ultra- violet light will be available at the premises for the purpose of checking the UK Stamp Duty on spirits.</p> <p>Costs £4,500</p>

The first Appeal was in respect of a new premises licence. The other Appeals were in respect of reviews.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 This report describes the Council's licensing enforcement activity and the outcomes of prosecutions and appeals for Quarter 1 2016/2017.
- 4.2 There are no financial implications arising from the recommendations in this report.

5. LEGAL COMMENTS

- 5.1 Any legal implications are addressed in the body of the report.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 Enforcement action that complies with the five principles expressed in the Council's enforcement policy should help to achieve the objectives of equality and personal responsibility inherent in One Tower Hamlets.

- 6.2 The enforcement policy should enhance Council efforts to align its enforcement action with its overall objectives disclosed in the Community Plan and other key documents such as the local area agreement and the Local Development Framework. For example, one of the key Community Plan themes is A Great Place to Live. Within this theme there are objectives such as reducing graffiti and litter. The enforcement policy makes clear the need to target enforcement action towards such perceived problems. At the same time, the enforcement policy should discourage enforcement action that is inconsistent with the Council's objectives.
- 6.3 The exercise of the Council's various enforcement functions consistent with the enforcement policy and its principles should also help achieve the following key Community Plan themes-
- A Safe and Cohesive Community. This means a safer place where people feel safer, get on better together and difference is not seen as a threat but a core strength of the borough.
 - A Great Place to Live. This reflects the aspiration that Tower Hamlets will be a place where people live in quality affordable housing, located in clean and safe neighbourhoods served by well-connected and easy to access services and community facilities.
 - A Prosperous Community. This encompasses the objective that Tower Hamlets will be a place where everyone, regardless of their background and circumstances, has the aspiration and opportunity to achieve their full potential.
- 6.4 An equality analysis was conducted prior to approval of the revised enforcement policy by Cabinet on 3 October 2012. A further equality analysis was done on 16th September 2011 in relation to touting prosecutions. It is recognised that Enforcement action may lead to indirect discrimination in limited circumstances but prior to taking any proceedings, an assessment as to whether the case meets the two stages in the Code for Crown Prosecutors is undertaken so that there is both a realistic prospect of a conviction and that it is in the public interest to prosecute. Further, proceedings are kept under review once initiated.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 There are no specific best value implications arising from this noting report

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 The enforcement policy seeks to target the Council's enforcement action in accordance with the Community Plan. The Community Plan contains the Council's sustainable community strategy for promoting or improving the economic, social and environmental well-being of Tower Hamlets and contributing to the achievement of sustainable development in the United Kingdom. To the extent that the enforcement policy aligns enforcement action

with the Community Plan it will tend to promote sustainable action for a greener environment. [

9. RISK MANAGEMENT IMPLICATIONS

9.1 Enforcement action carries with it a variety of inherent risks, including the potential for allegations of over- or under-enforcement, discrimination, adverse costs orders and damage to the Council's reputation. It is considered that proper adherence to the Council's policies, the Licensing Objectives, the Council's Statement of Licensing Policy and the section 182 guidance will ensure that risks are properly managed. .

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 One (1) of the four (4) Licensing Objectives is Crime and Disorder and enforcement promotes that Licensing Objective. Enforcement will also play its part in helping to drive down crime and which in turn will reduce fear of crime and ASB levels helping to promote a healthier, happier and more cohesive community. This will have efficiency benefits for adult social care and public health costs by keeping people healthier and more active for longer.

Linked Reports, Appendices and Background Documents

Linked Report

- [List any linked reports, for example those that went to other Committees on
- State NONE if none.

Appendices

None

Local Government Act, 1972 Section 100D (As amended)

List of "Background Papers" used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

None.

Officer contact details for documents: Agnes Adrien 0207 364 4972

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