

Appendix 1

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

System reference

Not Currently In Use

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

Your reference

SN/Naziz

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

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

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

Applicant Details

* First name

Nasreen

* Family name

Aziz

* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

☐ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

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

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

Applicant Business

Is the applicant's business registered in the UK with Companies House?

☐ Yes ☒ No

Note: completing the Applicant Business section is optional in this form.

Is the applicant's business registered outside the UK?

☐ Yes ☒ No

Business name

If the applicant's business is registered, use its registered name.

VAT number

-

Put "none" if the applicant is not registered for VAT.

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Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Applicant Business Address

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

- ☒ An agent that is a business or organisation, including a sole trader
- ☐ A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

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

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

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Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☒ An individual or individuals
- ☐ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

Confirm The Following

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

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INDIVIDUAL APPLICANT DETAILS

Applicant Name

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

- ☒ Yes ☐ No

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

First name

Nasreen

Family name

Aziz

Is the applicant 18 years of age or older?

- ☒ Yes ☐ No

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Current Residential Address

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

Yes No

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

Applicant Contact Details

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

Yes No

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

E-mail

Telephone number

Other telephone number

* Date of birth

dd / mm / yyyy

* Nationality

British

Documents that demonstrate entitlement to work in the UK

Add another applicant

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OPERATING SCHEDULE

When do you want the premises licence to start?

dd / mm / yyyy

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

dd / mm / yyyy

Provide a general description of the premises

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

A terraced takeaway shop (Yummy Pizza) which is adjacent to a parade of shops, facing a main road.

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

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

☐ Yes ☒ No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

☐ Yes ☒ No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

☐ Yes ☒ No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

☐ Yes ☒ No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

☐ Yes ☒ No

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PROVISION OF PERFORMANCES OF DANCE

Continued from previous page...

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

☐ Yes

☒ No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes

☒ No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

23:00

End

04:00

Start

End

TUESDAY

Start

23:00

End

04:00

Start

End

WEDNESDAY

Start

23:00

End

04:00

Start

End

THURSDAY

Start

23:00

End

04:00

Start

End

FRIDAY

Start

23:00

End

04:30

Start

End

SATURDAY

Start

23:00

End

04:30

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☒ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Vaisakhi, Diwali, Valentines Day, Sunday before Bank Holiday, Eids, Christmas Eve, New Years Eve, New Years Day.
23:00 to 04:30

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☐ Yes ☒ No

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

☐ Electronically, by the proposed designated premises supervisor
☒ As an attachment to this application

Reference number for consent form (if known)

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If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Vaisakhi, Diwali, Valentines Day, Sunday before Bank Holiday, Eids, Christmas Eve, New Years Eve, New Years Day.
23:00 to 4:30

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

It will be ensured that all four licensing objectives will be promoted as detailed in each section below:

- Appropriate staff training to be completed, training records shall be made available for inspection upon request by a relevant officer of a responsible authority.
- Part A (the full Premises licence) either the original or a certified copy should be retained at the premises for production to an authorised person.
- Part B (the summary of the premises licence) should be prominently displayed at the venue where it can be easily read by anyone wishing to do so. Please note that both pages of the summary should be visible.
- Vehicles used for delivery must switch off their engines when waiting outside of the premises for the collection of food for delivery.
- Drivers shall wait inside the premises between deliveries/ for deliveries.
- A notice shall be displayed by the front door stating the restaurant opening hours.
- Home deliveries shall only be carried out by in-house employees of the business.
- No noise generated on premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

b) The prevention of crime and disorder

- The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer.
- All entry and exist points will be covered enabling frontal identification of every person entering in any light condition.
- The CCTV System shall record continually while the premises are open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of police or authorised officer throughout the

Continued from previous page...

preceding 31-day period.

