

LICENSING SUB COMMITTEE

Tuesday, 6 March 2018 at 6.30 p.m.

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

This meeting is open to the public to attend.

Contact for further enquiries:

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APOLOGIES FOR ABSENCE

To receive any apologies for absence.

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST (Pages 7 - 10)

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

2. RULES OF PROCEDURE (Pages 11 - 20)

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

	PAGE NUMBER(S)	WARD(S) AFFECTED
3. ITEMS FOR CONSIDERATION		
3.1 Application for a New Premises Licence for (The London City Beach), Land off Buxton Street, London E1 6QL	21 - 134	Spitalfields & Banglatown

Licensing Objectives:

- Public Nuisance
- Crime & Disorder
- Public Safety
- Prevention of Children from harm

Representations by:

- Licensing Authority
- Metropolitan Police
- Local Resident(s)

**4. EXTENSION OF DECISION DEADLINE:
LICENSING ACT 2003**

The Sub Committee may be requested to extend the decision deadline for applications to be considered at forthcoming meetings due to the volume of applications requiring a hearing. Where necessary, details will be provided at the meeting.

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:-

Asmat Hussain, Corporate Director, Governance and Monitoring Officer, Tel 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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TOWER HAMLETS



LICENSING COMMITTEE

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

Date Last Reviewed:	14th June 2016
Reviewed By:	Senior Corporate and Governance Legal Officer
Approved By:	Licensing Committee
Date Approved:	14th June 2016
Version No.	1
Document Owner:	Paul Greeno
Post Holder:	Senior Corporate and Governance Legal Officer
Date of Next Scheduled Review:	31st March 2018

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.

Guidance for Licensing Sub-Committee Meetings.

(1) Attendance at Meetings.

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

(2) Licensing Sub-Committee Role and Membership.

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

Licensing Sub-Committee Webpages

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

The pages include:

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

(3) Access to Committee Papers.

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

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

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

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

(5) What can be circulated?

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

(6) How will the applications be considered?

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

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

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

(8) Queries on reports.

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

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

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

LICENSING SUB COMMITTEE HEARING PROCEDURE

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

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

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

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

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Agenda Item 3.1

Committee : Licensing Sub-Committee	Date 06 March 18	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 (The London City Beach), Land off Buxton Street, London E1 6QL Ward affected: Spitalfields and Banglatown
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1.0 Summary

Applicant:	Awesome Events Limited
Name and	The London City Beach
Address of Premises:	Land off Buxton Street London E1 6QL
Licence sought:	Licensing Act 2003 – premises licence <ul style="list-style-type: none">• The sale by retail of alcohol (on sales only)• The provision of regulated entertainment
Representations:	Met Police Licensing Authority (Responsible Authority) Residents / Residents Association

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
<ul style="list-style-type: none">• Guidance Issued under Section 182 of the Licensing Act 2003• Tower Hamlets Licensing Policy• File		Mohshin Ali 020 7364 5498

3.0 **Background**

3.1 This is an application for a premises licence for (The London City Beach), Land off Buxton Street, London E1 6QL. A copy of the premises licence application form is enclosed as **Appendix 1**.

3.2 The applicant has described the premises as follows:
“Land to be used for pop-up events with food stalls and facilities for corporate clients and occasional public events”.

3.3 The applicant has applied for the following licensable activities and timings as follows:-

The sale by retail of alcohol (On sales only)

- Monday to Saturday, from 11:00 hours to 23:00 hours
- Sunday, from 11:00 hours to 21:30 hours

The provision of regulated entertainment – Indoors and outdoors (Plays, Films, Recorded Music, Performance of Dance and anything of a similar description)

- Monday to Saturday, from 11:00 hours to 23:00 hours
- Sunday, from 11:00 hours to 22:00 hours

The opening hours of the premises

- Monday to Saturday, from 11:00 hours to 23:00 hours
- Sunday, from 11:00 hours to 22:00 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 2**.

4.3 Maps showing the vicinity are included as **Appendix 3**.

4.4 Details of the nearest licensed venues are included as **Appendix 4**.

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 April 2017.
- 5.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, than in some areas Tower Hamlets, after a proper consideration of local circumstances, has not followed the Government's advice, or has developed it further.
- 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 5**.
- 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 the following:

Responsible Authorities / Other Persons	Appendix
Corinne Holland – <i>Licensing Authority(RA)</i>	6
Mark Perry – <i>Police Licensing</i>	7
David Spurring - <i>Resident</i>	8
Mr R Singh - <i>Resident</i>	9
Gary Brown - <i>Resident</i>	10
Dr Alex Rhys -Taylor- <i>Resident</i>	11
Charlie Dunlop - <i>Resident</i>	12
David Knight, Cristina Monteiro and Amelia Monteiro Knight - <i>Residents</i>	13
Jon Shapiro - <i>Resident</i>	14
Maria Papageorgiou - <i>Resident</i>	15
Margaret Gordon – <i>Residents Association</i>	16

6.9 All of the responsible authorities have been consulted about this application. They are as follows:

- The Licensing Authority
- The Metropolitan Police
- The LFEP (the London Fire and Emergency Planning Authority).
- Planning
- Health and Safety
- Noise (Environmental Health)
- Trading Standards
- Child Protection
- Public Health
- Home Secretary (Home Office Immigration Enforcement)

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

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

6.11 Essentially, the relevant parties oppose the application because in their opinion, the applicant has not explained how within the context of the application they will meet licensing objective of the prevention of public nuisance and the prevention of crime and disorder.

6.12 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.

6.13 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 (as offered by the applicant)

7.1 *Staff engaged in the conduct of licensable activities shall be trained in the promotion of the licensing objectives as pertinent to their role. Where the role includes the sale of alcohol, training shall be provided on age recognition and assessment of drunkenness. A record of this training shall be maintained in a log book which shall be in bound format and made available for inspection by an authorised officer of the local authority or police.*

7.2 *An incident log book shall be maintained at the premises in bound format that shall be used to record any incident that is pertinent to the licensing objectives. The licence holder shall regularly review any entries that are made in this log book, which shall be made available for inspection by an authorised officer of the licensing authority or police.*

7.3 *Information shall be provided to customers who book the venue regarding the Licence Holder's policies on acceptable behaviour, admission, proof of age and dispersal.*

7.4 *The premises shall not be open solely for the sale or consumption of alcohol*

7.5 *Where any discrete event is held at the premises, regard will be had to the relevant provisions of The Event Safety Guide ('The purple guide'). Policies shall be prepared and notified to the Licensing Authority prior to the event which shall include reference to:*

- a) *The Profile of the audience*
- b) *The Type of Regulated Entertainment to be provided*
- c) *The Capacity anticipated*
- d) *Access and Egress arrangements, including admission criteria*
- e) *Glass Management*
- f) *Evacuation*
- g) *Security*
- h) *Drugs Control*
- i) *Noise control*
- j) *Wind-down arrangements*
- k) *Safeguarding arrangements*

7.6 *Alcohol shall only be permitted to be consumed in the areas of the premises marked in green.*

- 7.7 *No sale of alcohol for consumption on the premises shall take place within the thirty minutes preceding the anticipated close of the premises.*
- 7.8 *A notice shall be displayed at the entrance to the premises which gives details of the admissions policy, including the approach of the licence holder to issues such as drugs and weapons.*
- 7.9 *A risk assessment shall be conducted prior to any event taking place to determine the number of security staff or attendants that are required. This assessment shall have regard to any advice issued by the Police, Fire Authority or Authority Responsible for Health and Safety. Staff shall be engaged to supervise the entrances to the premises whilst licensable activities are being conducted, in accordance with this assessment*
- 7.10 *An admissions policy shall be adopted, which shall be provided to the licensing authority and police in advance of an event.*
- 7.11 *Registered security staff shall be engaged whilst licensable activities are undertaken in accordance with a risk assessment and taking account of advice provided by the police. Door staff will be easily identifiable by wearing a uniform, high visibility jackets or arm bands.*
- 7.12 *Door staff will sign into a register detailing their full SIA licence number, their name, contact details and the time and date their duty commenced and concluded.*
- 7.13 *A CCTV system shall be maintained at the premises whilst licensable activities are being conducted and during dispersal. Recordings of the images from this system shall be made and kept available for a period of 31 days from the date of recording. The system will be designed so as to enable copies of recordings to be taken in a format which can be viewed on domestic-grade reproduction equipment.
(NB: Police and Licensing Officers have the power of inspection of such recordings under the provisions of the Licensing Act 2003)*
- 7.14 *A trained member of staff will be on duty to operate the system whenever the premises are open*
- 7.15 *Prior to the commencement of any licensable activities, an acoustic evaluation shall be conducted to determine the potential for sound to break out from the premises. This assessment will form the basis for a noise management plan, which shall be documented and held available for inspection by an authorised officer of the local authority. This plan shall include the monitoring of sound during the conduct of licensable activities at identified noise sensitive locations, a wind-down arrangement and dispersal policy.*
- 7.16 *Noise control measures will be implemented, which will include the installation of an acoustic hood over loudspeakers, sound-absorbing materials on acoustically reflective vertical surfaces and a sound limiting*

device which will be set in accordance with recommendations agreed with the licence holders acoustic consultant and the Councils' noise control officer.

- 7.17 Luminaires on the external aspect of the premises shall be directed so as not to radiate directly towards the windows of any occupied residential property that is immediately adjacent to the site.*
- 7.18 Notices shall be displayed at the public exits of the premises seeking that patrons leave the area in a manner that does not cause disturbance to neighbours. Staff will be engaged to monitor patrons who are leaving and take corrective action in accordance with a dispersal policy. The dispersal policy shall be provided to all staff engaged in such activities and maintained on site for reference whilst any licensable activity is carried out.*
- 7.19 A designated smoking area for patrons shall be established in the area indicated in blue on the approved plan. At least one attendant, steward or licensed security operative shall monitor the area whilst it is in use for this purpose.*
- 7.20 A telephone number shall be displayed on the external aspect of the premises which members of the public may telephone if they should be disturbed by noise. This number shall be monitored whilst a licensable activity is being conducted and calls shall be noted in the log book mentioned in (7.2) above, along with details of any corrective action taken*
- 7.21 Signage shall be erected at the exits of the premises to seek that patrons behave in a responsible manner when leaving and have regard for neighbours. These signs shall be supplemented by verbal instructions by staff.*
- 7.22 A plan shall be devised and operated to address the management of rubbish generated from licensable activities on the site. This shall form part of the event management plan.*
- 7.23 Where any person appears to be under the age of 21, proof of age shall be required before any sale of alcohol is made. Acceptable identification shall be a passport, driving licence or any other form of identification recognised by the Licensing Authority's Statement of Licensing Policy or a government department as being a valid method of age verification.*

8.0 Conditions in consultation with the Responsible Authorities

8.1 The applicant has agreed the following conditions with Environmental Health Noise Team (Please see **Appendix 17**):

8.1.□.1. *Licensable activities will only take place under the licence between the 1st June and the 31st July each year.*

8.1.□.2. *The licence holder or its nominated representative will supply:-*

8.1.□.2.1. *an event management plan and ;*

8.1.□.2.2. *a security plans to Tower Hamlets Police and the Licensing Authority and;*

8.1.□.2.3. *a Noise Management Plan to the Responsible Authority for the Protection of the Environment, which should include predicted background noise levels (prior to the event), noise measuring points, noise mitigation measures (including Music Noise Levels, leaflet drop to residents with contact number for event organisers).*

8.1.□.2.4. *The above plans have to be agreed by Tower Hamlets Police and Tower Hamlets Council prior to the event taking place within 30 days of the supply of documentation?*

8.1.□.3. *Licensable activities shall conclude no less than 30 minutes prior to the planned finish of any event.*

8.1.□.4. *A noise limiter must be fitted to the musical amplification system used for licensable activities, set at a level determined by and to the satisfaction of an authorised officer of the Responsible Authority for the Protection of the Environment and Premises Management, so as to ensure that no noise nuisance is caused to local residents or businesses. The operation panel of the noise limiter shall then be secured by a key or password and access shall only be by persons authorised by the Premises Licence Holder. The cut-out level of the limiter shall not be altered without prior agreement with an authorised officer of the Responsible Authority for the Protection of the Environment.*

8.2 Trading Standards have requested the following condition (Please see **Appendix 18**):

A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram

8.3 The applicant may wish to clarify if the above condition has been agreed or not.

9.0 Licensing Officer Comments

9.1 The Live Music Act removed licensing requirements for the following:

- amplified live music and recorded music between 8am and 11pm before audiences of no more than 500 people on premises authorised to sell alcohol for consumption on the premises;
- unamplified live music between 8am and 11pm in all venues.
- Further exemptions apply see Section 16.5-16.6 of Section 182 Guidance.

