

# Appendix 1



**(Preem)**  
118 -122 Brick Lane  
London  
E1 6RL

**Licensable Activities authorised by the licence**

The sale by retail of alcohol  
The provision of regulated entertainment

**See the attached licence for the licence conditions**

**Signed by**

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

**Date: 3<sup>rd</sup> August 2010**

- Licence amended on 11<sup>th</sup> January 2011
- Licence varied following Licensing Sub Committee Hearing of 21<sup>st</sup> July 2011
- Licence amended following licensing Sub Committee review hearing of 6<sup>th</sup> October 2011
- Licence varied following Licensing Sub Committee Hearing of 18<sup>th</sup> August 2015
- Licence varied following Licensing Sub Committee Hearing of 25<sup>th</sup> October 2016





**Part A - Format of premises licence**

Premises licence number

20459

**Part 1 - Premises details**

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

**(Preem)**

118-122 Brick Lane

**Post town**

London

**Post code**

E1 6LR

**Telephone number**

020 7247 3469

**Where the licence is time limited the dates**

Not applicable

**Licensable activities authorised by the licence**

- The sale by retail of alcohol
- The provision of regulated entertainment



**The times the licence authorises the carrying out of licensable activities**

Sale of Alcohol (On Sales Only)

- Monday to Sunday from 12:00hrs (midday) to 01:00hrs (the following day)

The Provision for Late Night Refreshment

- Monday to Sunday from 23:00hrs to 01:00hrs (the following day)

**The opening hours of the premises**

- Monday to Sunday from 12:00hrs (midday) to 01:30hrs (the following day)

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

- On sales only



## Part 2

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

Mr Azmal Hussain  
124 Brick Lane  
London  
E1 6LR

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

Not applicable

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

Mr Azmal Hussain  
124 Brick Lane  
London  
E1 6LR

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

Licence No: XXXXXXXXXX

Issuing Authority: [REDACTED]



## **Annex 1 - Mandatory conditions**

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

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

1.

- (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises;
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)

- 2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.



3.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.
4. The responsible person must ensure that—
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
5.
  1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
  2. For the purposes of the condition set out in paragraph 1—
    - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
    - (b) “permitted price” is the price found by applying the formula —
 
$$P = D + (D \times V)$$
 where —
      - (i) **P** is the permitted price
      - (ii) **D** is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and



- (iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence
    - (i) the holder of the premises licence
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence
  - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, such individuals must be licensed with the Security Industry Authority. This does not apply to premises within paragraph. 8(3) (a) of Schedule 2 to the Private Security Industry Act 2001, (premises with premises licences authorising plays or films), or in respect of premises in relation to- any occasion mentioned in paragraph 8(3) (b) or (c) of Schedule 2 (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or any occasion within paragraph 8(3) (d) of Schedule 2 (occasions prescribed by regulations under that Act) unless the Licence specifically states otherwise.

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



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

## **Annex 2 - Conditions consistent with the operating Schedule**

1. No nudity or semi nudity permitted;
2. Any customers under the age of 18 years must be accompanied by a person over the age of 18 years.

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

1. No regulated entertainment is to be provided except low key background music only;
2. To ensure, as far as reasonably practical, that patrons who enter and exit the premises especially late at night will act quietly and considerately at all times by ensuring prominent and clearly legible notices to be displayed at all exists of the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly;
3. The premise is required to have CCTV cameras installed, covering the premises internally and externally;
4. That the CCTV system should incorporate a recording facility and any recording should be retained and stored in a suitable and secure manner for a minimum of 31days. A system should be in place to maintain the quality of the recorded image and a complete audit trail maintained. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31day period;
5. No food or drink will be allowed to be consumed outside the premises;
6. There will be no early morning (before 08:00hrs) or late night (after 19:00hrs) deliveries of food and drink to the premises. No bottles or refuse will be placed outside the premises after 21:00hrs.

**(Conditions added after Review Hearing on 11<sup>th</sup> January 2011 and repeated in the Variation Hearing of 18<sup>th</sup> August 2015)**



7. No person shall be employed to solicit for custom or be permitted to solicit for custom for business for the premises in any public place within a 500 metre radius of the premises;
8. Clear signage to be placed in the restaurant windows stating that the premises supports the Council's 'No Touting Policy'.

**(Condition added after Review Hearing on 6<sup>th</sup> October 2011)**

9. A CCTV camera to be installed so that it captures images of persons entering the premise via the front entrance.

**(Conditions added after Variation Hearing on 18<sup>th</sup> August 2015)**

10. Alcohol to be only served ancillary to a meal
11. There are to be no off sales of alcohol
12. Photo identification badges must be worn by staff at all times and surrendered to an officer of the responsibility authority upon request.
13. From 18:00hrs each evening two (2) SIA staff to be employed until closing;
14. The management will offer customers complementary teas and coffees after a meal to positively promote leaving the premises in an orderly manner and to not cause any problems relating to anti-social behaviour.
15. No regulated entertainment is to be provided except low key background music only;
16. No food or drinks to be allowed to be consumed immediately outside the premises in the street.
17. Patrons will be encouraged to leave the premises quietly and considerately especially late at night. A dedicated taxi or mini cab service will be made available and offered to assist patrons on leaving the premises quietly as required. They will be asked to wait at the table until a taxi or other transport arrives in order to discourage patrons from standing and talking.
18. CCTV covering the inside and outside of the premises shall be installed. It shall be capable of taking a head and shoulders shot of person entering the shop and storing image for a period of at least 31 days. The CCTV shall be in operation during all the hours that the premises are open to the public. A member of staff capable of downloading images for Police or



Authorised Council Officers shall be on duty at all times the premises are open to the public.

#### **Annex 4 - Plans**

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

22<sup>nd</sup> June 2010 resubmitted on 30<sup>th</sup> April 2015 with the Variation Application

[The licences area is the ground floor of 118 & 120-122 referred to in the plan marked: Job No. 210610/118~122 BL-E1. Drawing No. **A1(02)** 001 Rev. 01.

The basement area is NOT licensed, however, a plan of the basement is included in the file: Job No. 210610/118~122 BL-E1. Drawing No. **A1(01)** 001 Rev. 01 refers, in order to show the access between 118 & 120-122 via the basement which is relevant to the managerial control of the premises].





## Part B - Premises licence summary

**Premises licence number**

**20459**

### Premises details

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

**(Preem)**  
118-122 Brick Lane

**Post town**

London

**Post code**

E1 6LR

**Telephone number**

020 7247 3469

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

- Sale of Alcohol (On Sales Only)
- The Provision for Late Night Refreshment



The times the licence authorises the carrying out of licensable activities

Sale of Alcohol (On Sales Only)

- Monday to Sunday from 12:00hrs (midday) to 01:00 hours (the following day)

The Provision for Late Night Refreshment

- Monday to Sunday from 23:00hrs to 01:00hrs (the following day)

The opening hours of the premises

- Monday to Sunday from 12:00hrs (midday) to 01:30hrs (the following day)

Name, (registered) address of holder of premises licence

Mr Azmal Hussain  
124 Brick Lane  
London  
E1 6LR

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

On sales only

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

Not applicable

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

Mr Azmal Hussain

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

No restrictions



# Appendix 2



110709

# Application to vary a premises licence 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 Mr Azmal Hussain

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number  
19593

### Part 1 – Premises Details

|  |        |          |        |
|--|--------|----------|--------|
| Postal address of premises or, if none, ordnance survey map reference or description |        |          |        |
| Preem Restaurant<br>118-122 Brick Lane<br>London                                     |        |          |        |
| Post town  | London | Postcode | E1 6RL |

|   |                      |
|---|----------------------|
| Telephone number at premises (if any)   | 020 2473469          |
| Non-domestic rateable value of premises | £36000.00 +£61000.00 |

### Part 2 – Applicant details

|   |                              |  |        |
|---|------------------------------|--|--------|
| Daytime contact telephone number                          | [REDACTED]                   |  |        |
| E-mail address (optional)                                 |                              |  |        |
| Current postal address if different from premises address | 118-122 Brick Lane<br>London | <b>LBTH</b><br><b>TRADING STANDARDS</b><br>20 AUG 2018<br><b>LICENSING</b> |        |
| Post town   | London                       | Postcode   | E1 6RL |



### Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒ Yes

☐  
No

If not, from what date do you want the variation to take effect?