- A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises on all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested .
- Joining neighbourhood schemes and liaising with the local police.
- Prominent signage indicating the permitted hours for the late night refreshment shall be displayed so as to be visible before entering the premises.
- Adequate lighting provided inside and outside the premises.
- Abide by law

c) Public safety

- To comply with all current, fire and health and safety legislation as required by the law.
- Health and safety risk assessments to be carried out regularly.
- All employees will receive training on health and safety & food safety.
- Staff to be trained in fire evacuation procedures
- Installation of appropriate and adequate safety equipment.

d) The prevention of public nuisance

- Notice to customers regarding consideration shall be displayed at the entrance and exit.
- Deliveries of goods will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby businesses and residents. Staff who arrive in the morning or depart late at night will be asked not to cause disturbance to nearby residents.
- Depositing of waste will be at times that minimise any nuisance to nearby neighbours.
- All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
- No rubbish will be moved, removed or placed outside between the hours of 23:00 and 08:00.
- Monitor anti-social behaviour through CCTV.
- DPS contact shall be clearly displayed for the public living in the vicinity
- An incident log shall be kept at the premises and made available on request to an authorised officer or the Police

e) The protection of children from harm

Orders received over the phone by a person who sounds like they may be under 16 years old, staff member will ask to speak to a parent or responsible adult.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

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Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

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- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

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- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4,300 = £100.00

Band B - £4,301 to £33,000 = £190.00

Band C - £33,001 to £8700 = 315.00

Band D - £87001 to £12500 = £450.00*

Band E - £125001 and over = 635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £7001 to £12500 = £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment only where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 = £1,000.00

Capacity 10000 -14999 = £2,000.00

Capacity 15000-19999 = £4,000.00

Capacity 20000-29999 = £8,000.00

Capacity 30000-39000 = £16,000.00

Capacity 40000-49999 = £24,000.00

Capacity 50000-59999 = £32,000.00

Capacity 60000-69999 = £40,000.00

Capacity 70000-79999 = £48,000.00

Capacity 80000-89999 = £56,000.00

Capacity 90000 and over = £64,000.00

NOTE: From 1st January 2018 Licences if you are granted a Licence to permit the sale/supply of alcohol between midnight and 6am (00:00 and 06:00 hours) on any day you will be liable to pay the Late Night Levy charge. The charge must be paid 14 days after the grant of your Licence, unless you fall within one of the exemption categories. Non-payment of the levy can result in suspension of your licence, as per sections 55A and 92A of the Licensing Act 2003, as amended and section 229(6) of the Police and Social Responsibility Act 2011. For more information below visit <https://www.towerhamlets.gov.uk/latenightlevy>

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* Fee amount (£)

190.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

[APPLICABLE TO INDIVIDUAL APPLICANTS ONLY, INCLUDING THOSE IN A PARTNERSHIP WHICH IS NOT A LIMITED LIABILITY PARTNERSHIP] I UNDERSTAND I AM NOT ENTITLED TO BE ISSUED WITH A LICENCE IF I DO NOT HAVE THE ENTITLEMENT TO LIVE AND WORK IN THE UK (OR IF I AM SUBJECT TO A CONDITION PREVENTING ME FROM DOING WORK RELATING TO THE CARRYING ON OF A LICENSABLE ACTIVITY) AND THAT MY LICENCE WILL BECOME INVALID IF I CEASE TO BE ENTITLED TO LIVE AND WORK IN THE UK (PLEASE READ GUIDANCE NOTE 15). THE DPS NAMED IN THIS APPLICATION FORM IS ENTITLED TO WORK IN THE UK (AND IS NOT SUBJECT TO CONDITIONS PREVENTING HIM OR HER FROM DOING WORK RELATING TO A LICENSABLE ACTIVITY) AND I HAVE SEEN A COPY OF HIS OR HER PROOF OF ENTITLEMENT TO WORK, IF APPROPRIATE (PLEASE SEE NOTE 15).