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

9.3 Guidance issued under section 182 of the Licensing Act 2003

- ❖ As stated in the guidance it 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 (10.25) 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.” (10.58) 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)
- 9.4 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.
- 9.5 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 9.6 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 9.7 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)

9.8 The Council's Licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.

9.9 In **Appendices 19 - 25** 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.

10.0 **Legal Comments**

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

11.0 **Finance Comments**

11.1 There are no financial implications in this report.

12.0 Appendices

Appendix 1	A copy of the application
Appendix 2	Site Plan
Appendix 3	Maps of the surrounding area
Appendix 4	Other licensed venues in the area
Appendix 5	Section 182 Guidance by the Home Office
Appendix 6 - 16	Representations of Responsible Authorities / Other Persons
Appendix 17	Conditions agreed with Environmental Health Noise
Appendix 18	Comments of Trading Standards
Appendix 19	Licensing Officer comments on noise while the premise is in use
Appendix 20	Licensing Officer comments on access/egress Problems
Appendix 21	Licensing Officer comments on crime and disorder on the premises
Appendix 22	Licensing Officer comments on crime and disorder from patrons leaving the premises
Appendix 23	Planning
Appendix 24	Licensing Policy relating to hours of trading
Appendix 25	Licensing Officer comments on the Tower Hamlets Cumulative Impact Zone

Appendix 1

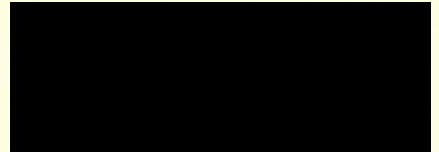


LICENSING
LAWYERS

Prama House,
267 Banbury Road,
Oxford OX2 7HT

The Old Counting House
82e High Street,
Wallingford, Oxon,
OX10 0BS

The Licensing Authority



Our Ref : AWE00338/16

Your Ref:

1 December 2017

Dear Sirs

Land off Buxton Street, London E1

We have been instructed to make an application for a premises licence in respect of the above premises and therefore we have pleasure in enclosing the application form, along with the supporting information. Arrangements are being made for the necessary site and press notices to be published.

Our client is keen to discuss any concerns that may be raised by interested persons or the responsible authorities, to avoid the need for a hearing. For that purpose, we would be grateful if you could provide our contact details, perhaps by showing a copy of this letter, to anyone who makes an enquiry concerning the application or suggests that they are proposing to make a representation.

We are aware of the special policy that applies to this area and for this reason we have already undertaken pre-application discussions with the Police and Environmental Health Officer and understand that there have also been discussions with a number of local residents. Our client has also conducted a series of acoustic tests to ensure that noise from the premises can be controlled. The application includes some significant control measures, which we hope will be found to be satisfactory in all of the circumstances, particularly as similar measures have been used in applications for other locations within London and in the provinces. Our belief is that these measures would prevent any adverse impact on the promotion of the licensing objectives.

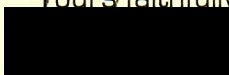
As part of the application, we have a number of supporting documents that will be provided separately. These include a noise control plan, admission policy, evacuation and dispersal plan, wind-down plans, drugs control policy, lost child procedure and policy on conducting searches.

The licence itself is intended to cover activities for only part of the year in what might be described as 'summertime', but at the present it is not possible to ascertain the precise start and finish dates each year. There are accordingly no plans to seek to undertake activities to the full extent that has been applied for, either throughout the year or during the periods of the summertime that is intended. It may be that other promoters will apply for licences for the land to cover other times of the year, but we are not instructed on that.

Our client is an events company with an excellent reputation for running corporate activities for a number of high-profile businesses, including award ceremonies and hospitality events. Some examples of their work can be found via the website link that we have provided.

In the event of any query, this matter is being dealt with by Mr Payne.

Yours faithfully,



Licensing Lawyers

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Awesome Events Ltd

(Insert name(s) of applicant)

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Land off Buxton Street			
Post town	London	Postcode	E1 6QL

Telephone number at premises (if any)	To be provided
Non-domestic rateable value of premises	£0

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | | |
|----|---|-------------------------------------|-----------------------------|
| a) | an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) | a person other than an individual * | | |
| | i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| | ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| | iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| | iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) | a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) | a charity | <input type="checkbox"/> | please complete section (B) |
| e) | the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) | a health service body | <input type="checkbox"/> | please complete section (B) |

- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name Awesome Events Ltd
Address Handel House 95 High Street Edgware Middlesex HA8 7DB
Registered number (where applicable) 03272993
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start? **As soon as possible**

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

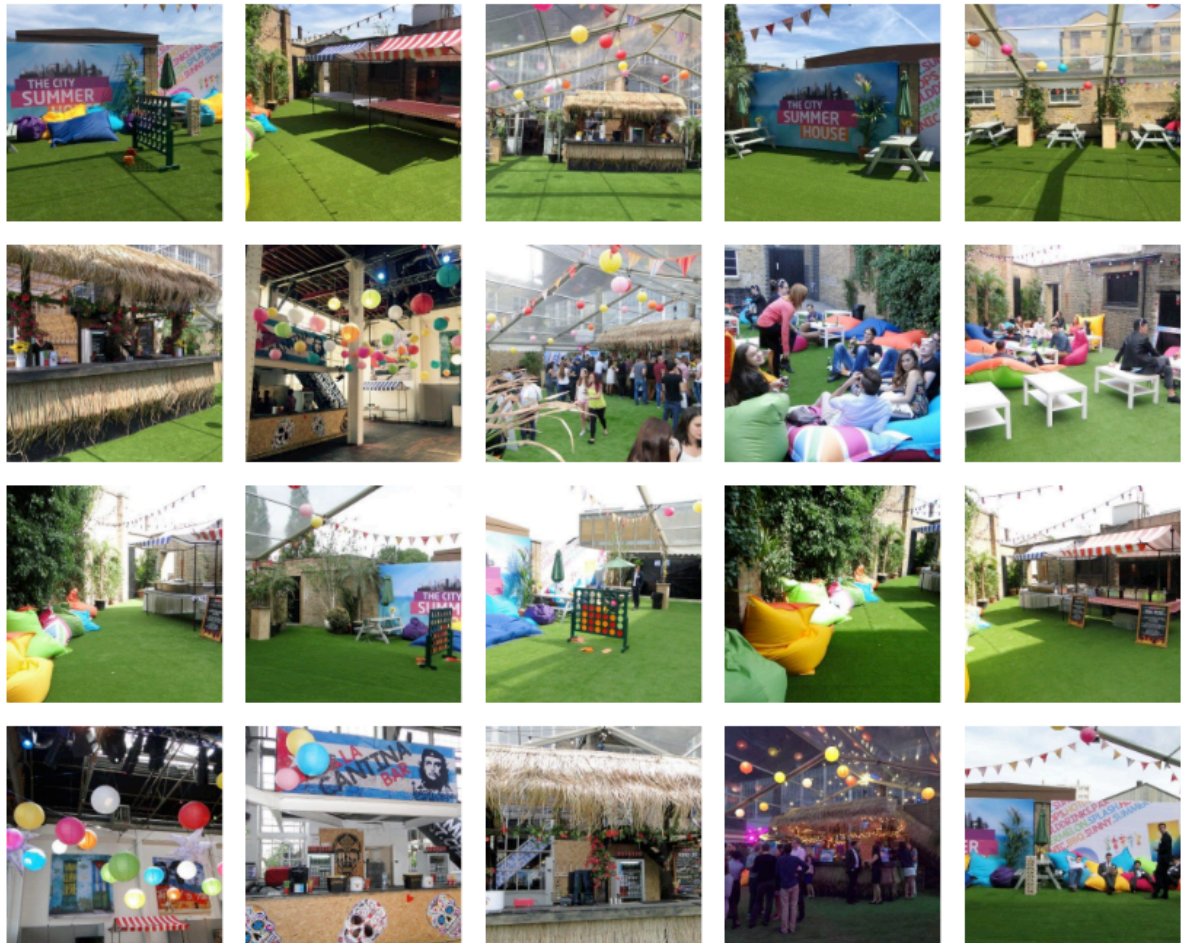
If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

Land to be used for pop-up events with food stalls and facilities for corporate clients and occasional public events.

The images below provide illustrative information on the concept to be adopted.



Further details of the concept are available at <https://londoncitybeach.co.uk>

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

N/A

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

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

- | Provision of regulated entertainment | Please tick any that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |
| <u>Provision of late night refreshment</u> (if ticking yes, fill in box I) | <input type="checkbox"/> |
| <u>Supply of alcohol</u> (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	11:00	23:00		<u>Please give further details here</u> (please read guidance note 3)	
Tue	11:00	23:00			
Wed	11:00	23:00	<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur	11:00	23:00			
Fri	11:00	23:00	<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	11:00	23:00			
Sun	11:00	22:00			

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>	
Day	Start	Finish		Outdoors	<input type="checkbox"/>	
				Both	<input checked="" type="checkbox"/>	
Mon			11:00	23:00	Please give further details here (please read guidance note 3)	
Tue			11:00	23:00		
Wed			11:00	23:00		State any seasonal variations for the exhibition of films (please read guidance note 4)
Thur			11:00	23:00		
Fri			11:00	23:00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat			11:00	23:00		
Sun			11:00	22:00		

C

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

D

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

E

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

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3) (NB: Most music played at the venue will be exempt entertainment)					
Mon	11:00	23:00						
Tue	11:00	23:00						
Wed	11:00	23:00				State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	11:00	23:00						
Fri	11:00	23:00				Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	11:00	23:00						
Sun	11:00	22:00						

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)					
Mon	11:00	23:00						
Tue	11:00	23:00						
Wed	11:00	23:00				<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur	11:00	23:00						
Fri	11:00	23:00				<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	11:00	23:00						
Sun	11:00	22:00						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing Any licensable activity similar to (e), (f) or (g) above		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
	11:00	23:00		Both	<input checked="" type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
	11:00	23:00			
Wed					
	11:00	23:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Thur					
	11:00	23:00			
Fri			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
	11:00	23:00			
Sat					
	11:00	22:00			
Sun					
	11:00	22:00			

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	11:00	23:00						
Tue	11:00	23:00						
Wed	11:00	23:00						
Thur	11:00	23:00				Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	11:00	23:00						
Sat	11:00	23:00						
Sun	11:00	21:30						

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

Name Mr Denis McCourt	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

No adult entertainment planned, but children will not generally be permitted entry whilst evening licensable activities are being conducted

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	11:00	23:00	
Tue	11:00	23:00	
Wed	11:00	23:00	
Thur	11:00	23:00	
Fri	11:00	23:00	
Sat	11:00	23:00	
Sun	11:00	22:00	
Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)			

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

We are aware that the premises fall within the Cumulative Impact Zone for Brick Lane, but believe that the following measures, combined with the type of operation and hours of trading will not give rise to any negative impact on the licensing objectives:

1. Staff engaged in the conduct of licensable activities shall be trained in the promotion of the licensing objectives as pertinent to their role. Where the role includes the sale of alcohol, training shall be provided on age recognition and assessment of drunkenness. A record of this training shall be maintained in a log book which shall be in bound format and made available for inspection by an authorised officer of the local authority or police.
2. An incident log book shall be maintained at the premises in bound format that shall be used to record any incident that is pertinent to the licensing objectives. The licence holder shall regularly review any entries that are made in this log book, which shall be made available for inspection by an authorised officer of the licensing authority or police.
3. Information shall be provided to customers who book the venue regarding the Licence Holder's policies on acceptable behaviour, admission, proof of age and dispersal.
4. The premises shall not be open solely for the sale or consumption of alcohol
5. Where any discrete event is held at the premises, regard will be had to the relevant provisions of The Event Safety Guide ('The purple guide'). Policies shall be prepared and notified to the Licensing Authority prior to the event which shall include reference to :
 - The Profile of the audience
 - The Type of Regulated Entertainment to be provided
 - The Capacity anticipated
 - Access and Egress arrangements, including admission criteria
 - Glass Management
 - Evacuation
 - Security
 - Drugs Control
 - Noise control
 - Wind-down arrangements
 - Safeguarding arrangements

b) The prevention of crime and disorder

6. Alcohol shall only be permitted to be consumed in the areas of the premises marked in green.
7. No sale of alcohol for consumption on the premises shall take place within the thirty minutes preceding the anticipated close of the premises.
8. A notice shall be displayed at the entrance to the premises which gives details of the admissions policy, including the approach of the licence holder to issues such as drugs and weapons.