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☒ No

**Please describe briefly the nature of the proposed variation (Please see guidance note 2)**

- 1) Withdraw condition 12 & 13 on page 9 as we are not providing any loud music or live music and our business is a fine dining restaurant. Therefore we are requesting to withdraw SIA door supervisor's conditions.
- 2) Extent supply of alcohol up to 2:00 Hours.
- 3) Extent Premises opening Public up to 2:30 Hours
- 4) Extent Late Night Refreshment up to 2:30 Hours
- 5) Recorded Music in Low Key Volume: 23:00 Hours to 2:30 Hours

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:



#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply**

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

**Provision of late night refreshment** (if ticking yes, fill in box I) ☐

**Supply of alcohol** (if ticking yes, fill in box J) ☒

**In all cases complete boxes K, L and M**



A

|  |       |        |  |          |                          |
|--|-------|--------|--|----------|--------------------------|
| Plays<br>Standard days and<br>timings (please read<br>guidance note 8) |       |        | Will the performance of a play take place indoors<br>or outdoors or both – please tick (please read<br>guidance note 4)  | Indoors  | <input type="checkbox"/> |
|  |       |        |  | Outdoors | <input type="checkbox"/> |
|  |       |        |  | Both     | <input type="checkbox"/> |
| Day  | Start | Finish | <u>Please give further details here</u> (please read guidance note 5)  |          |                          |
| Mon  |       |        |  |          |                          |
|  |       |        |  |          |                          |
| Tue  |       |        |  |          |                          |
|  |       |        | <u>State any seasonal variations for performing plays</u> (please read<br>guidance note 6)   |          |                          |
| Wed  |       |        |  |          |                          |
|  |       |        |  |          |                          |
| Thur   |       |        |  |          |                          |
|  |       |        | <u>Non standard timings. Where you intend to use the premises for the<br/>performance of plays at different times to those listed in the column<br/>on the left, please list</u> (please read guidance note 7) |          |                          |
| Fri  |       |        |  |          |                          |
|  |       |        |  |          |                          |
| Sat  |       |        |  |          |                          |
|  |       |        |  |          |                          |
| Sun  |       |        |  |          |                          |



# B

|  |       |        |   |          |                          |
|--|-------|--------|---|----------|--------------------------|
| Films<br>Standard days and<br>timings (please read<br>guidance note 8) |       |        | <u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)  | Indoors  | <input type="checkbox"/> |
|  |       |        |   | Outdoors | <input type="checkbox"/> |
|  |       |        |   | Both     | <input type="checkbox"/> |
| Day  | Start | Finish | <u>Please give further details here</u> (please read guidance note 5)   |          |                          |
| Mon  |       |        |   |          |                          |
|  |       |        |   |          |                          |
| Tue  |       |        |   |          |                          |
|  |       |        | <u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)  |          |                          |
| Wed  |       |        |   |          |                          |
|  |       |        |   |          |                          |
| Thur   |       |        |   |          |                          |
|  |       |        | <u>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</u> (please read guidance note 7) |          |                          |
| Fri  |       |        |   |          |                          |
|  |       |        |   |          |                          |
| Sat  |       |        |   |          |                          |
|  |       |        |   |          |                          |
| Sun  |       |        |   |          |                          |



## C

|   |       |        |  |
|---|-------|--------|--|
| Indoor sporting events<br>Standard days and<br>timings (please read<br>guidance note 8) |       |        | <u>Please give further details</u> (please read guidance note 5)   |
| Day   | Start | Finish |  |
| Mon   |       |        |  |
| Tue   |       |        | <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)  |
| Wed   |       |        |  |
| Thur  |       |        |  |
| Fri   |       |        | <u>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</u> (please read guidance note 7) |
| Sat   |       |        |  |
| Sun   |       |        |  |
|   |       |        |  |



## D

|   |       |        |   |          |                          |
|---|-------|--------|---|----------|--------------------------|
| Boxing or wrestling entertainments<br>Standard days and timings (please read guidance note 8) |       |        | <u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u><br>(please read guidance note 4)   | Indoors  | <input type="checkbox"/> |
|   |       |        |   | Outdoors | <input type="checkbox"/> |
|   |       |        |   | Both     | <input type="checkbox"/> |
| Day   | Start | Finish |   |          |                          |
| Mon   |       |        | <u>Please give further details here</u> (please read guidance note 5)   |          |                          |
|   |       |        |   |          |                          |
| Tue   |       |        |   |          |                          |
|   |       |        |   |          |                          |
| Wed   |       |        | <u>State any seasonal variations for boxing or wrestling entertainment</u><br>(please read guidance note 6)   |          |                          |
|   |       |        |   |          |                          |
| Thur  |       |        |   |          |                          |
|   |       |        |   |          |                          |
| Fri   |       |        | <u>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</u> (please read guidance note 7) |          |                          |
|   |       |        |   |          |                          |
| Sat   |       |        |   |          |                          |
|   |       |        |   |          |                          |
| Sun   |       |        |   |          |                          |
|   |       |        |   |          |                          |



# E

|   |       |        |   |          |                          |
|---|-------|--------|---|----------|--------------------------|
| Live music<br>Standard days and<br>timings (please read<br>guidance note 8) |       |        | <u>Will the performance of live music take place<br/>indoors or outdoors or both – please tick (please<br/>read guidance note 4)</u>  | Indoors  | <input type="checkbox"/> |
|   |       |        |   | Outdoors | <input type="checkbox"/> |
|   |       |        |   | Both     | <input type="checkbox"/> |
| Day   | Start | Finish | <u>Please give further details here (please read guidance note 5)</u>   |          |                          |
| Mon   |       |        |   |          |                          |
|   |       |        |   |          |                          |
| Tue   |       |        |   |          |                          |
|   |       |        | <u>State any seasonal variations for the performance of live music (please<br/>read guidance note 6)</u>  |          |                          |
| Wed   |       |        |   |          |                          |
|   |       |        |   |          |                          |
| Thur  |       |        |   |          |                          |
|   |       |        | <u>Non standard timings. Where you intend to use the premises for the<br/>performance of live music at different times to those listed in the<br/>column on the left, please list (please read guidance note 7)</u> |          |                          |
| Fri   |       |        |   |          |                          |
|   |       |        |   |          |                          |
| Sat   |       |        |   |          |                          |
|   |       |        |   |          |                          |
| Sun   |       |        |   |          |                          |



F

|   |       |        |  |          |                                     |
|---|-------|--------|--|----------|-------------------------------------|
| Recorded music<br>Standard days and<br>timings (please read<br>guidance note 8) |       |        | Will the playing of recorded music take place<br>indoors or outdoors or both – please tick (please<br>read guidance note 4)  | Indoors  | <input checked="" type="checkbox"/> |
|   |       |        |  | Outdoors | <input type="checkbox"/>            |
|   |       |        |  | Both     | <input type="checkbox"/>            |
| Day   | Start | Finish | Please give further details here (please read guidance note 5)<br>Recorded music will be played in low key volume.   |          |                                     |
| Mon   | 23:00 | 2:30   |  |          |                                     |
|   |       |        |  |          |                                     |
| Tue   | 23:00 | 2:30   |  |          |                                     |
|   |       |        | State any seasonal variations for the playing of recorded music (please<br>read guidance note 6)   |          |                                     |
| Wed   | 23:00 | 2:30   |  |          |                                     |
|   |       |        |  |          |                                     |
| Thur  | 23:00 | 2:30   |  |          |                                     |
|   |       |        | Non standard timings. Where you intend to use the premises for the<br>playing of recorded music at different times to those listed in the<br>column on the left, please list (please read guidance note 7) |          |                                     |
| Fri   | 23:00 | 2:30   |  |          |                                     |
|   |       |        |  |          |                                     |
| Sat   | 23:00 | 2:30   |  |          |                                     |
|   |       |        |  |          |                                     |
| Sun   | 23:00 | 2:30   |  |          |                                     |
|   |       |        |  |          |                                     |



## G

|   |       |        |   |          |                          |
|---|-------|--------|---|----------|--------------------------|
| <b>Performances of dance</b><br>Standard days and timings (please read guidance note 8) |       |        | <b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b><br>(please read guidance note 4)   | Indoors  | <input type="checkbox"/> |
|   |       |        |   | Outdoors | <input type="checkbox"/> |
|   |       |        |   | Both     | <input type="checkbox"/> |
| Day   | Start | Finish | <b><u>Please give further details here</u></b> (please read guidance note 5)  |          |                          |
| Mon   |       |        |   |          |                          |
|   |       |        |   |          |                          |
| Tue   |       |        |   |          |                          |
|   |       |        | <b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)  |          |                          |
| Wed   |       |        |   |          |                          |
|   |       |        |   |          |                          |
| Thur  |       |        |   |          |                          |
|   |       |        | <b><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></b> (please read guidance note 7) |          |                          |
| Fri   |       |        |   |          |                          |
|   |       |        |   |          |                          |
| Sat   |       |        |   |          |                          |
|   |       |        |   |          |                          |
| Sun   |       |        |   |          |                          |



## H

|  |       |        |  |          |                          |
|--|-------|--------|--|----------|--------------------------|
| <b>Anything of a similar description to that falling within (e), (f) or (g)</b><br>Standard days and timings (please read guidance note 8) |       |        | Please give a description of the type of entertainment you will be providing   |          |                          |
| Day  | Start | Finish | <b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)   | Indoors  | <input type="checkbox"/> |
| Mon  |       |        |  | Outdoors | <input type="checkbox"/> |
|  |       |        |  | Both     | <input type="checkbox"/> |
| Tue  |       |        | <b><u>Please give further details here</u></b> (please read guidance note 5)   |          |                          |
|  |       |        |  |          |                          |
| Wed  |       |        |  |          |                          |
|  |       |        |  |          |                          |
| Thur   |       |        | <b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)  |          |                          |
|  |       |        |  |          |                          |
| Fri  |       |        |  |          |                          |
|  |       |        |  |          |                          |
| Sat  |       |        | <b><u>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</u></b> (please read guidance note 7) |          |                          |
|  |       |        |  |          |                          |
| Sun  |       |        |  |          |                          |
|  |       |        |  |          |                          |



## I

|  |       |        |   |          |                                     |
|--|-------|--------|---|----------|-------------------------------------|
| <b>Late night refreshment</b><br>Standard days and timings (please read guidance note 8) |       |        | <b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)   | Indoors  | <input checked="" type="checkbox"/> |
|  |       |        |   | Outdoors | <input type="checkbox"/>            |
|  |       |        |   | Both     | <input type="checkbox"/>            |
| Day  | Start | Finish | <b><u>Please give further details here</u></b> (please read guidance note 5)  |          |                                     |
| Mon  | 23:00 | 2:30   |   |          |                                     |
|  |       |        |   |          |                                     |
| Tue  | 23:00 | 2:30   |   |          |                                     |
|  |       |        |   |          |                                     |
|  |       |        |   |          |                                     |
| Wed  | 23:00 | 2:30   | <b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)   |          |                                     |
|  |       |        |   |          |                                     |
|  |       |        |   |          |                                     |
| Thur   | 23:00 | 2:30   |   |          |                                     |
|  |       |        |   |          |                                     |
|  |       |        |   |          |                                     |
| Fri  | 23:00 | 2:30   | <b><u>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</u></b> (please read guidance note 7) |          |                                     |
|  |       |        |   |          |                                     |
|  |       |        |   |          |                                     |
| Sat  | 23:00 | 2:30   |   |          |                                     |
|  |       |        |   |          |                                     |
|  |       |        |   |          |                                     |
| Sun  | 23:00 | 2:30   |   |          |                                     |
|  |       |        |   |          |                                     |
|  |       |        |   |          |                                     |