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

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

* Full name

* Capacity

Date (dd/mm/yyyy)

Add another signatory

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

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

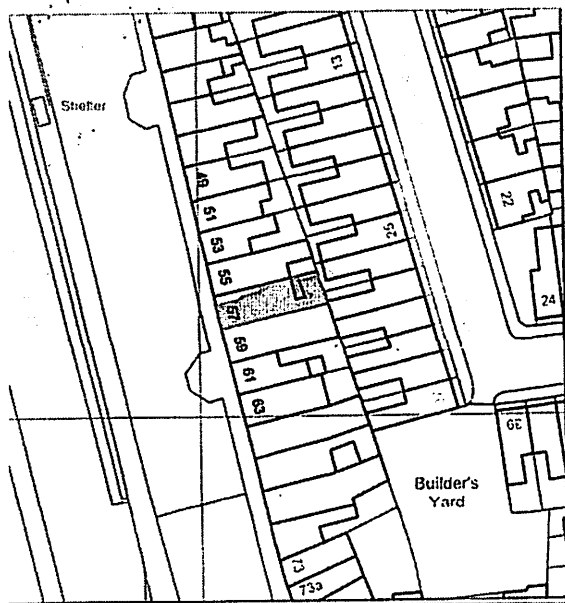
Don't forget to make sure you have all your supporting documentation to hand.

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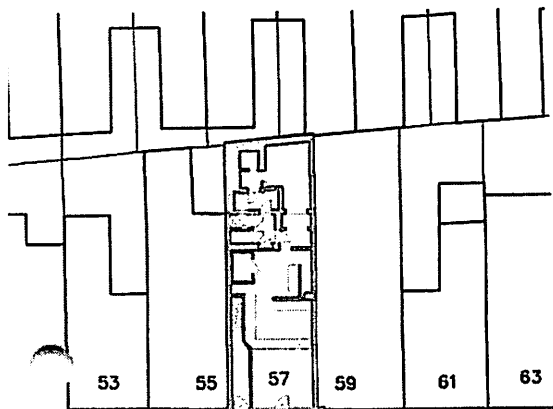
IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