9. A risk assessment shall be conducted prior to any event taking place to determine the number of security staff or attendants that are required. This assessment shall have regard to any advice issued by the Police, Fire Authority or Authority Responsible for Health and Safety. Staff shall be engaged to supervise the entrances to the premises whilst licensable activities are being conducted, in accordance with this assessment
10. An admissions policy shall be adopted, which shall be provided to the licensing authority and police in advance of an event.
11. Registered security staff shall be engaged whilst licensable activities are undertaken in accordance with a risk assessment and taking account of advice provided by the police. Door staff will be easily identifiable by wearing a uniform, high visibility jackets or arm bands.
12. Door staff will sign into a register detailing their full SIA licence number, their name, contact details and the time and date their duty commenced and concluded.
13. A CCTV system shall be maintained at the premises whilst licensable activities are being conducted and during dispersal. Recordings of the images from this system shall be made and kept available for a period of 31 days from the date of recording. The system will be designed so as to enable copies of recordings to be taken in a format which can be viewed on domestic-grade reproduction equipment. (NB: Police and Licensing Officers have the power of inspection of such recordings under the provisions of the Licensing Act 2003)
14. A trained member of staff will be on duty to operate the system whenever the premises are open

c) Public safety

It is considered that all issues of public safety are adequately dealt with by virtue of the provisions of ;

The Health and Safety at Work etc Act 1974
The Regulatory Reform (Fire Safety) Order 2005

d) The prevention of public nuisance

15. Prior to the commencement of any licensable activities, an acoustic evaluation shall be conducted to determine the potential for sound to break out from the premises. This assessment will form the basis for a noise management plan, which shall be documented and held available for inspection by an authorised officer of the local authority. This plan shall include the monitoring of sound during the conduct of licensable activities at identified noise sensitive locations, a wind-down arrangement and dispersal policy.
16. Noise control measures will be implemented, which will include the installation of an acoustic hood over loudspeakers, sound-absorbing materials on acoustically reflective vertical surfaces and a sound limiting device which will be set in accordance with recommendations agreed with the licence holders acoustic consultant and the Councils' noise control officer.
17. Luminaires on the external aspect of the premises shall be directed so as not to radiate directly towards the windows of any occupied residential property that is immediately adjacent to the site.
18. Notices shall be displayed at the public exits of the premises seeking that patrons leave the area in a manner that does not cause disturbance to neighbours. Staff will be engaged to monitor patrons who are leaving and take corrective action in accordance with a dispersal policy. The dispersal policy shall be provided to all staff engaged in such activities and maintained on site for reference whilst any licensable activity is carried out.
19. A designated smoking area for patrons shall be established in the area indicated in blue on the approved plan. At least one attendant, steward or licensed security operative shall monitor the area whilst it is in use for this purpose.
20. A telephone number shall be displayed on the external aspect of the premises which members of the public may telephone if they should be disturbed by noise. This number shall be monitored whilst a licensable activity is being conducted and calls shall be noted in the log book mentioned in (2) above, along with details of any corrective action taken
21. Signage shall be erected at the exits of the premises to seek that patrons behave in a responsible manner when leaving and have regard for neighbours. These signs shall be supplemented by verbal instructions by staff.
22. A plan shall be devised and operated to address the management of rubbish generated from licensable activities on the site. This shall form part of the event management plan.

e) The protection of children from harm

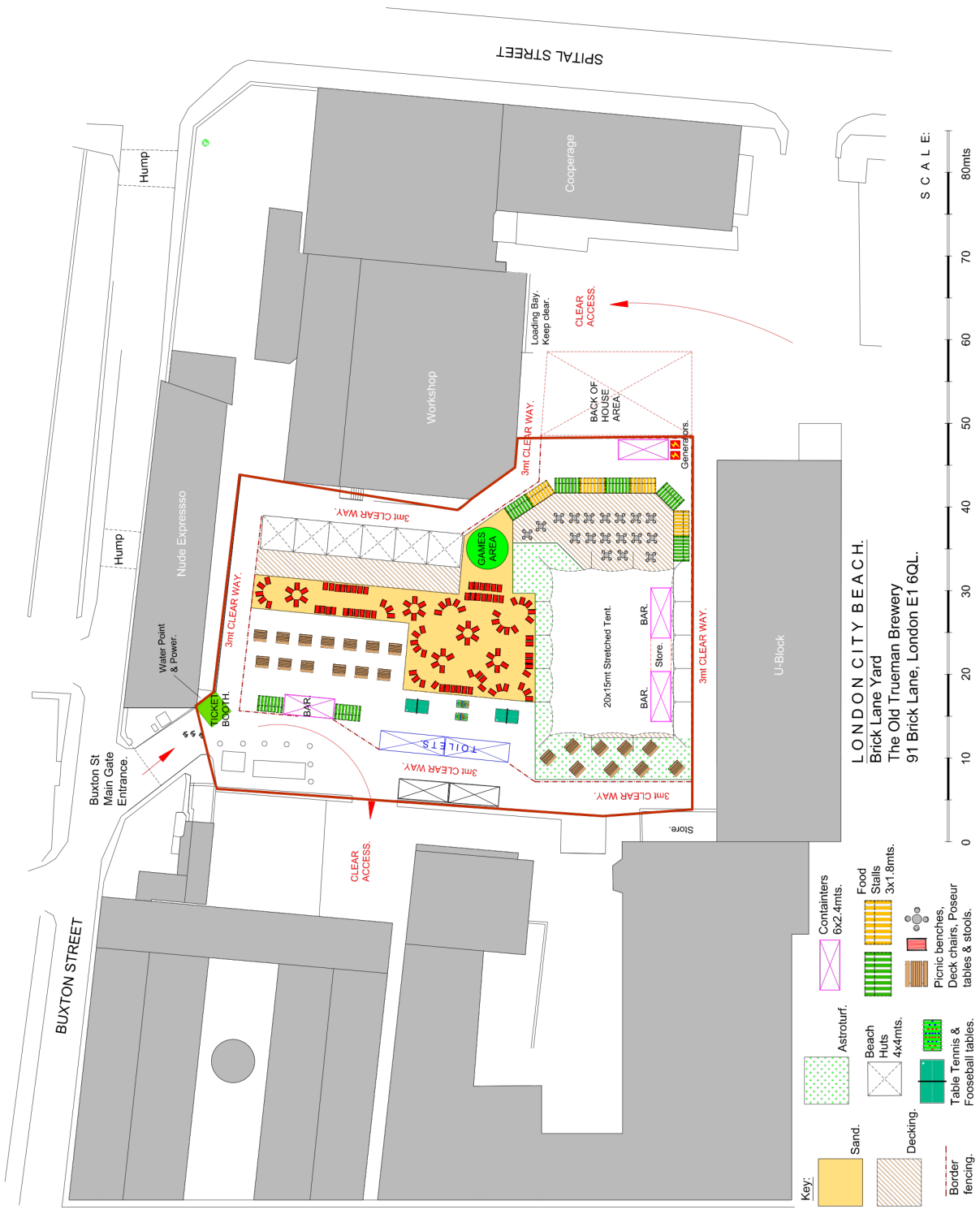
23. Where any person appears to be under the age of 21, proof of age shall be required before any sale of alcohol is made. Acceptable identification shall be a passport, driving licence or any other form of identification recognised by the Licensing Authority's Statement of Licensing Policy or a government department as being a valid method of age verification.

All other matters are considered to be dealt with by virtue of the mandatory conditions.

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Appendix 2





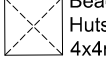






Premises for licensable activities and the consumption of alcohol
 (Note that this line does not denote a wall or other barrier, just the extent of the premises)

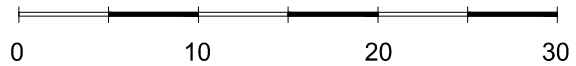


LONDON CITY BEACH.
 Brick Lane Yard
 The Old Trueman Brewery
 91 Brick Lane, London E1 6QL.

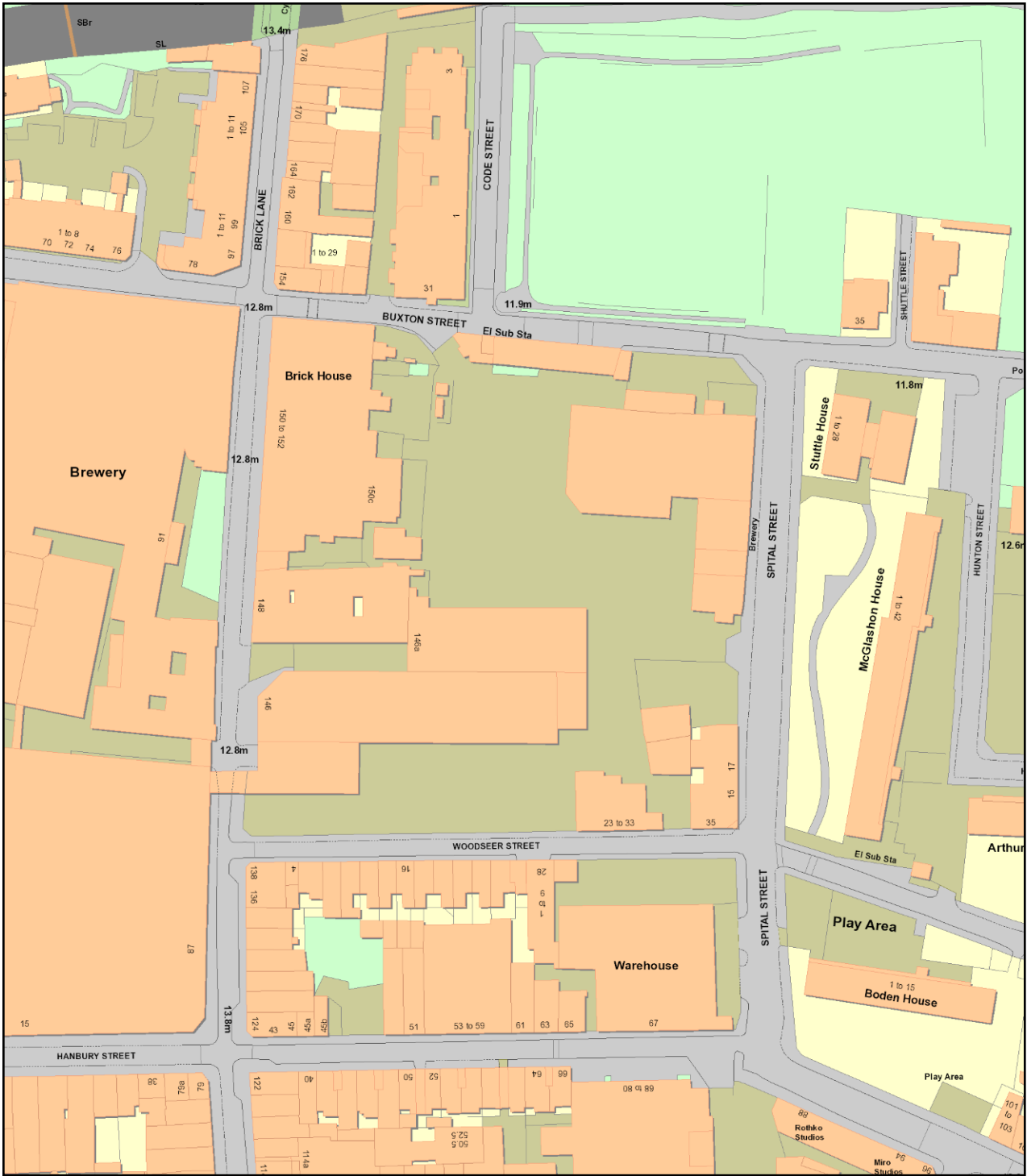
Key:


- | | | |
|--|--|--|
|  Sand. |  Astroturf. |  Containers
6x2.4mts. |
|  Decking. |  Beach
Huts
4x4mts. |  Food
Stalls
3x1.8mts. |
|  Border
fencing. |  Table Tennis &
Foosball tables. |  Picnic benches,
Deck chairs, Poseur
tables & stools. |

Scale:




Appendix 3






Scale 1:1537

10 0 10 20 30

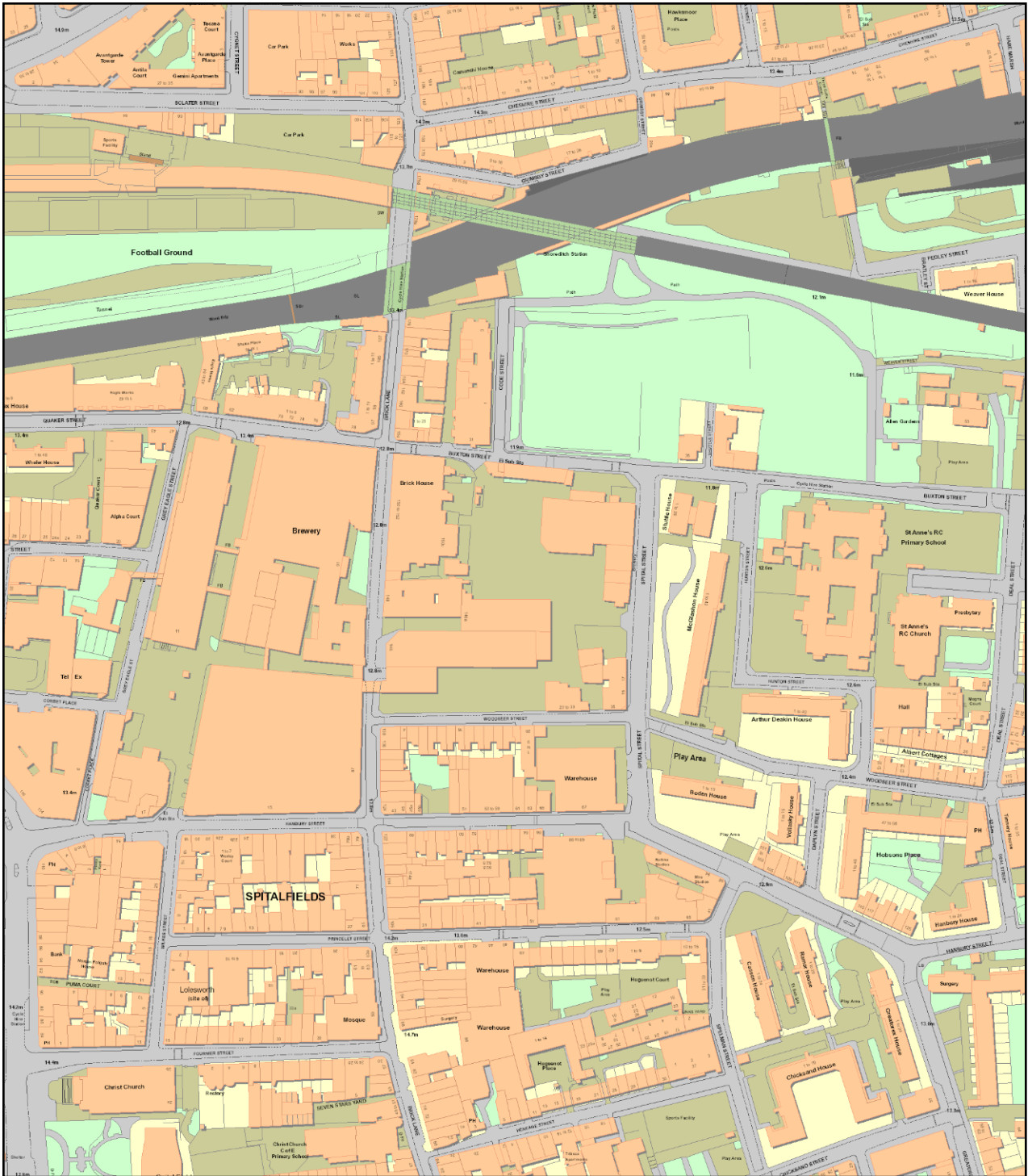


Metres



TOWER HAMLETS

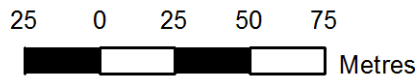
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Land off Buxton Street