J

|   |       |        |   |  |                  |  |
|---|-------|--------|---|--|------------------|--|
| <b>Supply of alcohol</b><br>Standard days and timings (please read guidance note 8) |       |        | <b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)    |  | On the premises  | <input checked="checked" type="checkbox"/> |
|   |       |        |   |  | Off the premises | <input type="checkbox"/>                   |
|   |       |        |   |  | Both             | <input type="checkbox"/>                   |
| Day   | Start | Finish | <b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 6) |  |                  |  |
| Mon   | 11:00 | 2:00   |   |  |                  |  |
|   |       |        |   |  |                  |  |
| Tue   | 11:00 | 2:00   |   |  |                  |  |
|   |       |        |   |  |                  |  |
| Wed   | 11:00 | 2:00   |   |  |                  |  |
|   |       |        |   |  |                  |  |
| Thur  | 11:00 | 2:00   |   |  |                  |  |
|   |       |        |   |  |                  |  |
| Fri   | 11:00 | 2:00   |   |  |                  |  |
|   |       |        |   |  |                  |  |
| Sat   | 11:00 | 2:00   |   |  |                  |  |
|   |       |        |   |  |                  |  |
| Sun   | 11:00 | 2:00   |   |  |                  |  |
|   |       |        |   |  |                  |  |

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 10).**



L

|   |       |        |   |
|---|-------|--------|---|
| <b>Hours premises are open to the public</b><br>Standard days and timings (please read guidance note 8) |       |        | <b>State any seasonal variations</b> (please read guidance note 6)  |
| Day   | Start | Finish |   |
| Mon   | 11:00 | 2:30   |   |
|   |       |        |   |
| Tue   | 11:00 | 2:30   |   |
|   |       |        |   |
| Wed   | 11:00 | 2:30   |   |
|   |       |        |   |
| Thur  | 11:00 | 2:30   |   |
|   |       |        |   |
| Fri   | 11:00 | 2:30   |   |
|   |       |        |   |
| Sat   | 11:00 | 2:30   |   |
|   |       |        |   |
| Sun   | 11:00 | 2:30   |   |
|   |       |        |   |
|   |       |        | <b>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</b> (please read guidance note 7) |

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.



Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence



If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.



**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

Our primary goal and requirements to promote all four licensing objectives. All reasonable steps will be taken to ensure that the premises have a positive impact on the local environment and its residents at all times.

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

We have Trained serving staff who have a good knowledge and awareness of prevention of crime and disorder and drug awareness. CCTV is there installed and the recorded materials shall be retained and stored in a suitable/secure manner for a minimum of 31 days. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with essential legislation. CCTV will be operational during opening hours. Recordings and images will be available for police or responsible authorities on demand.

**c) Public safety**

Compliance with Health & Safety Law.

All staff will have sufficient knowledge of how to prevent any accidents, fire safety procedure and any kinds of trouble.

Management will control the premises, will not cause or permit a person to solicit for custom for the premises in any street or public places

**d) The prevention of public nuisance**

We have experienced staff who are running our premises; adequate door control will be taken to prevent crowd outside of our premises. We will ensure that all customers leave quietly if any customers need to wait for a taxi we will try to keep them on the premises until the taxi arrives. We will offer them a complimentary coffee/ tea. We will not allow anyone to queue in front of our restaurant. Also, we will ask our customers to leave quietly. If anyone comes to pick up their friend or family member from our restaurant we will ask them not to blow their car horn. We will provide low key volume recorded music that will not be heard from flat above to our premises or nearby residents. We will keep outside of our premises tidy, all spillage will be cleaned. I.e. Bottles, glass, litter etc. Bottled drink or food will be allowed to be consumed in front of our restaurant. (Except take away food which will be taken from our restaurant to eat at customers home).

No early morning delivery or collection or late delivery/collection will take place

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

Un-accompanied children Under 16 are not allowed in any licenced premises between midnight to 5 am. No Adult entertainment will be provided.



**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 5 – Signatures (please read guidance note 12)**

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

|           |            |
|-----------|------------|
| Signature | [Redacted] |
| Date      | 28/08/18   |
| Capacity  | Owner      |

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.**

|           |   |
|-----------|---|
| Signature | / |
| Date      | / |
| Capacity  | / |

**Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)**

Mostak Ahmod Askor (MIH, FRSPH)  
Clearview Resources Limited

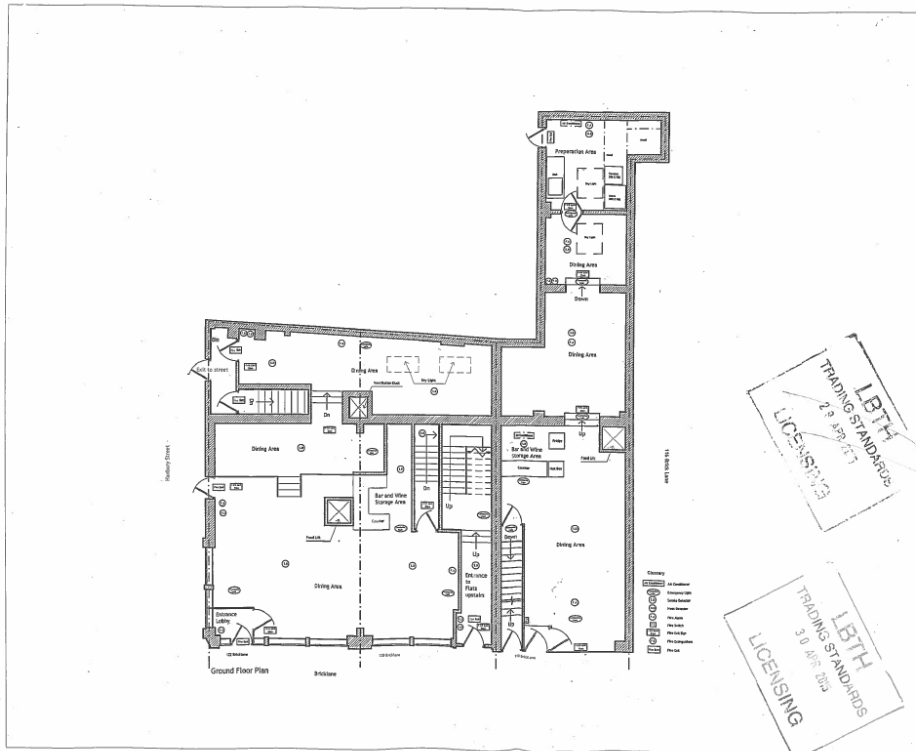
[Redacted]  
London

|   |            |           |            |
|---|------------|-----------|------------|
| Post town   | London     | Post code | [Redacted] |
| Telephone number (if any)   | [Redacted] |           |            |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) |            |           |            |
| [Redacted]  |            |           |            |



# Appendix 3





**Planning  
Architecture  
Interior  
Construction**

Client  
Mr A. Hussain  
Project  
Restaurant  
Location  
118,120,122 Brick Lane, E1

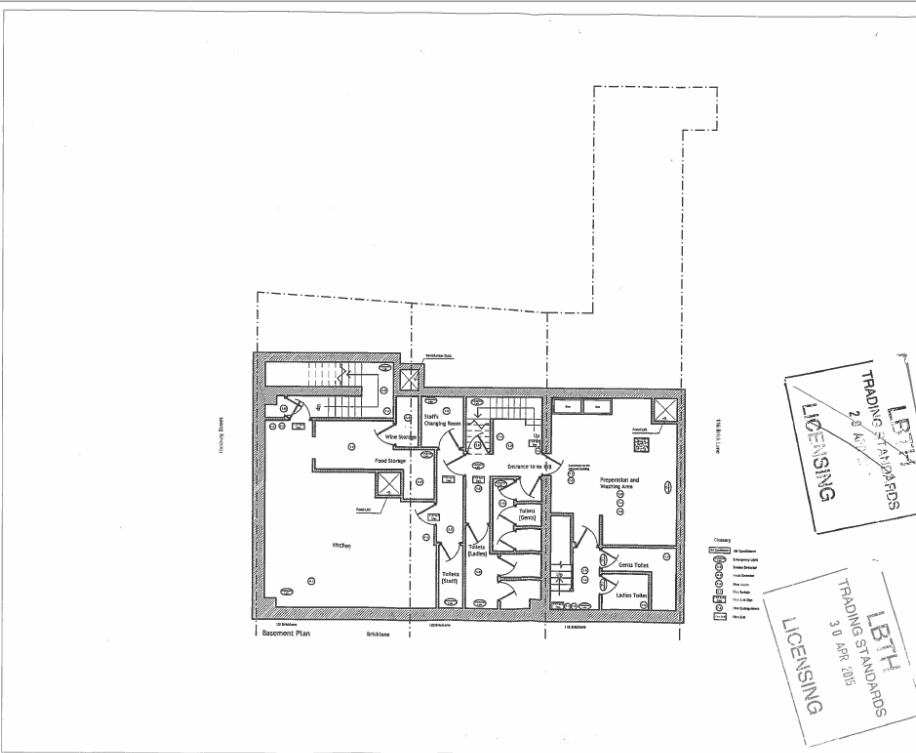
Job No.  
210610/118-122 BL\_E1  
Dwg No.  
A1(02)001  
Rev.  
01