Appendix 2

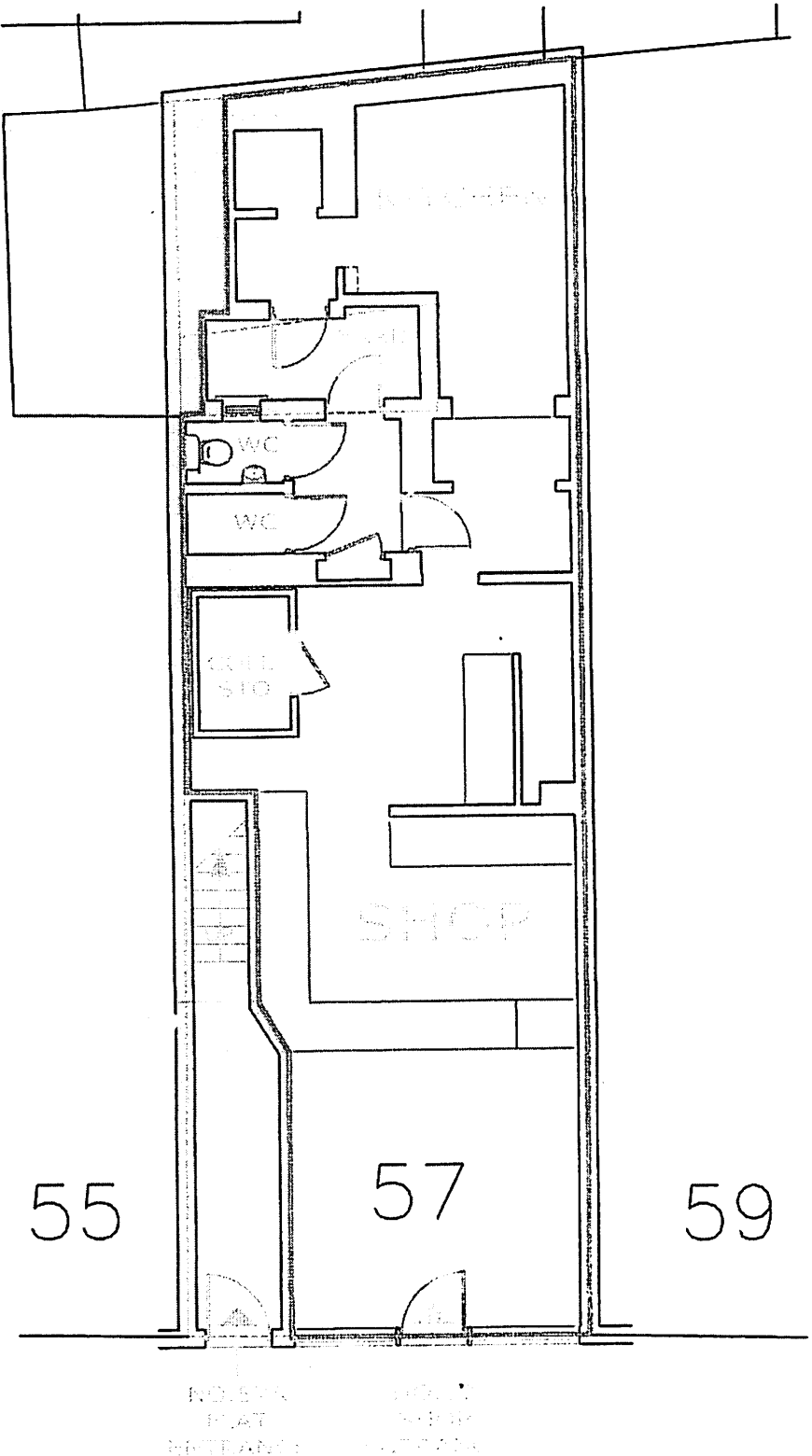


LOCATION PLAN
SCALE 1:1250



BURDETT ROAD

BLOCK PLAN
SCALE 1:500



GROUND FLOOR PLAN
SCALE 1:100

BOHAM CONSULT LTD © COPYRIGHT PROTECTED 2012

57 BURDETT ROAD
LONDON
E3 4TN

GROUND FLOOR
LEASE PLAN

28-FEB-2012

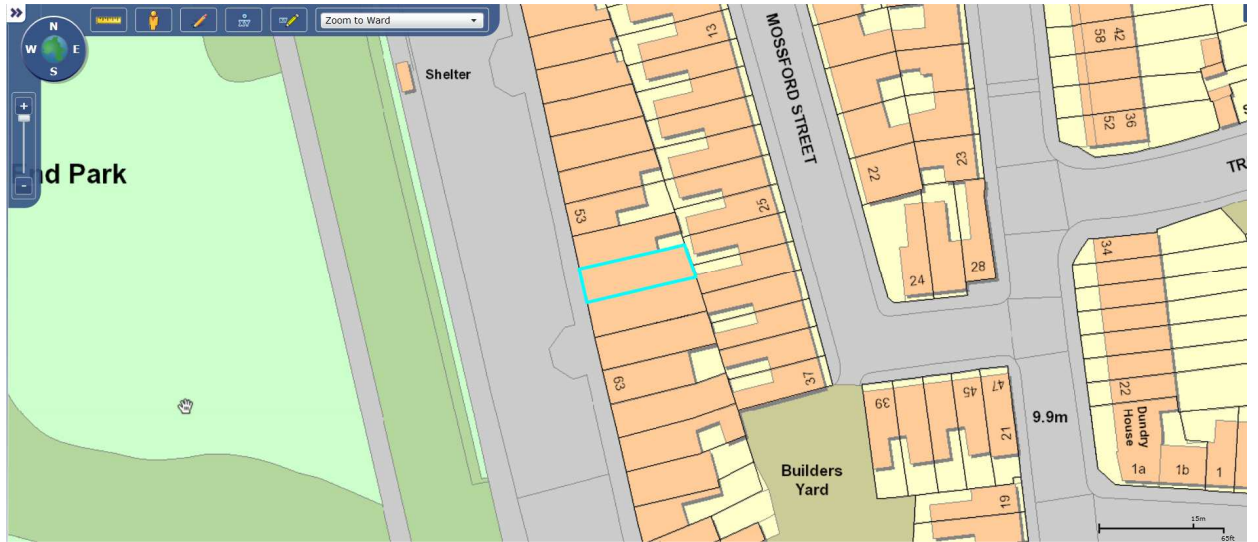
1:100

A4



Boham Consult Limited
74 Birch Grove
London E31 4YD
Tel 020450022724
Fax 0204500225080

Appendix 3



Appendix 4

Name and address	Licensable activities	Opening times
(Caroline's Pizza) 31 Burdett Road	Late Night Refreshment Monday to Thursday from 23:00hrs to 01:00hrs Friday to Sunday from 23:00hrs to 01:30hrs	<ul style="list-style-type: none"> Monday to Thursday 11:00hrs to 01:00hrs Friday to Sunday from 11:00hrs to 01:30 hrs
(Perfect Fried Chicken) 43 Burdett Road	Late Night Refreshment Monday to Sunday, 23:00 hours to 02:00 hours	<ul style="list-style-type: none"> Monday to Sunday, 10:00 hours to 02:00 hours
Spice Hut 51 Burdett Road	Late Night Refreshment Monday to Saturday 23 00 to 0030 hrs Sunday 23 00 hrs to midnight	<ul style="list-style-type: none"> Monday to Saturday 23 00 to 0030 hrs Sunday from 23 00 hrs to midnight
(Gabiya) 61 Burdett Road	The sale by retail of alcohol Monday to Sunday, from 10:00 hours to 22:00 hours	<ul style="list-style-type: none"> Monday to Sunday, from 10:00 hours to 22:00 hours
(Millennium Stores) 73a Burdett Road	The sale by retail of alcohol Sunday to Thursday 09:00 – 23:30 hrs Friday & Saturday 09:00 – 00:00 (midnight)	<ul style="list-style-type: none"> Sunday to Thursday 09:00 – 23:30 Friday & Saturday 09:00 - midnight