Scale 1:3074



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Appendix 4

Land off Buxton Street

Name and address	Licensable activities and hours	Opening hours
(Studio 95) 95 Brick Lane London E1 6QL	<p>The Sale by retail of alcohol: (On sales only) Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 11:00 hours to 21:40 hours</p> <p>Regulated Entertainment consisting of: Recorded Music, Films: Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 09:00 hours to 21:40 hours</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day</p>	<p>Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 09:00 hours to 22:00 hours</p>
The Z Room The Old Truman Brewery 91 Brick Lane London E1 6QL	<p>The sale by retail of alcohol: (On and off sales) Sunday to Thursday from 10:00 hours to 00:00 hours Friday and Saturday from 10:00 hours to 02:00 hours</p> <p>Regulated Entertainment consisting of: Plays, Live Music, Sunday to Thursday from 11:00 hours to 00:00 hours Friday and Saturday from 11:00 hours to 02:00 hours Films, Recorded Music, Performance of dance, facilities for making music, : Sunday to Thursday from 08:30 hours to 00:00 hours Friday and Saturday from 08:30 hours to 02:00 hours Indoor Sports: Sunday to Thursday from 11:00 hours to 00:00 hours Friday and Saturday from 11:00 hours to 01:00 hours Facilities for dancing: Sunday to Thursday from 10:00 hours to 00:00 hours Friday and Saturday from 10:00 hours to 02:00 hours Late Night refreshment: Sunday to Thursday until 00:00 hours Friday and Saturday until 02:00 hours</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p>	<p>Sunday to Thursday from 08:30 hours to 00:30 hours</p> <p>Friday and Saturday from 08:30 hours to 02:30 hours</p>
Units B3 B4 and B5 Basement Block F The Old Truman Brewery 91 Brick Lane	<p>On-sale of alcohol, Monday to Sunday, 11.30am to 22.00pm The performance of plays, Monday to Sunday, 11.00am to 22.30pm The exhibition of films, Monday to Sunday, 11.00am to 23.00pm Indoor sporting events, Monday to Sunday, 11.00am to 22.00pm</p>	<p>Monday to Sunday, 08.30am to Midnight</p>

Land off Buxton Street

<p>London E1 6QL</p>	<p>The performance of live music, Monday to Sunday, 11.00am to 22.00pm The playing of recorded music, Monday to Sunday, 11.00am to 23.00pm Performances of dance, Monday to Sunday, 11.00am to 22.30pm</p>	
<p>Basement, First Floor and Second Floor Atlantis Gallery 146 Brick Lane London E1 6RU</p>	<p><u>Basement:</u> The sale by retail of alcohol: (On and off sales) Sunday to Thursday from 10:30 hours to 00:00 midnight Friday and Saturday from 10:30 hours to 01:00 hours Regulated Entertainment consisting of: Films, Recorded Music, Performance of dance, facilities for making music : Sunday to Thursday from 08:30 hours to 00:00 midnight Friday and Saturday from 08:30 hours to 01:00 hours Late Night refreshment: Sunday to Thursday until 00:00 midnight Friday and Saturday until 01:00 hours</p> <p><u>First Floor:</u> The sale by retail of alcohol: Sunday to Thursday from 10:00 hours to 00:00 midnight Friday and Saturday from 10:00 hours to 01:00 hours Regulated Entertainment consisting of: Films, Recorded Music, facilities for making music : Sunday to Thursday from 08:30 hours to 00:00 midnight Friday and Saturday from 08:30 hours to 01:00 hours Late Night refreshment: Sunday to Thursday until 00:00 midnight Friday and Saturday until 01:00 hours</p> <p><u>Second Floor- Indoor Area</u> The sale by retail of alcohol: Sunday to Thursday from 10:00 hours to 00:00 midnight Friday and Saturday from 10:00 hours to 01:00 hours Regulated Entertainment consisting of: Films, Recorded Music, facilities for making music : Sunday to Thursday from 08:30 hours to 00:00 midnight Friday and Saturday from 08:30 hours to 01:00 hours Plays: Monday to Sunday from 12:00 hours to 00:00 midnight Late Night refreshment: Sunday to Thursday until 00:00 midnight Friday and Saturday until 01:00 hours</p> <p><u>Second Floor- Outdoor Area</u> The sale by retail of alcohol: Monday to Sunday from 10:00 hours to 21:00 hours</p>	<p>Basement, First and Second Floor Indoor Area: Sunday to Thursday from 08:30 hours to 00:30 hours Friday and Saturday from 08:30 hours to 01:30 hours</p> <p>Second Floor Outdoor Area: Monday to Sunday from 10:00 hours to 21:00 hours</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p>

Land off Buxton Street

<p>(Atlantis Gallery) Ground Floor 146 Brick Lane London E1 6RU</p>	<p>The sale by retail of alcohol: (On supplies only) Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 12:00 hours to 01:00 hours the following day</p> <p>Regulated Entertainment Consisting of:</p> <p>Films Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 10:30 hours to 23:30 hours</p> <p>Live Music: Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 18:00 hours to 00:30 hours the following day</p> <p>Recorded Music: Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 10:30 hours to 01:00 hours the following day</p> <p>Performance of dance: Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 12:00 hours to 01:00 hours the following day</p> <p>Performance of Plays Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 12:00 hours to midnight</p> <p>Provision of facilities for making music: Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 09:30 hours to 01:00 hours the following day</p> <p>Provision of facilities for dancing: Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 18:00 hours to 01:00 hours the following day</p> <p>Late Night Refreshment: Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday until 01:00 hours the following day</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p>	<p>Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 09:00 hours to 01:30 hours the following day Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p>
<p>(Unit TG-003) Ely's Yard Block T The Old Truman Brewery 91 Brick Lane London E1 6QL</p>	<p>Sale of Alcohol (on sales only)</p> <ul style="list-style-type: none"> Monday to Sunday from 11:00hrs to 23:00hrs <p>The Provision of Late Night Refreshment</p> <ul style="list-style-type: none"> Monday to Sunday from 23:00hrs to 23:30hrs <p>The Provision of Regulated Entertainment (in the form of Films and Recorded Music)</p> <ul style="list-style-type: none"> Monday to Sunday from 11:00hrs to 23:30hrs 	<p>Monday to Sunday from 08:00hrs to 00:00hrs (midnight)</p>

Land off Buxton Street

<p>(The Tea Rooms) Unit RG-013 Ground Floor - The Clock House Block R The Old Truman Brewery 148 Brick Lane London E1 6RU</p>	<p><u>The sale by retail of alcohol (on sales only)</u></p> <ul style="list-style-type: none"> Monday to Sunday from 11:00hrs to 22:00hrs <p><u>The provision of regulated entertainment in the form of films (indoors) and recorded music (indoors)</u></p> <ul style="list-style-type: none"> Monday to Sunday from 10:00hrs to 22:30hrs 	<p>Monday to Sunday from 10:00hrs to 22:30hrs</p>
<p>(Unit CG-001) Dray Walk Ground Floor Block C The Old Truman Brewery 91 Brick Lane London E1 6QL</p>	<p>Sale of Alcohol (on sales only)</p> <ul style="list-style-type: none"> Monday to Sunday from 11:00hrs to 23:00hrs <p>The Provision of Late Night Refreshment</p> <ul style="list-style-type: none"> Monday to Sunday from 23:00hrs to 23:30hrs <p>The Provision of Regulated Entertainment (in the form of Films and Recorded Music)</p> <ul style="list-style-type: none"> Monday to Sunday from 11:00hrs to 23:30hrs 	<p>Monday to Sunday from 08:00hrs to 00:00hrs (midnight)</p>
<p>(The Boiler House) 152 Brick Lane London E1 6RU</p>	<p>Supply of Alcohol (On sales) and Performance of Dance 12 00 hrs</p> <p>Films and Recorded Music 10 30 hrs</p> <p>Provision of facilities for making music 09 30 hrs</p> <p>Live Music and the Provision of Facilities for Dancing 18 00 hrs</p> <p>Late Night Entertainment Commences on 23 00 hrs</p> <p>Finishing time for all licensable activities Monday to Sunday to 23 00 hrs</p> <p>Finishing time for all licensable activities Monday to Sunday to 01 00 hrs when all works completed to the satisfaction of the relevant responsible authority</p>	<p>Open 09 30 hrs Monday to Sunday</p> <p>Closure Monday to Sunday to 23 30 hrs</p> <p>Closure Monday to Sunday to 01 30 hrs when all works completed to the satisfaction of the relevant responsible authority</p>

Land off Buxton Street

<p>(The Brickhouse) 152C Brick Lane London E1 6RU</p>	<p>Sale by retail of alcohol: (On and off sales)</p> <ul style="list-style-type: none"> • Sunday to Thursday from 10:00hrs to 02:00 hrs • Friday and Saturday from 10:00hrs to 03:00 hrs <p>Provision of regulated entertainment <u>Live music, recorded Music, films, performance of dance and anything of a similar entertainment. Provision of facilities for making music and provision of facilities for dancing and anything of a similar description:</u></p> <ul style="list-style-type: none"> • Sunday to Thursday from 10:00hrs to 02:00 hrs • Friday and Saturday from 10:00hrs to 03:00 hrs <p>Late night refreshment:</p> <ul style="list-style-type: none"> • Sunday to Thursday from 23:00hrs to 02:00 hrs • Friday and Saturday from 23:00hrs to 03:00 hrs <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> • Sundays preceding Bank Holidays until 03:00 hrs & New Years Eve until the commencement of permitted hours on New Years Day 	<p>Sunday to Thursday from 10:00hrs to 02:00 hrs</p> <p>Friday and Saturday from 10:00hrs to 03:00 hrs</p> <p><u>Non-standard timings</u> Sundays preceding Bank Holidays until 03:00 hrs & New Years Eve until the commencement of permitted hours on New Years Day</p>
<p>Unit G4 and Unit G5 Ground Floor Block F The Old Truman Brewery 91 Brick Lane London E1 6QL</p>	<p><u>The Sale by Retail of Alcohol (on sales only)</u></p> <ul style="list-style-type: none"> • Monday to Sunday from 11:30hrs to 22:00hrs <p><u>The Provision of Regulated Entertainment, in the form of Plays (indoors), Films (indoors) and Performances of Dance (indoors)</u> Monday to Sunday from 11:00hrs to 22:30hrs</p>	<p>Monday to Sunday from 08:30hrs to 23:30hrs</p>
<p>(Sheba Restaurant) Ground Floor 136 Brick Lane London E1 6RU</p>	<p>The sale by retail of alcohol only (On sales) Monday to Sunday from 11:00 hours to 23:00 hours</p>	<p>Monday to Sunday from 11:00 hours to 23:30 hours</p>
<p>(93 Feet East) 150-152 Brick Lane London</p>	<p>The sale by retail of alcohol (On and off sales) Monday to Thursday 10:00 hrs to 23:00 hrs Friday & Saturday 10:00 hrs to 01:30 hrs Sunday 10:00 hrs to 22:30 hrs</p>	<p>Monday to Thursday 09:00 hrs to 23:30 hrs</p>

Land off Buxton Street

<p>E1 6RU</p>	<p>The provision of regulated entertainment Consisting of: Films; Indoor sporting events; Live music; Recorded music; Performances of dance; Anything similar to the aforementioned; Provision of facilities for making music; Provision of facilities for dancing; Provision of facilities for entertainment of a similar description to that of making music or dancing:-</p> <p>Monday to Thursday 10:00 hrs to 23:00 hrs Friday & Saturday 10:00 hrs to 01:30 hrs Sunday 10:00 hrs to 22:30 hrs</p> <p>The provision of late night refreshment Friday & Saturday until 01:30 hrs</p>	<p>Friday & Saturday 09:00 hrs to 02:00 hrs Sunday 09:00 hrs to 23:00 hrs</p>
<p>(All Star Lanes) Units ZG-001 and ZG-MPH Ground Floor Block Z Old Truman Brewery 91-95 Brick Lane London E1 6QL</p>	<p>Sale by retail of alcohol (On sales only):</p> <ul style="list-style-type: none"> • Sunday to Thursday from 10:00hrs to midnight • Friday and Saturday from 10:00 hrs to 01:00 hrs the following day <p>Live Music Recorded Music, Films, Indoor Sports and similar.</p> <ul style="list-style-type: none"> • Sunday to Thursday from 10:00hrs to midnight • Friday and Saturday from 10:00 hrs to 01:00 hrs the following day <p>Late night refreshment:</p> <ul style="list-style-type: none"> • Sunday to Thursday, from 23:00 hrs to midnight • Friday and Saturday, from 23:00 hours to 01:00 hrs the following day 	<p>Sunday to Thursday from 10:00hrs to 00:30 hrs the following day</p> <p>Friday and Saturday from 10:00 hrs to 01:30 hrs the following day</p>
<p>(JB Food Store Limited) 97b Brick Lane London E1 6SE</p>	<p>Supply of alcohol (off sales only) Monday to Sunday, 07:00hrs to midnight</p>	<p>Monday to Sunday, 07:00hrs to 01:00 hours</p>

Appendix 5

**Section 182 Advice by the Home Office
Updated on April 2017**

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 6

**Place Directorate
Public Realm**

Licensing Authority
John Onslow House
1 Ewart Place
London
E3 5EQ

Email: [REDACTED]

21st December 2017

Your reference
My reference: P/LIC/105078/CH

Dear Sir/Madam,

Head of Environmental Health & Trading
Standards **David Tolley**

Licensing Section
John Onslow House
1 Ewart Place
London
E3 5EQ

Tel [REDACTED]
Fax [REDACTED]
Enquiries to **Corinne Holland**

Email
[REDACTED]

www.towerhamlets.gov.uk

Licensing Act 2003

New premises licence application: 'Pop Up Events', Land off Buxton Street,
London E1 6QL

The Licensing Authority has received an application for a Premises Licence for an area which is usually used as a private car park off of Buxton Street and behind the Truman Building in Brick Lane.