Title  
Ground Floor Plan

Date  
21/06/10  
Drawn  
MM/MS  
Check  
MM  
Status  
Submission  
Scale  
1:100 @ A3

Contact  
07786244205  
Email  
info@m-i-d-l.co.uk  
Web  
www.m-i-d-l.co.uk

Notes:  
- Please check the site for any further information  
- Dimensions are measured to nearest possible  
- Accurate measure can be fractional difference  
- The site used in the measurement is not  
- The firm accepts no responsibility for errors  
- Publication of any part or full of the drawing will  
require the permission of the company  
- Copyright reserved for MIDI - Design & Submit



**Planning  
Architecture  
Interior  
Construction**

Client  
Mr A. Hussain  
Project  
Restaurant  
Location  
118,120,122 Brick Lane, E1

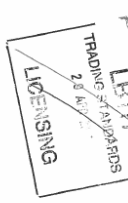
Job No.  
210610/118-122 BL\_E1  
Dwg No.  
A1(01)001  
Rev.  
01

Title  
Basement Floor Plan

Date  
21/06/10  
Drawn  
MM/MS  
Check  
MM  
Status  
Submission  
Scale  
1:100 @ A3

Contact  
07786244205  
Email  
info@m-i-d-l.co.uk  
Web  
www.m-i-d-l.co.uk

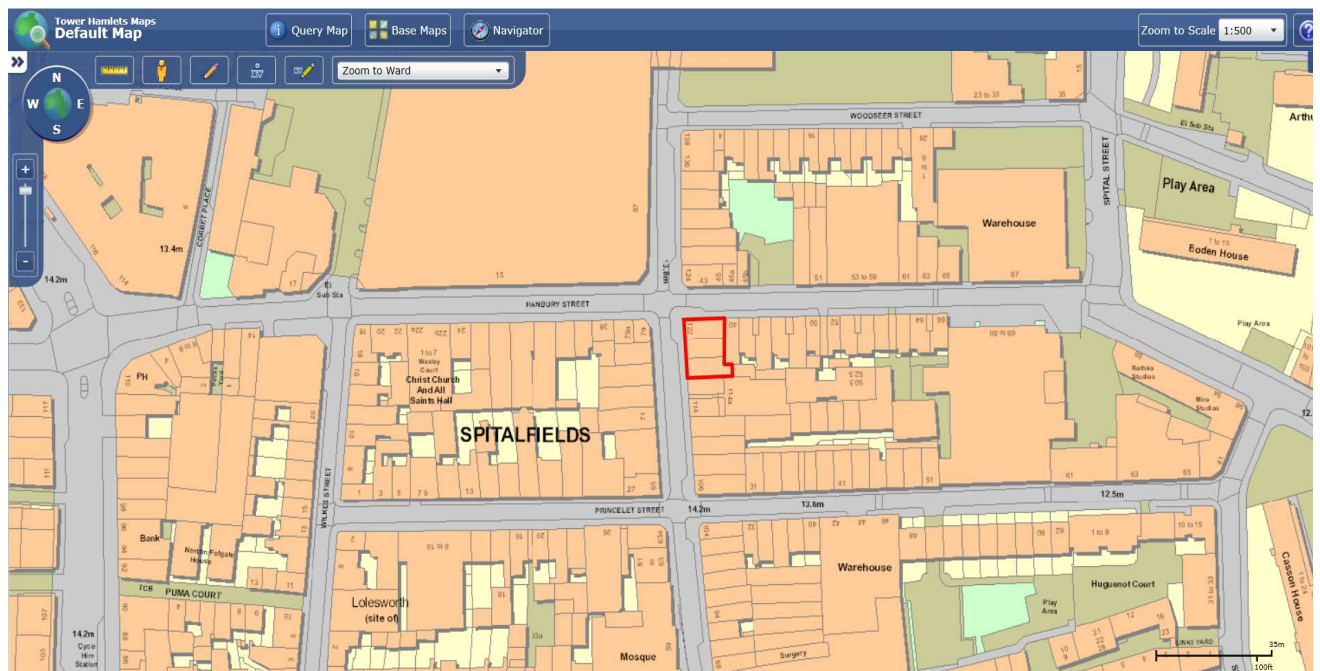
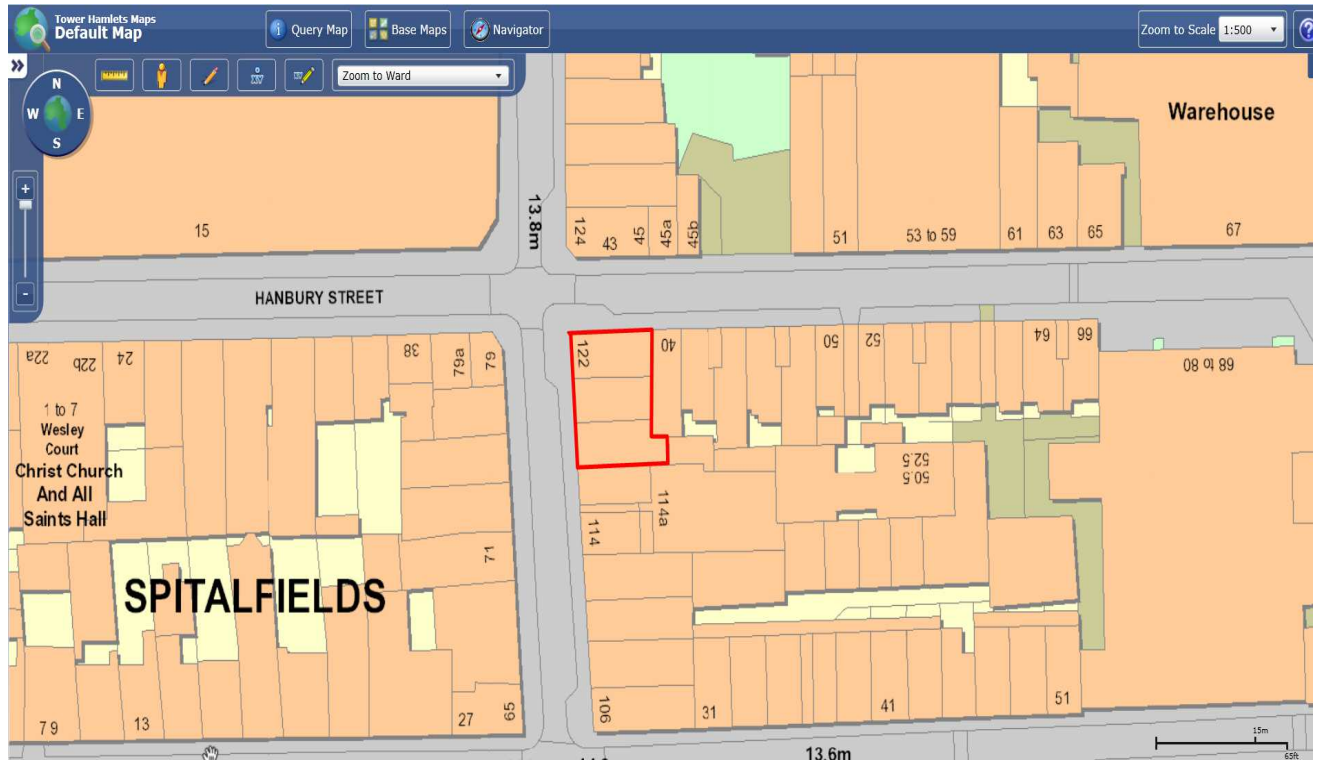
Notes:  
- Please check the site for any further information  
- Dimensions are measured to nearest possible  
- Accurate measure can be fractional difference  
- The site used in the measurement is not  
- The firm accepts no responsibility for errors  
- Publication of any part or full of the drawing will  
require the permission of the company  
- Copyright reserved for MIDI - Design & Submit





# Appendix 4







# Appendix 5



| Name and address                           | Licensing activities   | Opening times   |
|--|--|---|
| (Cocoa House)<br>124 - 126 Brick Lane      | <b>Alcohol and Late Night Refreshment</b> <ul style="list-style-type: none"> <li>Monday to Sunday, 11:30 hrs to 01:30 hrs</li> </ul> <b>Regulated Entertainment (Recorded Music)</b> <ul style="list-style-type: none"> <li>Monday to Sunday, 11:30 hrs to 02:00 hrs</li> </ul>  | <ul style="list-style-type: none"> <li>Monday to Sunday, 11:30 hrs to 02:00 hrs</li> </ul>  |
| (A & Y Wines)<br>116 Brick Lane            | <b>The sale by retail of alcohol</b><br>Monday to Sunday<br>08 00 hrs to 02 30 hrs the following day   | Monday to Sunday<br>08 00 hrs to 02 30 hrs the following day  |
| (Brick Lane Off Licence)<br>114 Brick Lane | The sale by retail of alcohol<br>Monday to Saturday from 09:00 to midnight<br>Sunday from 10:00 hrs to 23:00 hrs   | Monday to Saturday from 09:00 to midnight<br>Sunday from 10:00 hrs to 23:00 hrs   |
| (Jasmine)<br>128 Brick Lane                | The sale by retail of alcohol:<br>Sunday to Wednesday from 12:00hrs (midday) to 01:00hrs (the following day)<br>Thursday to Saturday from 12:00hrs (midday) to 03:00hours (the following day)<br><br>Late Night Refreshment:<br>Sunday to Wednesday until 01:00hrs (the following day)<br>Thursday to Saturday until 03:00hours (the following day)<br><br>Regulated Entertainment consisting of Recorded Music only:<br>Sunday to Wednesday from 12:00hrs (midday) to 01:00hrs (the following day)<br>Thursday to Saturday from 12:00hrs (midday) to 03:00hours (the following day) | Sunday to Wednesday from 12:00hrs (midday) to 01:00hrs (the following day)<br><br>Thursday to Saturday from 12:00hrs (midday) to 03:00hours (the following day) |
| (Bengal Village)<br>75 Brick Lane          | <b>The sale by retail of alcohol</b><br>On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10am to midnight.<br>(2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm<br><b>Late Night Refreshment</b><br>On weekdays from 23:00 hours to midnight<br>On Sundays from 23:00 hours to 23:30 hours   | There are no restrictions on the hours during which this premises is open to the public   |