	Below included for reference as mention made to them in applicants agents email	
(T G F Pizza) 2 Midlothian Road	Provision of Late Night Refreshment Monday to Sunday from 23:00 hours to 02:00 hours the next day	<ul style="list-style-type: none"> Monday to Sunday from 11:00 hours to 02:00 hours
(Milano Pizza) 8 Grove Road	The provision of late night refreshment Monday until 01 00 hrs Tuesday until 01 00 hrs Wednesday until 01 00 hrs Thursday until 01 00 hrs Friday until 03 00 hrs Saturday until 03 00 hrs Sunday until 03 00 hrs	Monday until 01 00 hrs Tuesday until 01 00 hrs Wednesday until 01 00 hrs Thursday until 01 00 hrs Friday until 03 00 hrs Saturday until 03 00 hrs Sunday until 03 00 hrs
49 Burdett Road - unlicensed		

Appendix 5

Communities, Localities & Culture
Safer Communities

Environmental Health and Trading Standards
David Tolley

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

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

Tel [REDACTED]
Fax [REDACTED]
Enquiries to **Kathy Driver**
Email **Kathy.driver** [REDACTED]

7th September 2018

www.towerhamlets.gov.uk

My reference: P/PR/LIC/110644

Dear Sir/Madam,

Licensing Act 2003
Re: Yummy Pizza, 57 Burdett Road, London E3 4TN

The Licensing Authority (acting a Responsible Authority) is making a representation against the above application on the grounds of:

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

The application is seeking late night refreshment for consumption on the premises and take away, Sunday to Thursday until 04:00 am ; Friday and Saturday until 04:30 am with opening hours the same.