Although the application is for an all year round licence I was informed during a site meeting with Dennis McCourt, from Awesome Events, that the licence was needed for a two month period during the summer. The event is to set up a London city beach themed space primarily to host corporate events on an exclusive private hire basis although the event would be open to the general public during the weekend and some days during the week. A Premises Licence was applied for, as opposed to a Time Limited Licence, so that this could be an annual event if it was thought to be successful.

During the meeting Dennis McCourt mentioned that the Football World Cup would be held during these months and requested if it was possible to show the matches as he had a possible corporate booking for one of the dates England were playing.

Prior to this meeting the Licensing Authority had been sent a number of policies and management plans in order to address any concerns and the fact that the premises is within the Cumulative Impact Zone (CIZ) but


subsequent to that meeting the Licensing Authority received the security plans which have referred to '**public screening**' of the Football World Cup where the area would be open to the general public.

In my experience the showing of live football matches, especially the World Cup, is an entirely different event in nature than a corporate or public beach event space.

Potentially there could be 1000 person plus in this area (website suggests capability for bookings for 400-1500 people) and emotions often run high with England football supporters together especially when mixed with alcohol. As well as the potential for disorder and public nuisance (noise of fans) whilst watching the match this would lead to a large number of fans exiting the premises all at once and frequenting surrounding licensed premises in the Brick Lane area which could potentially have a detrimental impact on the surrounding area possibly leading to an increase in crime and disorder and public nuisance. Therefore the Licensing Authority objects to the screening of football matches which are open to the general public.

The Licensing Authority does not object to the London city beach themed event. The event is for a summer event over a two month period and the licensable hours are within the Councils framework hours. The applicant has volunteered a number of conditions in order to uphold the licensing objectives and address the CIZ. There will be security staff at all events, with each event being risk assessed to determine the number of security required. The applicant has agreed that the management plans will be approved by the Licensing Authority, Environmental Protection team and the Police prior to the event taking place,

Yours Sincerely



Corinne Holland
Licensing Officer
(Acting as a Responsible Authority)

CC: Mr J Payne, applicants' agent via 

Mohshin Ali

From: Corinne Holland
Sent: 21 December 2017 10:01
To: Mohshin Ali
Cc: 'HT-LicensingOffice [REDACTED]'
Subject: FW: Admission policy

Follow Up Flag: Follow up
Flag Status: Flagged

For info

Corinne Holland - Licensing Officer

Licensing Team . Environmental Health & Trading Standards . John Onslow House . 1 Ewart Place . London E3 5EQ

From: Steven Douglas [REDACTED]
Sent: 21 December 2017 09:58
To: Denis - Awesome Events
Cc: Corinne Holland
Subject: Re: Admission policy

All

Yes agree with Corinne. I will amend the admission policy to reflect this.

Kind Regards

Steven Douglas

[REDACTED]

On 21 Dec 2017, at 09:44, Denis - Awesome Events <[REDACTED]> wrote:

Hi Corrine,

I can confirm that this will be removed from the admission policy and we have already updated our version to reflect this point. @ Steve can you confirm

Many thanks for taking the time to meet and have a great Christmas break

Kind regards

Denis McCourt

[REDACTED]
Director
Where the only limitation is your imagination
<image001.gif>

Follow The Awesome Group on:

From: Corinne Holland [REDACTED]
Sent: 20 December 2017 16:38
To: Denis - Awesome Events
Cc: Licensing
Subject: Admission policy

Dennis

As mentioned at our meeting on 14/12/17 there is a section in your admission policy which states:

Customer behaviour

Customer is drunk or appears to be intoxicated to the point where if they were to consume more alcohol they may require removal from the venue or could breach the spirit of the 4 objectives

Our Response

Refuse entry

Any other actions

Customer could return at a later period for the security team to assess the level of intoxication. Entry is still subject to all other conditions

My view is that is a customer is refused entry due to intoxication then they should be banned for the rest of the day and not allowed in even if they go away and sober up a bit.

As mentioned you stated that this would be removed from the admission policy. Can you confirm that this would be the case please.

Kind regards

Corinne Holland - Licensing Officer

Licensing Team . Environmental Health & Trading Standards . John Onslow House . 1 Ewart Place . London E3 5EQ

[REDACTED]
[REDACTED]

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Appendix 7



Tom Lewis
Head of Licensing
Tower Hamlets Council

HT - Tower Hamlets Borough

Licensing Office
Toby Club,
Vawdry Close
E2

Telephone: [REDACTED]

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

22nd December 2017

Dear Sir,

Tower Hamlets Police formally object to the application of a premises license for 'Pop Up Events', Land off Buxton Street, London E1 6QL

This objection is on the grounds of preventing crime and disorder and public nuisance.

Tower hamlets Police have no objection to the main event's both corporate and public taking place, as the following conditions are accepted by both the applicant and Tower Hamlets Police:

- 1) Licensable activities will only take place under the licence between the 1st June and the 31st July each year.
- 2) The licence holder or its nominated representative will supply:-
 - (a) an event management plan and ;
 - (b) a security plans to Tower Hamlets Police and the Licensing Authority and;
 - (c) a Noise Management Plan to the Responsible Authority for the Protection of the Environment, which should include predicted background noise levels (prior to the event), noise

measuring points, noise mitigation measures (including Music Noise Levels, leaflet drop to residents with contact number for event organisers)

The above plans have to be agreed by Tower Hamlets Police and Tower Hamlets Council prior to the event taking place within 30 days of the supply of documentation?

- 3) Licensable activities shall conclude no less than 30 minutes prior to the planned finish of any event.
- 4) A noise limiter must be fitted to the musical amplification system used for licensable activities, set at a level determined by and to the satisfaction of an authorised officer of the Responsible Authority for the Protection of the Environment and Premises Management, so as to ensure that no noise nuisance is caused to local residents or businesses. The operation panel of the noise limiter shall then be secured by a key or password and access shall only be by persons authorised by the Premises Licence Holder. The cut-out level of the limiter shall not be altered without prior agreement with an authorised officer of the Responsible Authority for the Protection of the Environment.

Our concern is the applicants plan to screen live Football World Cup matches to people. In the opinion of the police there is a greatly increased risk in showing football matches, especially as there could be up to 1500 people in a confined space who have consumed large amounts of alcohol and are at various levels of intoxication.

There is an increased risk of violence and disorder taking place which in a densely populated area with a large number of bars and other licensed venues which could lead to any disorder or violence spreading up Brick Lane and the surrounding streets.

The premises is in Tower Hamlets Councils designated Cumulative Impact Zone (CIZ) and Saturation Policy, which as the committee is aware introduces "rebuttable presumption" in that the onus is on the applicant to show that the proposed premises or event will not add to crime and disorder or public nuisance in the area.

In the opinion of the police the applicant has failed to do this in regard to screening World Cup matches.

For the above reasons Tower Hamlets Police object to this application and ask for it to be refused.

PC Mark Perry 748HT
Police Licensing Officer
Toby Club
Vawdry Close, E1

Mohshin Ali

From: Corinne Holland
Sent: 10 January 2018 15:49
To: Mohshin Ali
Subject: FW: meet up

Mosh

For your info. I've saved both emails in the casework folder.

Corinne Holland - Licensing Officer

Licensing Team . Environmental Health & Trading Standards . John Onslow House . 1 Ewart Place . London E3 5EQ

From: Denis - Awesome Events [m [REDACTED]]
Sent: 10 January 2018 14:29
To: MARK.J.Perry [REDACTED]
Cc: jp [REDACTED] Corinne Holland
Subject: RE: meet up

Mark many thanks for the below. I was just about to call to follow up but this makes things very clear.

Can I come back to you tomorrow if I have any questions?

Kind regards

Denis McCourt

[REDACTED]
Director

Where the only limitation is your imagination

[View my profile on LinkedIn](#)

Follow The Awesome Group on:



From: [MARK.J.Perry](#) [REDACTED]
Sent: 10 January 2018 14:25
To: Denis - Awesome Events
Cc: [jp](#) [REDACTED]; [Corinne.Holland](#) [REDACTED]
Subject: RE: meet up

Hi Dennis,

More than happy to meet up and discuss, but my position remains the same that I require the following conditions on the license:

- 1) Licensable activities will only take place under the licence between the 1st June and the 31st July each year.
- 2) The licence holder or its nominated representative will supply:-
 - (a) an event management plan and ;
 - (b) a security plans to Tower Hamlets Police and the Licensing Authority and;

(c) a Noise Management Plan to the Responsible Authority for the Protection of the Environment, which should include predicted background noise levels (prior to the event), noise measuring points, noise mitigation measures (including Music Noise Levels, leaflet drop to residents with contact number for event organisers)

The above plans have to be agreed by Tower Hamlets Police and Tower Hamlets Council at least 2 months prior to the event taking place

- 3) Licensable activities shall conclude no less than 30 minutes prior to the planned finish of any event.
- 4) A noise limiter must be fitted to the musical amplification system used for licensable activities, set at a level determined by and to the satisfaction of an authorised officer of the Responsible Authority for the Protection of the Environment and Premises Management, so as to ensure that no noise nuisance is caused to local residents or businesses. The operation panel of the noise limiter shall then be secured by a key or password and access shall only be by persons authorised by the Premises Licence Holder. The cut-out level of the limiter shall not be altered without prior agreement with an authorised officer of the Responsible Authority for the Protection of the Environment.

Also that World Cup matches are not shown to the general public, but are only shown as part of pre risk assessed corporate bookings.

Having looked at the security plan I am happy with the plan but would like the following added to it:

- 1)
 - An assessment of behaviour and intoxication will be conducted on entry with strict no entry policy for anyone who appears to be intoxicated - is applied to all events
- 2) Staff are to be aware of customers vulnerability due to drink and drugs and take appropriate actions to safeguard their safety such as arranging transport home, calling for medical assistance or calling the police.
- 3) A refusals book of all people refused sale of alcohol is to be maintained for all events.
- 4) A refusals book of all people refused entry to the premises is to be maintained for all events, documenting why the person was refused entry.
- 5) A incident book is to be kept for all events documents all crimes or incidents of note that take place.

Please let me know what you think.

Regards

Mark

PC Mark Perry
Police Licensing Officer
Toby Club
Vawdry Close
E1 4UA

Also that

From: Denis - Awesome Events [mailto: [REDACTED]]
Sent: 04 January 2018 13:58
To: Perry MARK J - HT
Cc: jp [REDACTED]
Subject: meet up

Hi Mark,

Happy New Year to you.

I just wanted to see if you are free next week to catch up and just go over everything so that we can get the premises licence sorted for The London City Beach project. I am available Wednesday at 2pm or Thursday at 10am if this helps?

Kind regards

Denis McCourt

[REDACTED]

Director

Where the only limitation is your imagination



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Twitter: [@metpoliceuk](https://twitter.com/metpoliceuk)

Appendix 8

Mohshin Ali

From: Spurring [REDACTED]
Sent: 27 December 2017 13:30
To: Mohshin Ali
Subject: Fwd: Application for a new licence for the premises known as land off Buxton st

Sent from my iPhone

Begin forwarded message:

From: Spurring [REDACTED] >
Date: 25 December 2017 08:50:30 GMT
To: "mohshin.ali" [REDACTED]
Subject: Application for a new licence for the premises known as land off Buxton st

I write to strongly object to this application .

It is quite impossible to run these events without completely destroying the peace of the numerous residents that live in the corolla of buildings that surround this area !

We at [REDACTED], have many times complained to the management of the brewery at the volume and disturbance of our peace , this results only in a temporary turning the volume down at best .

It is not possible to play music or show films in the open air without totally disrupting the peace of the neighbours , this must be obvious to all concerned .

Those of us who live in this appallingly neglected area where crime and alcohol related commerce have overwhelmed us , feel strongly that the only reason anyone would think of such an application is because they recognise we are being so badly mistreated by those in office !