|  |   |  |
|--|---|--|
| <p><b>(Curry Bazaar)</b><br/>77 Brick Lane</p> | <p><b>The sale by retail of alcohol:</b></p> <ul style="list-style-type: none"> <li>• Sunday, Monday, Tuesday, Wednesday, Thursday from 11:00 hours until midnight</li> <li>• Friday and Saturday from 11:00 hours until 02:00 hours the following day.</li> </ul> <p><b>The sale by retail of alcohol:</b></p> <ul style="list-style-type: none"> <li>• Sunday, Monday, Tuesday, Wednesday, Thursday from 11:00 hours until midnight</li> <li>• Friday and Saturday from 11:00 hours until 02:00 hours the following day.</li> </ul> | <ul style="list-style-type: none"> <li>• Sunday, Monday, Tuesday, Wednesday, Thursday from 11:00 hours until 00:30 hours the following day</li> <li>• Friday and Saturday from 11:00 hours until 02:30 hours the following day.</li> </ul> |
| <p><b>(Efes Express)</b><br/>79 Brick Lane</p> | <p><b>The sale by retail of alcohol (on sales only)</b></p> <ul style="list-style-type: none"> <li>• Sunday to Thursday from 10:00hrs to 23:30hrs</li> <li>• Friday and Saturday from 10:00hrs to 00:30hrs (the following day)</li> </ul> <p><b>Provision of Late Night Refreshment</b></p> <ul style="list-style-type: none"> <li>• Sunday to Thursday from 23:00hrs to 00:00hrs (midnight)</li> <li>• Friday and Saturday from 23:00hrs to 01:00hrs (the following day)</li> </ul>  | <ul style="list-style-type: none"> <li>• Sunday to Thursday from 08:00hrs to 00:00hrs (midnight)</li> <li>• Friday and Saturday from 08:00hrs to 01:00hrs (the following day)</li> </ul>   |



# Appendix 6



## **Section 182 Advice by the Home Office Updated on April 2018**

### 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 7





2009-2010  
Positive engagement of older people  
2009-2010  
Preventing and tackling child poverty  
2003-2009  
Winner of 7 previous  
Beacon Awards



**Place Directorate  
Public Realm  
Environmental Health & Trading Standards**

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

Head Of Service **David Tolley**

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

Tel [REDACTED]  
Fax [REDACTED]  
Enquiries to **Kathy Driver**  
Email [REDACTED]@towerhamlets.gov.uk

25th September 2018

**www.towerhamlets.gov.uk**

My reference CLC/EHTS/LIC/110709

Dear Sir/Madam,

**RE: Preem Restaurant, 118-122 Brick Lane, London E1 6RL**  
**Application for variation**

This Licensing Authority as a Responsible Authority wishes to make representation against the application to extend the licensable activities on the grounds of the prevention of public nuisance and the prevention of crime and disorder.

The premises falls within a Cumulative Impact Zone, 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).

The Tower Hamlets statement of licensing policy makes it clear that the applicant is 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 and that applicants are expected to demonstrate an understanding of how the policy impacts on their application. This has not been done.



Aside from above the premises has a history of failures, going back some years, to abide by the conditions of the licence and failure to meet the licensing objectives.

Touting has always been a significant issue in the Brick Lane area and a common public nuisance. Officers have witnessed this at these premises. Mr Hussain was keen to sign up to the Tower Hamlets Anti-Touting Code of Practice, which included having an anti-touting condition placed on the premises licence. Despite this, touting has continued at the premises, which can only reflect Mr Hussain's disingenuous regard for the scheme.

On 3<sup>rd</sup> August 2018 I was present with a number of Members in Brick Lane giving a tour of which Members witnessed first-hand the touting on the street, one of those premises was Preem Restaurant.

Officers have made recent visits to the premises on 30th August 2018 of which an officer visited to check the application notice, during this inspection the Officer witnessed a member of staff sitting on the window who touted members of the public walking by.

Operations have been taking place, working on touting in Brick Lane area as part of enforcing the PSPO touting condition. Two officers attended Brick Lane on 22<sup>nd</sup> July 2018 who were approached by a waiter and were touted to go inside. The tout was identified by Police and Mr. Hussain was present at the time who confirmed the tout was his employee. The employee had to be identified by the Police, there clearly was no ID badge worn by the staff member of which condition 12 requests that all staff where ID badges, the request to remove this condition suggests that the condition is not being complied with at all. Investigations are ongoing for consideration to prosecute.

The removal of a condition requiring door supervisors, when at the same time applying for later hours shows a significant lack of understanding of operating late alcohol venues in an inner city location.

### **Complaint History:**

|            |  |
|------------|--|
| 22/8/16    | Complaint of not employing SIA security                                  |
| 8/8/16     | Complaint of not employing SIA security                                  |
| 2/8/14     | Section 19 served by Police for breach of touting condition              |
| 16/7/14    | Section 19 served by Police for breach of touting condition              |
| 22/3/14    | Section 19 served by Police for breach of touting condition              |
| 25/2/13    | Complaint of selling alcohol during suspension                           |
| 19.12.2013 | Complaint that cheap lager is being passed off as Cobra branded lager    |
| 25.02.2013 | Complaint of the premises selling alcohol during its suspension period   |
| 22.02.2013 | Complaint of the premises opening until 3am, serving hot food and drinks |
| 30.01.2013 | Complaint of touting   |
| 30.01.2013 | Second complaint about touting   |



|            |  |
|------------|--|
| 01.11.2012 | PC Mark Taylor witness customers in the restaurant eating food and drinking glasses of beer at 01:25am |
| 02.08.2012 | Complaint of touting   |
| 11.07.2012 | Complaint of touting   |
| 14.06.2012 | Complaint of touting   |
| 13.06.2012 | Complaint of touting   |
| 12.06.2012 | Complaint of touting   |
| 08.05.2012 | Complaint of touting   |
| 05.04.2012 | Complaint of touting   |
| 30.03.2012 | Complaint of touting   |
| 22.03.2012 | Complaint of touting   |
| 23.03.2012 | Complaint of touting   |

### **Premise Licence History:**

In September 2012, Tower Hamlets Trading Standards reviewed the premises licence as a result of continued touting. The licence was suspended from 6th February 2013 to 5th March 2013.

In January 2013 Mr Hussain pleaded guilty to 2 offences for breach of condition under Section 136 received a fine of £1000 including costs of £850 from Thames Magistrates Court as a result of touting offences at the premises.

Mr Hussain applied to extend the hours of the licence, including the sale of alcohol in February 2013. This was refused by the Tower Hamlets Licensing Sub Committee due to evidence from the Licensing Authority, Police and Environmental Health of clear disregard to the laws and the licensing objectives.

On 10 July 2014 Mr. Hussain pleaded guilty to offences for breach of licence condition 7, failure to display the licence summary and failure to produce the premises licence. Court advised fine would have been £9,000 but gave him credit for his guilty plea so reduced this to £6,000 with Costs awarded of £729.

The licence was reviewed by the Police on 18<sup>th</sup> August 2014 with the Licensing Authority supporting the review. Substantial evidence was produced of breaches of conditions of the licence and Mr. Hussain, the licence holder pleading guilty to those offences. The licence was suspended for 3 months.

A variation was applied on 30<sup>th</sup> April 2015 to extend the hours from 23:00 hours to 03:00 hours this received a number of objections including the Responsible Authorities, the Licensing Sub Committee made a decision to grant with reduced hours and added further conditions to the licence. Hours granted until 01:00 hours.

A variation was applied on 28<sup>th</sup> July 2016 to extend the hours until 02:30 hours, this received a number of objections including the Responsible Authorities, the Licensing Sub Committee refused the application but added conditions to their licence.



In conclusion, I believe that Mr Hussain has total disregard of many of his legal obligations under the Licensing Act 2003. On the balance of probability the increase in hours is likely to impact on the area and do not feel that conditions would have any affect in meeting the licensing objectives as we feel any conditions would be not be complied with. The operating schedule shows nothing to address the licensing objectives for an increase in hours and has failed to address the CIZ policy. Therefore I ask Members to refuse this application.

Yours faithfully,

**Kathy Driver**  
**Principal Licensing Officer**

c.c. Mr. Mostak Ahmod Askor [REDACTED])



# Appendix 8



Tom Lewis  
Head of Licensing  
Tower Hamlets Council

**HT - Tower Hamlets Borough**

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

Telephone: [REDACTED]

Email [REDACTED]@met.police.uk  
[www.met.police.uk](http://www.met.police.uk)

10<sup>th</sup> September 2018

Dear Sir,

Tower Hamlets Police formally object to the application to vary a premises License for Preem restaurant 118 – 122 Brick lane. The objection is on the grounds of preventing Crime and Disorder, and Public nuisance.

The applicant wishes to extend their hours so they are able to sell alcohol until 02:00 and late night refreshment until 02:30, as well as staying open until 02:30. Tower Hamlets Police believe this application would increase both crime and disorder and public nuisance.