David Spurring

[REDACTED]
[REDACTED]

Sent from my iPhone

Appendix 9

Mohshin Ali

From: rsreg [REDACTED]
Sent: 26 December 2017 14:07
To: Mohshin Ali
Subject: Fw: Failure Notice

--- On Tue, 26/12/17, <MAILER-DAEMON@yahoo.com> wrote:

> From: <MAILER-DAEMON@yahoo.com>
> Subject: Failure Notice
> To: rsreg [REDACTED]
> Date: Tuesday, 26 December, 2017, 13:57 Sorry, we were unable to
> deliver your message to the following address.
>
> <mohsin.ali [REDACTED]>:
> 550: Invalid recipient <[REDACTED]>
> (#5.1.1)
>
> --- Below this line is a copy of the
> message.
>
> DKIM-Signature: v=1; a=rsa-sha256;
> c=relaxed/relaxed; d=sky.com; s=s1024; t=1514296668;
> bh=Ov/lSdJkc5LQ0fX4UTJJH0/rARroR8iNqyIRYzgwlu0=;
> h=Date:From:Reply-To:To:Subject:References:From:Subject;
> b=1A5u76SESkNM8CCFxsxusTTJF3u4NFI8NWIVqKK03cSVqYbiUBOafj05e7Gc0vJfVBHP
> B3siUvpjZ2q4wOUdDxxQ1r78CI3/1BM1V7Wc0zxuAeTbQa5llbdxiYEkS52gauFkvArsTR
> u2rrb8GY+ILWC5AU2D9vdR6GcgJE4tMDU=
> X-YMail-OSG:
> 4GACKYsVM1kf9EpFHwN0xFbSrikoHn_EJGAE9QREQYY6LbvygcZlawloh2phwB
>
> Wmlk2KXu0UvYqbh0U4w1_zJanY85K3zSZ.wKEmEZmDgrSKXo1ze1Y7JD3akOpfdYeJzZpm
> O5vVuN
>
> 92K1EsxQJj11EqLdy8gQJ2kZYbz791QlgsAGWU9Ojyy8h6Xv38c5Fge7M1xA5ZmO39WjXV
> cPGpAj
>
> dsfg7kC4WxyC.V3QaFAEI0laTUXpJepxUI4wWa723uZnsj.0gRQPG8fvDdmVEV1RNIkXt
> 5vQH8E
>
> mhbcDvvySSIHERMotxxpl_HSc45o_anqKYq7cJEMpGMmVkvPovNNIJwuVMY8EflorE_eIE
> hm2gcV
>
> Erj0Ao5TfdbGz2pVhvuwAoaiBox61VTUUDFnzd8dWRbm1TA8p0cG83_PcaNh.a0263cesd
> 5jr4yb
>
>
> Wvsuk1TU7mTH6tyXmREHyxp5FR1MZmkSPpmt13YSGpbcNIGOu05RK1YHMr7QpHiqnG2GY
> H5ZvKD
>

> BvyBPZ9AhJEx4DSqbKFITfKaSkul3hqP4VAxj5B9hKgR7wGnf1jnrOyQsddnvQlo-
> Received: from
> sonic.gate.mail.ne1.yahoo.com by
> sonic303.consmr.mail.ir2.yahoo.com with HTTP; Tue, 26 Dec
> 2017 13:57:48 +0000
> Date: Tue, 26 Dec 2017 13:57:47 +0000
> (UTC)
> From: "rsreg [REDACTED]"
> <rsreg [REDACTED]>
> Reply-To: [REDACTED]"
> <rsreg [REDACTED]>
> To: <mohsin.ali [REDACTED]>
> Message-ID: <2034451228.7956860.1514296667080@mail.yahoo.com>
> Subject: POP UP CITY BEACH on the Old
> Truman Brewery site bounded by buxton
> street and spital street.
> MIME-Version: 1.0
> Content-Type: text/plain;
> charset=UTF-8
> Content-Transfer-Encoding: 7bit
> References: <2034451228.7956860.1514296667080.ref@mail.yahoo.com>
> X-Mailer: WebService/1.1.11051
> YahooMailBasic Mozilla/5.0 (Linux; Android 4.4.4; MediaPad
> T1 8.0 Pro Build/HuaweiMediaPad) AppleWebKit/537.36 (KHTML, like
> Gecko) Chrome/63.0.3239.111 Safari/537.36
> Content-Length: 651
>
> Dear Mr. Mohsin ali ,
>
>
> I have been a resident at [REDACTED]
> [REDACTED] [REDACTED] for over 60 years my
> living room and bedrooms face the grade 2 listed building of the old
> trumans brewery....mcglashon house houses 42 dwellings/ flats....we
> are quite living family people and have had our quality of life ruined
> in recent years of the noise generated at by the trumans brewery
> complex.
> We residents profoundly object to this
> new application of POP UP CITY BEACH.....we do wish that our voice and
> concerns will be heard.
>
> Thank you for your understanding in
> this matter.
>
> Mr.R.Singh
> [REDACTED]
> [REDACTED]
> [REDACTED].
>

Appendix 10

Mohshin Ali

From: gary brown [REDACTED]
Sent: 26 December 2017 13:45
To: Mohshin Ali
Subject: Awesome Events Ltd

I am objecting in the strongest terms possible to a permanent or even temporary pop up beach in the old Truman Brewery in Buxton street /Spital Street I live opposite in [REDACTED]. My living room and bedroom overlook the Truman Brewery. I am are fed up with the anti-social behaviour drug taking/ selling and load music from cars. that the police already do nothing about. A large permanent event will make this far worse than it already is and the music will be intolerable and far worse than a car parking up with load music for a 5 minutes late at night to collect drugs from street dealers. I have seen people attacked from my balcony and verbal abuse etc.. being shouted at all hours of the morning after events from brick lane on a weekly basis .this will be a far worse public disorder/nuisance /safety issue if allowed and I will be objecting at every proposal put forward for more anti-social events encouraging drunkenness drug abuse and violence on the streets of our community

Yours truly Mr G.Brown

Appendix 11

Corinne Holland

From: alex rhys-taylor [REDACTED] >
Sent: 29 December 2017 17:17
To: Licensing
Subject: Land off Buxton Street Premises

To whom it may concern,

I am getting in touch to register my concerns about the application for a new premises licence for the Land off Buxton Street.

As a nearby resident I can speak directly of the negative impact that the night time economy has on residents to the immediate east of Brick Lane.

For the main part these concern anti-social behaviour, but also an intimidating environment for young children, not least because of the drug trade on neighbouring estates.

The Brick Lane 'Good Behaviour Zone' goes some way to mitigating the excesses of the area's night time economy. Why then, would you even consider licensing further premises, let alone such a large site, when it will have such an immediate negative impact on a zone you are already trying to 'clean up'?

I also resent the timing of this application (over Christmas) and the poor posting of its details. As a neighbour I would have expected more direct notice.

Yours sincerely,

Dr Alex Rhys-Taylor,
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Appendix 12

Corinne Holland

From: Charlie Dunlop [REDACTED] >
Sent: 27 December 2017 22:46
To: Mohshin Ali
Cc: Licensing
Subject: Ojection to License Application - Land off Buxton St E1 6QL

Dear Sir

I am a resident of [REDACTED], adjacent to E1 6QL which has a Licencing Act 2003 - Notice of Application posted in front of the site stating that a license application for Regulated Entertainment and the Supply of Alcohol has been made by Awesome Events. Please accept this email as my strong objection to this application. The area has had many issues due to excessive noise from outdoor events and over-spill from the night time economy. Businesses regularly push the boundaries of acceptable noise levels which is very disruptive to residents and we see regular anti social behavior & drug related crime which exacerbates the problem. I, and the residents of the building strongly feel that this application has the potential to be extremely disruptive to the local community which includes young families and people who work in their homes.

I would be happy to discuss this further or provide any additional information as required.

Kind Regards,

Charlie Dunlop
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Appendix 13

Corinne Holland

From: David Knight [REDACTED] >
Sent: 29 December 2017 12:22
To: Mohshin Ali; Licensing
Cc: Cristina Monteiro
Subject: Objection to 'Pop up' on land off Buxton Street (premises license)

Dear Mohshin & licensing officers,

I am writing in opposition to the proposed premises license for the site within the Old Truman Brewery, advertised as 'land off Buxton Street' and with a deadline of 29.12.2017 for objections.

I am writing on behalf of myself, my wife and our 3yo daughter, who all live at [REDACTED].

We have lived at this address for many years and every year the presence of noise becomes a more unbearable issue. We have had many many years of issues with street music in Allen Gardens, which directly borders our home, and the PSPO designation has proved useless in practice. Recently we objected to a license for the Nomadic Community Garden on the basis of the loud and hugely disruptive existing noise generated by that project over several years, and our objection was eventually supported by the LBTH committee.

The proposed site for the City Beach, unlike other parts of the Old Truman Brewery site, is directly adjacent to residential buildings, both longstanding (such as ours) and more recent. When this space is used currently for events, we already suffer noise disturbance and on occasional visual disruption for lighting strobing across our living room windows. As an occasional thing, this is something that we too an extent choose to live with, but if the proposed premises operated to the hours and days proposed, with the music and noise levels that happen on the site now on an occasional basis, this would cause major disruption to the life of our family and, we are sure, many others in surrounding buildings.

Our key objection in line with your licensing objectives is that of 'protection of children from harm' as, from NCG and from occasional events on the proposed premises site, our child's sleep pattern is disturbed and it becomes impossible to get her to sleep at a sensible hour. If this became a daily situation this would have significant health and wellbeing impacts, on us but more importantly on our child.


Our area, just east of Brick Lane, has long attracted the less happy consequences of Brick Lane being a leisure destination. We have serious problems with antisocial behaviour, urination on and around our building, graffiti, noise, significant amounts of drug dealing. All of these things increase when special events occur at the Brewery, and such events often lead to large queues of people lining the highway up Buxton Street waiting to get in. We are also concerned that the use of the Buxton Street doors for the proposed premises will cause this problem to become a regular one.

As mentioned above, the fact that 101 is often unusable means that the PSPO, which has been designated in our local area in response to the issues we are dealing with, has had little effect. Bringing increased leisure uses, with such a substantial timetable, to this site would exacerbate all of these current issues.

Thank you for your earlier correspondence about this license application. However we are worried about the visibility of the application information as it was impossible to find online until you personally provided us with the correct keyword to search for, which was not available on the single A4 printout situated on the premises in question. It is very likely that other local people who will be profoundly affected by this application have not been able to exercise their democratic right in this instance, particularly over the holiday period.

Yours sincerely,

David Knight, Cristina Monteiro, Amelia Monteiro Knight



Appendix 14

Corinne Holland

From: Jon Shapiro [REDACTED]
Sent: 29 December 2017 19:59
To: Licensing
Subject: RE: Licensing Application by "Pop-Up Events" for Land Off Buxton Street, London, E1 6QL

Sorry – corrected version is now attached.

From: Jon Shapiro [REDACTED]
Sent: 29 December 2017 17:38
To: 'licensing [REDACTED] <[licensing \[REDACTED\]](#)>
Subject: Licensing Application by "Pop-Up Events" for Land Off Buxton Street, London, E1 6QL

Dear Sir or Madam,

I would like to request that this Licence Application should be wholly refused on the grounds of:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance

as the land is within the Brick Lane “Cumulative Impact Zone” (CIZ) and “Pop Up Events” are asking to sell alcohol on a huge expanse of land from 11.00 AM to 23.00 PM for six nights and until 21.30 PM on Sundays. There is absolutely no way such an operation could avoid having a **huge** impact on the Brick Lane area CIZ, and consequently this licensing application must be refused. Such an operation would greatly “fuel” local alcohol drinkers and would hugely increase their numbers, leading inevitably to a major increase in the level of ASB in the area.

Residents in Buxton Street already live with unacceptable levels of drug and alcohol fuelled ASB, and nothing that would add to the existing problem should be tolerated.

The Brick Lane area has always been stated by our Borough Police Commanders to be the “number one policing problem in Tower Hamlets”. Until and unless this area ceases to be such a policing problem I believe that no such licence should be granted to “Pop-Up Events” for Land Off Buxton Street. The area is plagued by ASB and hospital admissions to A&E, and I believe that the Licensing Committee should be assisting the Police and other authorities in reducing any and all encouragement to provide increase the consumption of alcohol by drinkers in this area which is within the CIZ.

For all the reasons quoted above I strongly request that this Licensing Application should **be wholly rejected**.

Yours faithfully,
Jon Shapiro.

Resident at:

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

Appendix 15

Corinne Holland

From: maria papas [REDACTED]
Sent: 29 December 2017 20:19
To: Mohshin Ali; Licensing
Subject: Objection to 'Pop up' on land off Buxton Street (premises license)

Dear Mohshin & licensing officers,

My name is Maria Papageorgiou resident at [REDACTED]. I am writing to object to the proposed application to run a permanent 'POP UP CITY BEACH' on the Old Truman Brewery Site bounded by Buxton Street and Spital Street within the Old Truman Brewery, advertised as 'land off Buxton Street' and with a deadline of 29.12.2017 for objections.

The situation currently as a resident and for the last 7 years has been very difficult to manage due to antisocial behaviour, noise nuisance and drug and alcohol misuse at extreme levels. We have pages and pages of CAD numbers and Reference numbers with calls to both the police (101) and the council Noise Team. Police resources are pushed to the limit. Permission to this 'POP UP CITY BEACH' will increase noise and anti social behaviour calls that they receive from residents and will put added pressure on a resource that is already limited. As the Council has also difficulty coping with our complaints it will only put more pressure on the Noise Team in an already problematic area which feels very much out of control.