The premises is in the centre of Tower Hamlets Cumulative Impact Zone (CIZ), which as the committee will be aware was designed to reduce the crime and disorder in the Brick Lane area. This policy has been successful in managing the night time economy in the area. By allowing this premises to sell alcohol until 02:30, the committee would run the risk of undermining the very policy that has been the bedrock of protecting local residents from crime, disorder and public nuisance associated to alcohol.

Any application in the CIZ requires the applicant to show how they would manage their premises so they would not increase crime and disorder in the area. It is concerning that the applicant has reversed this. He has requested to remove conditions on his license that protect customers and local residents.

The applicant has asked to remove the condition that require the premises to have SIA door staff. SIA staff are a vital part of preventing crime and disorder. This especially true in an area where there is a history of violent crime and disorder, as there is in Brick Lane. In a premises that is planning to be open until 02:30 am where there is an increased risk of crime and disorder, as most customers will be coming to the premises after having consumed alcohol elsewhere. People who have consumed alcohol are much more likely to have impaired judgement and more likely to be involved in crime and disorder. By removing SIA staff we argue that the premises is increasing the risk of crime and disorder, not reducing it.

The applicant is also asking to remove the condition for staff to where photographic ID. Given the high levels of touting that happen in Brick Land, and the number of times the premises has been caught touting, we are concerned that this will only make it easier for staff at Preem to tout, and harder for responsible authorities to catch them.



The applicant has also asked for “Low key recorded music”, given that the premises is allowed to have background music already we wonder what the applicant is asking for.

We are confused by the applicants wish to sell hot food up until 02:30 and also close at 02:30 as this would give no time for customers to finish their meal.

We believe that there is only limited demand for people to eat meals as late as 2am in the morning. We therefore think that the main driver behind this application is to use the premises as a late night bar, which will in our opinion pose a real risk of increasing crime and disorder in the area.

With any premises license, the Police have to trust that the applicant will abide by the conditions of their license, and uphold the licensing objectives. Unfortunately Preem has been brought to the attention of the licensing authority on several occasions due to breaching the conditions of their license, most notably regarding touting.

Given our concerns and that fact that the applicant is asking to remove conditions from the license, we ask that this application is refused.

PC Mark Perry  
Police Licensing  
Bethnal Green Police Station  
12 Victoria Park Square  
E2 9NZ



# Appendix 9



## Corinne Holland

---

**From:** Nicola Cadzow  
**Sent:** 30 August 2018 15:13  
**To:** Licensing  
**Cc:** "MARK.J.Perry [REDACTED]" (MARK.J.Perry@[REDACTED]);  
'Thomas.Ratican@[REDACTED]' (Thomas.Ratican@[REDACTED]);  
[REDACTED]  
**Subject:** MAU REPRESENTATION 110709 - Preem Restaurant and Balti House, 118-122 Brick Lane, London E1 6RL

Dear Licensing,

Having considered the application for Preem Restaurant and Balti House, 118-122 Brick Lane, London E1 6RL for a variation of premises license and the potential impact of public nuisance and measures to prevent noise generated from within the premises or outside it which could cause disturbance to people in the vicinity, the proposed extension of hours are well beyond the Council's framework hours, and consideration has to be given to the fact the Premise is in the Cumulative Impact Zone.

It must be noted that the Council's framework hours (i.e. when premises are open) are:

- **Monday to Thursday 0600 hours to 2330 hours; and**
- **Friday & Saturday 0600 hours to midnight**
- **Sunday 0600 hours to 2230 hours.**

The applicant's existing hours are as follows:

- **Monday to Sunday: Supply of Alcohol (on sales only) & Late night refreshment until 01:00 hours**

The applicant is proposing the hours as follows:

**Monday to Sunday: Regulated entertainment (Recorded Music) 23:00 hours until 02:30 hours (not on existing license and thus an extension of three and a half hours);**  
**Late night refreshment until 02:30 hours (an increase of one and a half hours);**  
**Supply of Alcohol until 02:00 hours (an increase of one hour)**

**Noise Sensitive premises:** residential and commercial premises in close proximity to 118-122 Brick Lane, London E1 6RL

In my view the application, as it stands fails, to comply with the objective of the Licensing Act 2003 relating to "public nuisance" for the following reasons:-

- Noise breakout from the venue affecting neighbouring residents.
- Access & egress to and from the venue, of patrons, especially due to patrons likely to be in high spirits; and
- The hours of operation (inclusive of proposals)

### **CONCLUSION**

Environmental Protection **does not** support the application for Preem Restaurant and Balti House, 118-122 Brick Lane, London, as there is great likelihood of disturbance to residential premises at the noise sensitive hours sought.

Kind regards

Nicola Cadzow  
Environmental Health Technical Officer  
Place Directorate  
Public Realm, Environmental Health & Trading Standards







# Appendix 10



## Corinne Holland

---

**From:** Alan Williams <[REDACTED]>  
**Sent:** 19 September 2018 10:21  
**To:** Licensing  
**Cc:** MARK.J.Perry [REDACTED]  
**Subject:** Preem restaurant at the corner of Hanbury St/Brick Lane. Application for a variation to their premises licence

Dear Sirs

I write to object to this application. Currently the applicant may sell alcohol daily until 01:00h, closing at 01:30h.

The application is to sell alcohol until 02:00h, closing at 02:30h.

Each evening, particularly at closing time, produces alcohol-induced noisy, rowdy behaviour from customers of various restaurants on Brick Lane, Hanbury Street and Commercial Street. Most are moving towards Bishopsgate public transport, and many walk along Lamb Street. Behaviour is particularly bad at about 22:30 and continues until after midnight. The usual detritus is left behind, such as vomit on pavements and evidence of public urination. (Prevention of public nuisance).

The applicant's premises are close to residents' homes. They are currently open daily until 01:30; add an extra hour and an already bad position becomes intolerable. Late night public nuisance and alcohol-induced crime and disorder should not be permitted in a residential area.

The Applicant is within the LBTH Cumulative Impact Zone (CIZ). This might not be an application for a new licence, but the addition of seven licensed hours per week will cause a material impact on local residents, not just of fear (public safety) of the behaviour (prevention of crime and disorder), but also in terms of lost sleep and a negative impact on life quality on the lives of those, including children (Protection of children) living and working within the designated area.

For the above reasons, I repeat that I write to object to the application.

Alan Williams  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Note: I request that my details are redacted from documents accessible on the internet



# Appendix 11



## Corinne Holland

---

**From:** Carolyn Fuest <[REDACTED]>  
**Sent:** 25 September 2018 20:40  
**To:** Licensing  
**Cc:** MARK.J [REDACTED]  
**Subject:** Preem 118-122 Brick Lane: late night licence application OBJECTION

From Carolyn & David Fuest, [REDACTED] please **redact** our names & address from documents available on the internet

We are writing to OBJECT to the application for variation to Preem's premises licence. The extension in hours will exacerbate the severe problem of crime and disorderly behaviour in this area so very largely caused by drunks. As residents (of 30 plus years) we are subjected to much unreasonable, noisy and horrible late night behaviour which is getting steadily worse. When people go home from their nights out on Brick Lane (inevitably around closing time) they shout, vomit etc along the nearby streets. For people who need to get up at a reasonable time or those who have children it is really unreasonable as it is almost impossible to sleep. The drug dealing in this area is getting worse as well, longer licensing hours is not going to help this at all. This results in a real public safety issue.

Please do not grant this extension. Thank you.

Carolyn & David Fuest



# Appendix 12



## Corinne Holland

---

**From:** Jeannie [REDACTED]  
**Sent:** 20 September 2018 16:28  
**To:** Licensing  
**Cc:** MARK.J.Perry [REDACTED]  
**Subject:** Objection - Preem 118-122 Brick Lane.

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Objection - Preem 118-122 Brick Lane. Very late night licence application

Given that Preem is within the LBTH Cumulative Impact Zone; I would consider that extending the Licence until 2pm to be against the purpose of having the CIZ. Establishments in the area, including Preem, generate a substantial amount of anti social behaviour and disturbance for local residents. The streets here are plagued by public urination, vomit, rowdy and aggressive behaviour all caused by alcohol. Being licenced to sell alcohol later than other premises, will only serve to attract revelers who have had to leave other venues because they have closed up for the evening. Therefore causing even more disturbance at or near this location.

Permitting even longer licences within the CIZ is a move in the wrong direction.

Please ensure that my name and address is redacted from documents accessible on the internet.

Kind Regards - Jeannie Lowen

[REDACTED]  
[REDACTED]  
[REDACTED]



# Appendix 13



## Corinne Holland

---

**From:** Juliet Mckoen [REDACTED] >  
**Sent:** 23 September 2018 20:35  
**To:** Licensing  
**Cc:** MARK.J.Perry@[REDACTED]  
**Subject:** Preem 118-122 Brick Lane E1 6RL

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Licensing,

I write to object to the above application for a variation of licence terms

- As you know, the Brick Lane area, after many years of growth in the night-time economy and over-licensing, had become synonymous with alcohol fuelled anti-social behaviour & crime which the Police, at times, struggled to control.
- The CIZ was brought into being in response to residents huge discomfort and degradation in quality of life caused by lawless, drunken behaviour.
- As a very long-time resident, I know how much residents value the CIZ and the fact that it is starting to improve the quality of life locally.
- Preem already has a very very late night licence.
- To allow them another hour each night until the early hours of the morning would undoubtedly contribute to the anti social behaviour we still experience from drunken patrons from Brick Lane restaurants.
- It would also make a mockery of the CIZ, be completely contrary to its objectives and would open the floodgates to a slew of similar applications from other restaurants in Brick Lane

Please refuse the application

Juliet McKoen

[REDACTED]  
[REDACTED]



# Appendix 14



## Corinne Holland

---

**From:** Blog Admin [REDACTED]  
**Sent:** 20 September 2018 15:00  
**To:** Licensing  
**Cc:** MARK.J.Perry@[REDACTED]  
**Subject:** objecting to Preem 118-122 Brick Lane extended licensing

Dear Licensing,

I am a resident of Spitalfields – Katherine Ruane, [REDACTED] – and I am objecting to the really late licensing application made by Preem. Whilst I do not live on roads connected to Brick Lane I am not far and do not want to have the knock on effects of a restaurant being open until 02.30. Also, if this gets grated it goes against the restricted hours put in place by the council to keep noise pollution down. If this application is successful it means that all the other restaurants/bars in the area will be able to get extended licensing. I live directly opposite the new pub owed by Heineken that is due to open soon with the seated capacity for 200. I am dreading the impact of this on my quality of life and do not want them to be able to extend their hours because another premisis was allowed it.

Preem being open until 02.30 and selling alcohol until then will just add to the vomit and urine on the pavements as well as general litter and annoying, loud, drunken behaviour that disrupts community life.

Regards,  
Katie

Katie Ruane  
[REDACTED]



# Appendix 15



## Corinne Holland

---

**From:** Martin Hughes <[REDACTED]>  
**Sent:** 21 September 2018 10:03  
**To:** Licensing  
**Cc:** MARK.J.Perry@[REDACTED]  
**Subject:** Preem, 118 Brick Lane Application for licence extension.

As you are aware sitting on Brick Lane Preem is within the LBTH Cumulative Impact Zone and therefore extending the Licence [until 2pm](#) to be against the purpose of having the CIZ.

As a local resident of 23 years I have seen much change and am disgusted in the way in which I, and my neighbours are regularly subjected to urine, faeces and vomit on our doorsteps. This is in no small way as a result of the decision of the licensing authorities grant the hundreds of licenses to local bars and restaurants.

Please no not allow this licence to be extended.

**Please redact my name and door number from any publicly accessibly documents.**

Kind regards

**Martin Hughes**

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



# Appendix 16



## Corinne Holland

---

**From:** Paul Shearer [REDACTED] >  
**Sent:** 25 September 2018 17:25  
**To:** Licensing  
**Cc:** mark.j.perry@[REDACTED]  
**Subject:** Preem 118-122 Brick Lane. Late night license application

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

To the licensing committee

I wish to object to the licence application by Preem Restaurant ref above.

Extension of the hours with permission to sell alcohol to 2.30 am would cause significant harm to the residential population. Already they suffer drunk and disorderly behaviour in the surrounding streets. Increasing the availability of alcohol into the wee small hours should be resisted in the Brick Lane town centre. If people wish to continue drinking they can go to the many nightclubs around Shoreditch.

This is a cynical application purely for profit but it would be making money at the expense of the local community who's tolerance for anti social behaviour is already stretched to the limit.

Please refuse this application.

Yours

Paul Shearer  
[REDACTED]  
[REDACTED]  
[REDACTED]

Please redact address on Internet.

[REDACTED]  
[REDACTED]

Sent from my iPhone



# Appendix 17



## Corinne Holland

---

**From:** John and Sandy Critchley <[REDACTED]>  
**Sent:** 20 September 2018 14:36  
**To:** Licensing  
**Cc:** 'Critchley'; mark.j.[REDACTED]  
[REDACTED] [REDACTED]-122 Brick Lane

Dear Tower Hamlets Licensing Department,

We are writing to object in the strongest possible terms to the application for a variation of premises licence from Preem Restaurant at 118-122 Brick Lane, E1.

This application to extend sales of alcohol to 02.00h from 01.00h, with closing times extending to 02.30h from 01.30 will add further to the problems for local residents of late-night nuisance from rowdy drunken crowds walking to access public transport, urinating and vomiting in our streets and interrupting the sleep of adults and children alike. Displays of anti-social behaviour are already rife in this area and granting this application will make things worse.

An extension of Preem's existing hours will certainly have an adverse effect on the licensing objectives laid down in the 2003 Licensing Act, as being likely to promote crime and disorder, damage public safety and create public nuisance.

In addition Preem is within the LBTH Cumulative Impact Zone, which recognises the negative impact of alcohol sales on the quality of lives of those living and working within the CIZ area.

Furthermore, the hours applied for are out of line with the operating hours of other restaurants in the area.

We therefore ask the licensing authorities to reject this application.

Yours sincerely,

Sandy and John Critchley

[REDACTED]  
[REDACTED]

(Please redact our address from documents accessible on the internet)



# Appendix 18



## Corinne Holland

---

**From:** Susan Kay <[REDACTED]>  
**Sent:** 24 September 2018 18:41  
**To:** Licensing  
**Subject:** Restaurant Preem - 128-112 Brick Lane

Sir/Madam,

My name is Susan Kay and I live at [REDACTED]

It has come to my attention that the restaurant, Preem, on the corner of Hanbury St and Brick Lane has applied for an extension to their drinks license from 1-1.30 am to 2-2.30 am.

I am writing to OBJECT to this extension! Hanbury Street at this junction with Brick Lane leads to Commercial St and then onto Lamb Street, which is a predominantly residential area. There are 193 flats on the St George Estate as well as flats on the first floor level of the Old Spitalfields Market.

We chose to live in this area as we all enjoy the multi cultural mix of East London and the lively, colourful diversity of taking part in the many activities that this entails in this part of London.

Late night drinking, though, is another matter!

Many young adults are drawn to the area, as it has over recent years become more and more of a 'hotspot' for them to visit the bars, clubs and restaurants, mostly late at night. These young people, whether local or tourists, are in the main totally unaware that they are passing through residential areas. They make their way to the hub of Liverpool St station to catch night buses and other forms of late night transport. The amount of shouting, especially from Thursday through Saturday night from 11 pm onwards is particularly difficult to bear and the mornings unpleasant as vomit and urine are easily noticed not only by us but by the young children who attend the nursery school in Lamb St.

It is for these reasons that I am OBJECTING to this application by the restaurant, Preem, to extend their late night licence!

Kind regards  
Susan Kay

Sent from my iPhone



# Appendix 19



## Corinne Holland

---

**From:** Sophie Stebbins <[REDACTED]>  
**Sent:** 23 September 2018 16:44  
**To:** Licensing; MARK.J.Perry@[REDACTED]  
**Subject:** Objection of licence variation - Preem 118-122 Brick Lane

Sophie Stebbins  
[REDACTED]  
[REDACTED]  
[REDACTED]

Tower Hamlets  
Licencing Section  
John Onslow House  
1 Ewart Place  
London E3 5EQ

[licencing@towerhamlets.gov.uk](mailto:licencing@towerhamlets.gov.uk)

Dear Licencing Team,

### **Re. Objection for licence variation – Preem Restaurant, 118-122 Brick Lane**

I would like to raise an objection to the proposed licence variation requested by M. Azmal Hussain proprietor of Preem.

Preem is located in one of the biggest saturated drinking zones in Spitalfields. Increasing opening hours for the sale of alcohol from 1:00 am (*closing time 1:30 am*) to 2:00 am (*closing time 2:30 am*) every night of the week would simply be a curse for the local residents and a breach of what CIZ stands for.

This busy restaurant is within minutes' walk to residents' home. Alas residents know too well the sort of crowd who leave a restaurant at 2:30 am and this is precisely why CIZ was put in place in our neighbourhood.

How allowing such business to open until 2:30 am improve the quality of life for local communities around Brick Lane?

How much reflexion has been given to the residents and families with children being disturbed when these visitors finally decides to make their way home?

Residents of Spitalfields Market experience first-hand when these visitors head back for buses on Bishopsquare and the tube in Liverpool St station. Bell ringing, shouting and loud absurd behaviour are on the increase waking residents up through the night.

This application is entirely contrary to current licensing policy in the area and only has the potential for causing more public nuisance worsening the livelihood of the inhabitants of Spitalfields.

Best regards.

Sophie Stebbins

**Please redact my details from documents accessible on the internet.**



Sent from [Mail](#) for Windows 10



# Appendix 20



## Corinne Holland

---

**From:** Sian Phillips <[REDACTED]>  
**Sent:** 20 September 2018 02:35  
**To:** Licensing  
**Subject:** Object

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

My name is Dame Sian Phillips and my address is [REDACTED] which is [REDACTED]  
[REDACTED] (. Please redact that information from documents accessible on the internet)

I write to object to the Preem restaurant's application for an extra hour's extension ( to 2-30)  
Preem is in the LBTH cumulative impact zone and the effect on working lives of 7 extra licensing hours is unimaginable to those who do not live here. It is hard to accept the impact on children of any addition to the noise and public nuisance that starts on Brick Lane at around 11-0pm and increases in the hours of 12, 1 and 2 o'clock in the morning , as drunks make their way down to Whitechapel road . The mess on the street is difficult to accept in this day and age.

Yours, S Phillips



# Appendix 21





23<sup>rd</sup> September 2018

**Re: License Application by Preem, 118 – 122 Brick Lane**

Having viewed the above license application, Spitalfields Market Residents' Association feel it necessary to register the concerns of all our members to the increase in hours for the sale of alcohol being requested by this restaurant. Seven extra hours per week of alcohol provision (i.e. to 0200h every night) seems totally unnecessary and detrimental to our quality of life.