Not only would this accecerbate noise and antisocial behaviour caused by the visitors to the 'POP UP CITY BEACH' spilling out of the premises and into Allen Gardens which is a dark un gated park adjacent to our property [REDACTED] but noise levels from the premises itself would also create noise issues as they already do when they have one off events. We quietly suffer on those occasions and it adds a lot, a lot of stress to our lives.

Additionally Nomadic Community Gardens which has an Abatement Notice due to statutory noise nuisance witnessed by noise officers is another problem that we call the Police for and Noise Team every week as the establishment does not respect noise levels and couldn't care less about Statutory Noise levels. Unfortunately we residents pay the price as the Noise Team and Police cannot always attend to our calls. Adding more establishments that will create problems for residents is really not helpful.

**Thanks you for the opportunity to write
Maria Papageorgiou**

[REDACTED]

Appendix 16

Mohshin Ali

From: StGeorgeResidents'Association [REDACTED]
Sent: 19 December 2017 15:40
To: Licensing
Subject: Licence Application - "land off Buxton Street"

Follow Up Flag: Follow up
Flag Status: Completed

From: Margaret Gordon - Chairman, St George Residents' Association Spitalfields
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

To: Licensing Team
London Borough of Tower Hamlets.

Dear Licensing Team,

I note that "Awesome Events Ltd" has applied for a Premises Licence for "pop-up events".

This is the vaguest premises licence I have ever seen!

1. Where is the land? Who owns the land? It is not defined in the application.
2. Period of time requested - could be for ever. No suggested number of events annually.
3. Type of event - could be "anything similar" - vague
4. Hours for sale of alcohol - for as late as the 'open' hours. Although stated later that sale of alcohol cease 30 mins before closing, it would be preferable for the hours to be stated in the required section for hours of alcohol sales.
5. No indication of nearest residential properties.
6. One person named as designated supervisor, yet the nature of the application is for 'pop-up' events run by any number of different clients - which could be difficult for one person to be available 365 days of the year.
7. Within the CIZ - the area is saturated with licensed premises.
8. Size of events - unclear as to how many people might be accommodated.

Our residents are not on the immediate boundaries of Buxton Street but are less than 5 minutes walk away. We experience antisocial behaviour in Folgate St and Lamb St from clients of many venues in the area, including Brick Lane.

I ask that this application be REFUSED as it stands. May I suggest that the applicant considers applying for a Time Limited Premises Licence with greater clarification of the number of events annually, fewer days open into the later evening, and some clearer indication of the intended measures to avoid noise nuisance for the nearest residents.

Yours faithfully

Margaret Gordon - Chairman, St George Residents' Association Spitalfields

Kathy Driver

From: StGeorgeResidents'Association [REDACTED]
Sent: 29 December 2017 23:45
To: Licensing
Subject: Premises Licence Application - Land off Buxton Street

From Margaret Gordon - Chairman, St George Residents' Association Spitalfields
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

To: Licensing Team
London Borough of Tower Hamlets.

Dear Licensing Team,

Further to my email dated 19th December, I have now identified the area relating to this licence application. The area appears to be surrounded by other buildings, and is within two or three minutes walk of many residential properties in Spitalfields. It is less than ten minutes walk from the 192 flats of the St George development on Folgate St, Lamb St and Spital Square.

SGRA residents in Folgate St and Lamb St endure late evening rowdy behaviour as people walk from the Brick Lane area towards buses on Bishopsgate and the underground at Liverpool Street. The development of the pop-up area into a drinking and evening event venue will add to this degrading of residents' living space, in other words it will cumulatively impact on the area by increasing noise nuisance in the immediate area and beyond. In 2013 LBTH Council recognised the increasing evening and nightly disturbance to residents by the introduction of the Cumulative Impact Zone around the Brick Lane area. the area for which a licence is sought is clearly central to the Brick Lane CIZ. Therefore the application should be refused for this reason alone.

Areas being used for 'pop-up' events are extremely difficult to monitor and control. By their nature, clients hosting such short events may have little experience in handling large numbers of people. Indeed, they don't have to if they are 'here today and gone tomorrow'. The owners of the premises have a responsibility to engage responsible events, yet there is likely to be many 'suck it and see' events creating excess noise from the uncontrolled entertainment - always too late after the event.

To clarify, therefore, SGRA's objection to the application is on the grounds of the noise nuisance to immediate residents and to the likely increase in alcohol related antisocial behaviour in streets where clients walk from Brick Lane to Bishopsgate.

Yours faithfully

Margaret Gordon.

Appendix 17

Corinne Holland

From: Nicola Cadzow
Sent: 22 December 2017 09:07
To: Licensing; Corinne Holland
Cc: 'MARK.J.Perry@[REDACTED]'; jp@[REDACTED] 'Denis - Awesome Events'
Subject: Time Limited Premise License Application for Pop-Up Events Land Off, Buxton Street, London - ref M/105078

Dear Licensing,

I have no objections to the Time Limited Premises License following agreement by the applicant (See email trail below) to conditions as follows:

- 1) Licensable activities will only take place under the licence between the 1st June and the 31st July each year.
- 2) The licence holder or its nominated representative will supply:-
 - (a) an event management plan and ;
 - (b) a security plans to Tower Hamlets Police and the Licensing Authority and;
 - (c) a Noise Management Plan to the Responsible Authority for the Protection of the Environment, which should include predicted background noise levels (prior to the event), noise measuring points, noise mitigation measures (including Music Noise Levels, leaflet drop to residents with contact number for event organisers)

The above plans have to be agreed by Tower Hamlets Police and Tower Hamlets Council prior to the event taking place within 30 days of the supply of documentation?

- 33 3) Licensable activities shall conclude no less than 30 minutes prior to the planned finish of any event.
- 44 4) A noise limiter must be fitted to the musical amplification system used for licensable activities, set at a level determined by and to the satisfaction of an authorised officer of the Responsible Authority for the Protection of the Environment and Premises Management, so as to ensure that no noise nuisance is caused to local residents or businesses. The operation panel of the noise limiter shall then be secured by a key or password and access shall only be by persons authorised by the Premises Licence Holder. The cut-out level of the limiter shall not be altered without prior agreement with an authorised officer of the Responsible Authority for the Protection of the Environment.

Kind regards

Nicola Cadzow
Environmental Health Technical Officer
Place Directorate
Public Realm - Environmental Health and Trading Standards
London Borough of Tower Hamlets John Onslow House, 1 Ewart Place London E3 5EQ

From: Denis - Awesome Events [REDACTED]
Sent: 21 December 2017 12:56

To: Nicola Cadzow; 'MARK.J.Perry [REDACTED]'; Corinne Holland
Cc: [jp \[REDACTED\]](#); Steven Douglas
Subject: RE: paperwork

Hi Nicola,

I have no problem with the conditions as they are. The only thing that I would want to change slightly is [The above plans have to be agreed by Tower Hamlets Police and Tower Hamlets Council prior to the event taking place.](#)

To put a time period for this so can we change the wording to say [The above plans have to be agreed by Tower Hamlets Police and Tower Hamlets Council prior to the event taking place within 30 days of the supply of documentation?](#)

Apart from this and now that I have confirmation about the sound limiters I am happy with everything that we discussed.

Many thanks for your cooperation with this matter and I wish you all a very merry Christmas break and look forward to 2018

Kind regards

Denis McCourt

[REDACTED]

Director

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Follow The Awesome Group on:



From: Nicola Cadzow [REDACTED]
Sent: 21 December 2017 12:50
To: 'MARK.J.Perry [REDACTED]'; Denis - Awesome Events; Corinne Holland
Cc: [jp \[REDACTED\]](#)
Subject: RE: paperwork

Hi Denis ,

Following on from Mark's email below (20/12/17 10:09), can you confirm the conditions in his email below.

Whilst the last date for representation is the 29th December 2017, the Council closes tomorrow until the 2nd of January and I do not want to be in a position that I have to put in a representation to your application.

Kind regards

Nicola Cadzow
Environmental Health Technical Officer
Place Directorate
Public Realm - Environmental Health and Trading Standards
London Borough of Tower Hamlets John Onslow House, 1 Ewart Place London E3 5EQ

From: [MARK.J.Perry \[REDACTED\]](#)
Sent: 20 December 2017 10:09
To: [denis \[REDACTED\]](#); Nicola Cadzow; Corinne Holland

Cc: jp [REDACTED]
Subject: RE: paperwork

H Dennis,

Regarding punt 2, it has to have the wording that the various plans submitted by you have to be agreed by Tower Hamlets Police Licensing, and LBTH.

So the conditions would read:

- 1) Licensable activities will only take place under the licence between the 1st June and the 31st July each year.
- 2) No later than 30th April each year, the licence holder or its nominated representative will supply
 - (a) an event management plan and ;
 - (b) a security plans to Tower Hamlets Police and the Licensing Authority and;
 - (c) a Noise Management Plan to the Responsible Authority for the Protection of the Environment, which should include predicted background noise levels (prior to the event), noise measuring points, noise mitigation measures (including Music Noise Levels, leaflet drop to residents with contact number for event organisers)

pp

Th The above plans have to be agreed by Tower Hamlets Police and Tower Hamlets Council prior to the event taking place.

- 33 3) Licensable activities shall conclude no less than 30 minutes prior to the planned finish of any event.
- 44 4) A noise limiter must be fitted to the musical amplification system used for licensable activities, set at a level determined by and to the satisfaction of an authorised officer of the Responsible Authority for the Protection of the Environment and Premises Management, so as to ensure that no noise nuisance is caused to local residents or businesses. The operation panel of the noise limiter shall then be secured by a key or password and access shall only be by persons authorised by the Premises Licence Holder. The cut-out level of the limiter shall not be altered without prior agreement with an authorised officer of the Responsible Authority for the Protection of the Environment.

please can you confirm asap if these conditions are acceptable.

Regards
Mark

PC Mark Perry
Police Licensing Officer
Toby Club
Vawdry Close
E1 4UA

From: Denis - Awesome Events [REDACTED]
 Sent: 15 December 2017 18:45
 To: Perry MARK J - HT; [Nicola.Cadzow](#) [REDACTED]; [Corinne.Holland](#) [REDACTED]
 Cc: jp [REDACTED]
 Subject: RE: paperwork

Hi Mark,

Many thanks for getting back to me so promptly. I have reconfirmed the details of security aspects with my security advisor and he will prepare the documents in full for you with regards to the 3 different variables, private/corporate, public and then if we are allowed to do World Cup Screenings and these should be over to you next week.

Can I just address the wording of 2 points? Also I am speaking to the suppliers of our "Sound Ceiling" to see if they can fit a sound limiter to the amplifiers or an alternative system that has the same end affect. I will come back to you ASAP.

) Licensable activities will only take place under the licence between the 1st June and the 31st July each year.

2) No later than 30th April each year, the licence holder or its nominated representative will supply
(a) an event management plan and ;
(b) a security plans to Tower Hamlets Police and the Licensing Authority and;
(c) a Noise Management Plan to the Responsible Authority for the Protection of the Environment, which should include predicted background noise levels (prior to the event), noise measuring points, noise mitigation measures (including Music Noise Levels, leaflet drop to residents with contact number for event organisers)

Reason is that I would like to get all of this done and dusted way in advance of us selling this event.

3) Licensable activities shall conclude no less than 30 minutes prior to the planned finish of any event. – reason for this is that if it is raining and no one attends I would like to be able to close the venue earlier than 11.00pm if I want to.

(4) A noise limiter must be fitted to the musical amplification system used for licensable activities, set at a level determined by and to the satisfaction of an authorised officer of the Responsible Authority for the Protection of the Environment and Premises Management, so as to ensure that no noise nuisance is caused to local residents or businesses. The operation panel of the noise limiter shall then be secured by a key or password and access shall only be by persons authorised by the Premises Licence Holder. The cut-out level of the limiter shall not be altered without prior agreement with an authorised officer of the Responsible Authority for the Protection of the Environment – just making sure that this can be done with our system so will confirm and reply

Denis McCourt

[REDACTED]

Director

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Follow The Awesome Group on:



From: [MARK.J.Perry](#) [REDACTED] [REDACTED]

Sent: 15 December 2017 13:57

To: Denis - Awesome Events; [Nicola.Cadzow](#) [REDACTED]; [Corinne.Holland](#) [REDACTED]

Cc: [jp](#) [REDACTED]

Subject: RE: paperwork

Dear all,

Please see the conditions I would like added to the license:

1) Licensable activity will only take place between the 1st June and the 31st July each year.

2) The applicant will supply event management and security plans that are acceptable to both Tower Hamlets Police and Tower Hamlets Council, by the 30th April each year the event is held.

3) Licensable activity to finish 30 minutes prior to the event finishing to allow for a soft closure.

Denis, please let me know the security plans for each type of event with SIA numbers as soon as you can.

I know Nicola will be in contact with her conditions about a noise management strategy.

Thanks

Mark

PC Mark Perry
Police Licensing Officer
Toby Club
Vawdry Close
E1 4UA

From: Denis - Awesome Events [REDACTED]

Sent: 14 December 2017 20:21

To: Perry MARK J - HT

Cc: Jon Payne

Subject: paperwork

Hi Mark,

Further to your meeting please find attached relevant paperwork for your perusal for The London City Beach project.

As discussed, I am aware that you are on annual leave so only a short week next week, but if we can put a date in the diary early January to meet with my security advisor to discuss certain elements that you brought up today to clarify these, that would be great.

If you can send me over a short email just with the conditions that we talked about today as well that would be great

Kind regards

Denis McCourt

[REDACTED]

Director

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Consider our environment - please do not print this email unless absolutely necessary.

Appendix 18

Mohshin Ali

From: Vincent Fajilagmago
Sent: 19 December 2017 18:21
To: Mohshin Ali
Subject: FW: License Application for Pop-Up Events "Land Off", Buxton Street, London - our ref M/105078
Attachments: Challenge 25.docx

From: Kevin Maple
Sent: 19 December 2017 18:17
To: 'Jon Payne'
Cc: Licensing
Subject: License Application for Pop-Up Events "Land Off", Buxton Street, London - our ref M/105078

Dear Jon,

As part of the consultation process, I have received a copy of your Client's application for a premises licence under the Licensing Act 2003.

Trading Standards is one of the "responsible authorities" and as such we can make representations to the licensing authority in relation to this application.

Should we make representations it must be about the likely effect of granting the application on the promotion of the licensing objectives. One of the licensing objectives concerns the '*the protection of children from harm*' including preventing the sale and supply of alcohol to children. Trading Standards has responsibility for enforcing legislation in relation to this.

I have therefore considered section M of your client's application in which they describe the additional steps they will take to promote the Licensing objectives. The comments that relate to the 'protection of children from harm' are stated as follows:

"Where any person appears to be under the age of 21, proof of age shall be required before any sale of alcohol is made. Acceptable identification shall be a passport, driving licence or any other form of identification recognised by the Licensing Authority's Statement of Licensing Policy or a government department as being a valid method of age verification. All other matters are considered to be dealt with by virtue of the mandatory conditions."

I wish to advise you that although your Client's policy meets an acceptable standard, many premises have adopted 'Challenge 25' so that they have a robust procedure in place to prevent underage sales.

I am of the opinion that there is an increased risk that the supply of alcohol in the Brick Lane area, particularly at the weekends when the venue is open to the general public, may attract underage persons.

I would therefore be grateful if your client would consider adopting a 'Challenge 25' policy. Please find further details of 'Challenge 25' attached.

Please let me know if your client is willing to adopt this policy and if so if your client is willing for the 'Challenge 25' policy to be made a voluntary condition of their licence. The condition would be as follows:

A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

We are able to provide your client with support materials to assist you in adopting the 'Challenge 25' – please refer to the attached leaflet for further details.

I look forward to hearing from you.

Best regards,

Kevin Maple
Consumer Services Officer
Tower Hamlets Trading Standards



Environmental Health & Trading Standards | John Onslow House | 1 Ewart Place | London | E3 5EQ

For help or advice or to make a complaint about a trader, please call the national Citizens Advice consumer helpline on 03454 04 05 06

To report fraud, attempted fraud or cyber crime & receive a police crime reference number call Action Fraud on 0300 123 2040

Appendix 19

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 10.1 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 15.10**).

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 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 3 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 where public nuisance is being caused by noise coming from the premises and the closure of the premises is necessary to prevent that nuisance.

Guidance Issued under Section 182 of the Licensing Act 2003

The Licensing Policy has adopted the recommended Pool of Conditions as permitted (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 (2.15).

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.19) 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.

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 20

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. (2.15).

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. (2.19)

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 (2.19) 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 21

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 - 2.6).

The Guidance recognises working with Home Office Immigration Enforcement in the prevention of immigration crime. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.

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 22

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

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

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

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

Licensing Policy

The policy recognises that other legislation or measures may be more appropriate but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy” (**see Section 4.15 and 4.16 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Sections 6.2 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 3 of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

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

Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However, the process for this involves wide consultation and cannot come from representations about a particular application. (**See Section 8 of the Licensing Policy**).

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public.

Guidance Issued under Section 182 of the Licensing Act 2003

The key role of the Police is acknowledged (2.1).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, but can relate to the immediate vicinity of the premises as they seek entry or leave (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) CCTV inside & out, communication, police liaison, no glasses are all relevant

There is also guidance issued around public nuisance (2.15 – 2.21).

The pool of conditions, adopted by the Council is recommended (see Appendix 3 of the Licensing Policy). Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder (2.18/2.21).

Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned (14.13).

Other Legislation

Crime and Disorder Act 1998

The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.

The Act also introduced a wide range of measures designed to address anti-social behaviour committed by adults and young people. These include:

- Anti-Social Behaviour Orders
- Child Curfew Schemes
- Truancy
- Parenting Orders
- Reparation Orders
- Tackling Racism

Appendix 23

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 24

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

Appendix 25

Licensing Policy

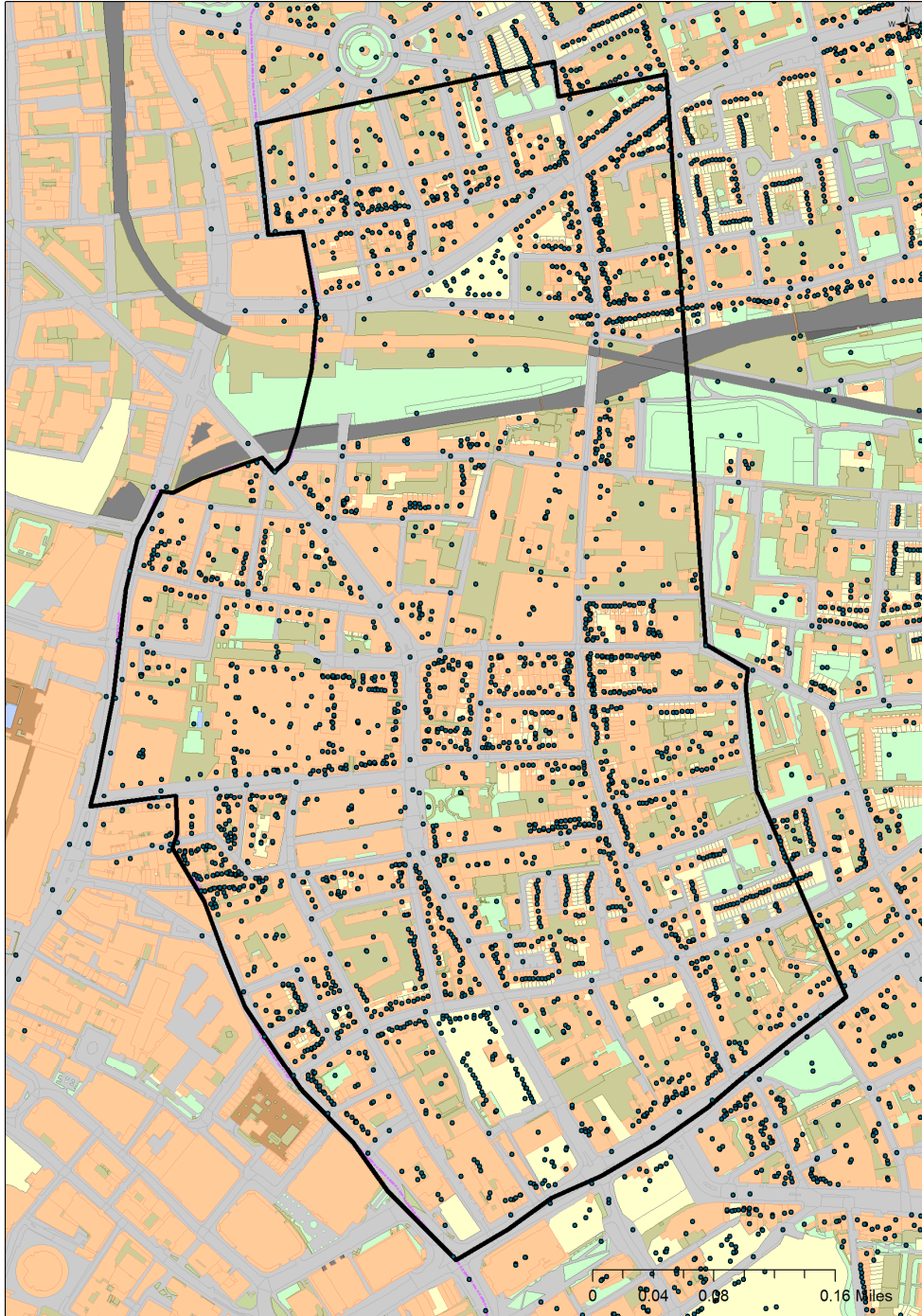
8 Special Cumulative Impact Policy for the Brick Lane Area

- 8.1 As with many other London Borough's the majority of late night licensed premises are concentrated within one area of the Borough. Following guidance issued under the Licensing Act 2003 a cumulative impact policy was adopted on 18th September 2013 by the Council.
- 8.2 After consultation the Council recognises that because of the number and density of licensed premises selling alcohol, on and off the premises and the provision of late night refreshment (sale of hot food after 11pm) within the Brick Lane Area as defined in Figure One, there might be exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect.
- 8.3 The Licensing Authority is now of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the area highlighted in Figure One is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone.
- 8.4 The effect of this Special Cumulative Impact Policy is to create a rebuttable presumption for applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity). Where the premises are situated in the cumulative impact zone and a representation is received, the licence will be refused. To rebut this presumption the applicant would be expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced. This policy does not act as an absolute prohibition on granting/varying new licences in the Cumulative Impact Zone.
- 8.5 The Special Cumulative Impact policy will not be used to revoke an existing licence or certificate and will not be applicable during the review of existing licences.

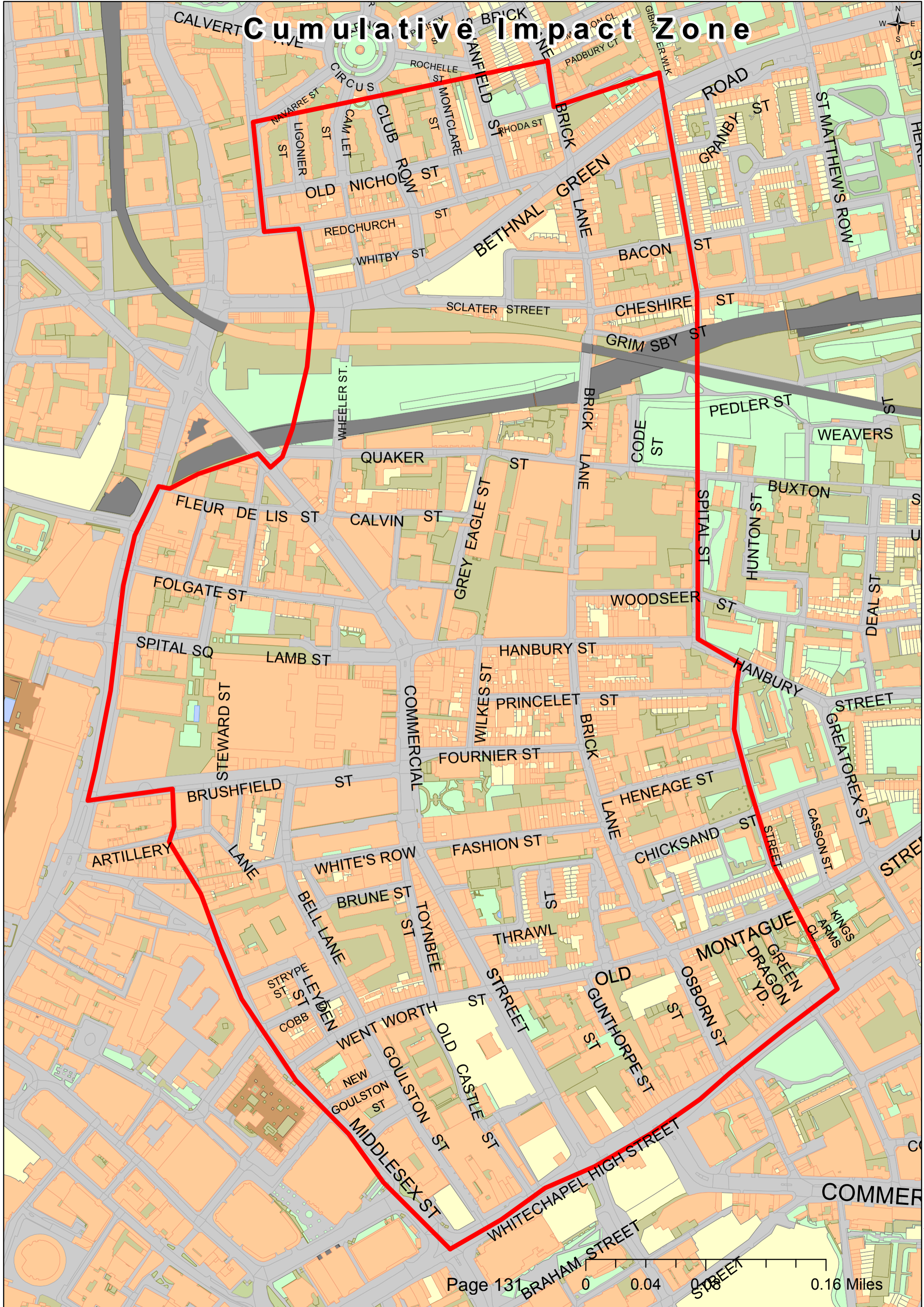
Figure One

The Cumulative Impact Zone in the Brick Lane area

The Cumulative Impact Zone is detailed in the map below. The map shows all of the premises (dots) currently licensed under the Licensing Act 2003 in the Brick Lane Area. The Cumulative Impact Zone is defined by the dark line.



Cumulative Impact Zone



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