The grounds for our objections are:

**Prevention of Public Nuisance**

Our members live in the Horner Buildings, which form part of the structure of Spitalfields Market and therefore our homes are on Lamb, Commercial and Brushfield Streets. These streets are normal, bustling thoroughfares during the daytime but have become increasingly noisy in the evenings over the last few years as more and more bars and restaurants have opened up in the area. These establishments have increasingly long hours of operation which frequently allow their customers to become very inebriated and disinhibited, the results of which we observe on our doorsteps as they make their way home from the surrounding area and are funnelled down our streets on their way to Liverpool Street Station and Bishopsgate to catch their trains and buses home. The shouting and yelling disturbs our evenings, wakes our children and is generally not conducive to anything approaching a restful night.

**Protection of Children from Harm**

Several of our members have young families and the effect of the intrusive shouting not only deprives our youngsters of sleep (as we all know sufficient hours of good sleep are important for the developing child) but also stops our school age children from concentrating on their homework as well as often preventing them from an uninterrupted night's sleep which is necessary if they are to cope well at school the next day.

**Prevention of Crime and Disorder**

It is easy for drunken high spirits to tip over into very disorderly behaviour and we have all witnessed fights and arguments late at night, which are clearly fuelled by excessive alcohol consumption. These can be frightening and feel threatening if we encounter such behaviour if we happen to be on our own way home.

Finally, we would like to point out that Preem lies within the Cumulative Impact Zone (CIZ) so this application for an extension of their already generous hours of operation seems ill conceived and does not sit well with Tower Hamlets' CIZ policy.

We hope that our concerns will result in the Licensing committee refusing this application.

A handwritten signature in black ink, followed by a black rectangular redaction box covering the printed name.

For SMRA



# Appendix 22



## Corinne Holland

---

**From:** StGeorgeResidents'Association <[REDACTED]>  
**Sent:** 18 September 2018 21:52  
**To:** Licensing  
**Subject:** Preem, Brick Lane - Licence Application for a Variation to hours

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

To The Licensing Team, London Borough of Tower Hamlets  
John Onslow House  
1 Ewart Place  
London  
E3 5EQ

Dear Licensing Team,

St George Residents' Association Spitalfields is for residents in 193 flats on the south side of Folgate Street, the north side of Lamb Street and the east side of Spital Square.

Each evening we endure alcohol-induced noisy, rowdy behaviour of customers from various restaurants on Brick Lane, Hanbury Street and Commercial Street as they walk towards public transport on Bishopsgate. The worst begins at about 22:30 and continues until after midnight. In addition, it is not unusual to see vomit on pavements and evidence of urination - the latter sometimes midstream as I witnessed against the wall of 50 Folgate Street at 22:30 on Friday last.

Preem is a few minutes walk from our residents' homes. It is bad enough that they are open daily until 01:30, but it would be even worse if their clients were to be leaving at 02:30. Preem is within the Cumulative Impact Zone. This is not an application for a new licence, but there will be an impact on local residents of an additional seven licensed hours per week, all at a time when people are needing undisturbed sleep in order to work efficiently the following day.

I therefore ask on behalf of St George Residents' Association that the application is REFUSED for the following reasons:

to prevent an increase in night-time antisocial behaviour in the surrounding streets,  
to avoid an increase in the need for night-time policing, which is already stretched to the limit in Tower Hamlets.

Yours faithfully

Margaret Gordon - Chair, St George Residents' Association Spitalfields



# Appendix 23



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

Updated April 2018

## **Crime and disorder**

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).
- 2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority ("SIA") as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.
- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.
- 2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.



- 2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.
- 2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. 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.



# Appendix 24



## **Crime and Disorder** — Licensing Policy, updated March 2015

- 6.1 Licensed premises, especially those offering late night / early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems.
- 6.2 When addressing crime and disorder the applicant should initially identify any particular issues (having regard to their particular type of premises and / or activities) which are likely to adversely affect the promotion of the crime and disorder objective. Such steps as are required to deal with these identified issues should be included within the applications operating schedule. Where a Crime Prevention Officer from the Metropolitan Police makes recommendations for premises that relate to the licensing objectives, the operating schedule should normally incorporate the suggestions.
- 6.3 Applicants are recommended to seek advice from Council Officers and the Police as well as taking into account, as appropriate, local planning and transport policies, with tourism, cultural and crime prevention strategies, when preparing their plans and Schedules.
- 6.4 In addition to the requirements for the Licensing Authority to promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough.
- 6.5 The Licensing Authority, if its discretion is engaged, will consider attaching Conditions to licences and permissions to deter and prevent crime and disorder both inside and immediately outside the premises and these may include Conditions drawn from the Model Pool of Conditions relating to Crime and Disorder given in Section 182 of the Licensing Act 2000. (See **Appendix 2.**)
- 6.6 **CCTV** - The Licensing Authority, if its discretion is engaged, will attach conditions to licences, as appropriate where the conditions reflect local crime prevention strategies, for example the provision of closed circuit television cameras.
- 6.7 **Touting** - The Council has had a significant number of complaints relating to premises which are substantially or mainly restaurants where "touting" is a problem. Touting is soliciting for custom. Consequently, in relation to such premises the Licensing Authority, where its discretion is engaged will insert a standard condition that prohibits 'touting' as follows:-
  - 1) No person shall be employed to solicit for custom or be permitted to solicit for custom for business for the premises in any public place within a 500 meters radius of the premises as shown edged red on the attached plan.( marked as Appendix -)
  - 2) Clear Signage to be placed in the restaurant windows stating that the premises supports the Council's 'No Touting' policy.



- 6.8 **Street Furniture** - This would include Advertising Boards, they are sometimes placed in such a way as to be a nuisance to the public on the highway, or they encourage the consumption of alcohol in areas that are not licensed. The Licensing Authority expects applicants to have ensured that they fully comply with the Council's rules relating to authorisation of obstructions on the highway and a licence permission to place advertising boards or street furniture on the highway should normally have been obtained from Tower Hamlets Markets Service before an application for a licence is made. Where proportionate and appropriate, and its discretion is engaged, the Licensing Authority will impose conditions in relation to street seats and tables or boards, including on private land.
- 6.9 **Fly Posting** - The Council has experienced significant problems with "fly posting" in relation to venues that offer entertainment. Fly posting is the unauthorised posting of posters / advertisements etc. Where it considers it appropriate and its discretion is engaged, the Licensing Authority will attach conditions relating to the control of fly posting to ensure that venues clearly prohibit all fly posting in their contract terms with others and they effectively enforce this control.
- 6.10 **Responsible Drinking** - The Licensing Authority expects alcohol to be promoted in a responsible way in the Borough. This should incorporate relevant industry standards, such as the Portman Group. Where appropriate and proportionate, if its discretion is engaged, the Licensing Authority will apply conditions to ensure responsible drinking. The Licensing Authority also recognises the positive contribution to best practice that "Pubwatch" and other similar schemes can make to achieving the licensing objectives and is committed to working with them. Model Pool Conditions from the Licensing Act 2003, Section 182 Guidance are in Appendix 2.
- 6.11 **Illicit Goods: Alcohol and Tobacco** - The Licensing Authority will consider licence review applications where there is evidence that illicit alcohol has been offered for sale on the premises. Where other illicit goods, such as tobacco, have been found this may be considered by the Licensing Authority as evidence of poor management and have the potential to undermine the licensing objectives.
- 6.12 Illicit alcohol means alcohol that is, counterfeit, bears counterfeit duty stamps and or smuggled.
- 6.13 Illicit tobacco means, counterfeit, and/or non UK duty paid tobacco products.
- 6.14 Illicit goods mean articles that are counterfeit, that do not comply with the classification and labelling requirements of the Video Recordings Acts and/or that breach other Trading Standards legislation such as consumer safety and unfair commercial practices



6.15 In particular the Licensing Authority is mindful of the advice provided in the guidance issued by the Home Office under section 182 of the Act "Reviews arising in connection with crime".

6.16 The Licensing Authority will exercise its discretion to add a standard condition as follows:-

Smuggled goods

1) The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers other than from established traders who provide full receipts at the time of delivery.

2) The premises licence holder shall ensure that all receipts for goods bought include the following details:

- I. Seller's name and address
- II. Seller's company details, if applicable
- III. Seller's VAT details, if applicable
- IV. Vehicle registration detail, if applicable

3) Legible copies of the documents referred to in 2) shall be retained on the premises and made available to officers on request.

4) The trader shall obtain and use a UV detection device to verify that duty stamps are valid.

5) Where the trader becomes aware that any alcohol may be not duty paid they shall inform the Police of this immediately.



# Appendix 25



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

Updated April 2018

## **Public nuisance**

- 2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.



- 2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.
- 2.20 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.



# Appendix 26



## **Prevention of Nuisance — Licensing Policy, updated March 2015**

- 10.1 Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises.
- 10.2 The concerns mainly relate to noise nuisance both from the premises and customer egress, light pollution, noxious smells and disruption from parked vehicles and due regard will be taken of the impact these may have in considering a licence. The Licensing Authority will expect Operating Schedules to satisfactorily address these issues. Applicants are advised to seek advice from the Council's Environmental Health Officers before preparing their plans and Schedules.
- 10.3 The Licensing Authority, where its discretion is engaged, will consider, where appropriate, attaching conditions to licences and permissions to prevent the problems identified in 8.2, and these may include conditions drawn from the Model Pool of Conditions in Appendix 2.



# Appendix 27



## **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 28



## **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 29



## **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 30



## 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 31**



## 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.



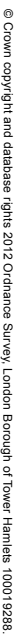
Figure One

**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.









# **Appendix 32**



### **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 33**



## **Planning**

An application for a Premises Licence can be made in respect of a premises even where the premises does not have relevant Planning Permission. That application has to be considered and Members can only refuse the application where the application itself does not promote one or more of the Licensing Objectives. Members cannot refuse just because there is no planning permission. Where a Premises Licence is granted and which exceeds what is allowed by the Planning Permission and that Premises then operates in breach of planning then the operator would be liable to enforcement by Planning.