All applications have to be considered on their own merits; however, the Council has adopted a set of framework hours as follows:

- Monday to Thursday, from 06:00hrs to 23:30hrs
- Friday and Saturday, from 06:00hrs to 00:00hrs (midnight)
- Sunday, from 06:00hrs to 22:30hrs

The times applied go beyond the framework hours and taking into account the location of the premises of which has high anti social behaviour levels this Authority believes the premises would become a hub for youths to hang around and cause anti social behaviour. The premises overlooks Mile End Park and large residential estate is in close proximity.

Enforcement visits have been undertaken at the premises, on 22nd July 2017 at 00:36 a Test Purchase was made of two pizzas. The officer reported the staff member (who he believed to be the owner) was unwilling to provide full details. A written warning was served. Please see attached.

Further visits were made on of which the premises were compliant

18/8/17 00:45 – closed

8/9/17 – 00:45 closed

28/10/17 23:55 closed

11/8/17 00:45 closed

17/2/18 01:30 closed

This Authority has evidence of the premises operating without a licence on 22nd July 2017, therefore have concerns that the hours will be adhered to. Extending the hours would increase noise and nuisance in the area for local residents and ask that the application be rejected. There are no other premises with late hours as 4am and therefore feel that the premises would become a magnet for attracting youth disorder. If Members consider the granting of a licence we would ask to consider the framework hours with the following conditions:

1. No customers seated inside the premises after 23:00 hours
2. Takeaway only after 23:00 hours
3. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
4. Reasonable steps shall be taken to ensure that any person loitering outside the premises disperse quickly and do not congregate.

Yours sincerely,



Kathy Driver
Principal Licensing Officer

Place Directorate
Public Realm
Environmental Health and Trading Standards
Head of Service: David Tolley

Fayazuddin Noori
Yummy Pizza
57 Burdett Road
London
E3 4TN

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

Tel 020 7364 5008 option 3
Fax 020 7364 0863
Enquiries to Licensing
Email licensing@towerhamlets.gov.uk

16th August 2017

www.towerhamlets.gov.uk

Our reference CLC/LA03/009244

Dear Mr Noori,

Licensing Act 2003 Section 136

Premises: Yummy Pizza, 57 Burdett Road, London, E3 4TN

On Saturday 22nd July 2017 at 00:36 hours, Council Officers attended the premises known as **Yummy Pizza, 57 Burdett Road, London, E3 4TN**. They ordered and received two Large Meat Feast pizzas £5.50 each and were charged £11. "Mohammed Aziz" was present and served the officers. He was informed that there should not be hot food sales beyond 23:00 hours without a licence.

According to the Council records you do not hold a licence under the Licensing Act 2003.

It is an offence for anyone who carries on, or attempts to carry on a licensable activity on or from any premises without or not in accordance with an authorisation. The ACT covers;

the provision of late night refreshment (selling meals after 23:00 hours and before 05:00 hours)

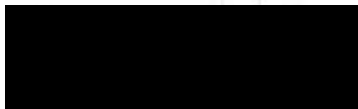
A person guilty of an offence under section 136 (1) of the ACT is liable on a summary conviction to imprisonment for a term not exceeding six months or an unlimited fine.

You are advised to cease the unauthorised licensing activity with immediate effect and not serve any hot food/pizza after 23:00 hours to include collection and delivery. This letter serves as a written warning for offence(s) observed on Saturday 22nd July 2017. Any further breaches could lead to legal action.

For further advice please contact your legal representative. Licence application forms and further details are available upon request from the Licensing Authority, please contact our hotline on 0207 364 5008 or visiting our website:

http://www.towerhamlets.gov.uk/lgnl/business/licences/alcohol_and_entertainment/alcohol_and_entertainment.aspx

Yours sincerely



**Damian Doherty
Enforcement Officer – Licensing and Safety Team
Environmental Health and Trading Standards**

Appendix 6

Tom Lewis
Head of Licensing
Tower Hamlets Council

HT - Tower Hamlets Borough

Licensing Office
Toby Club,
Vawdry Close
E2

Telephone: [REDACTED]

Email: thomas.ratican@towerhamlets.gov.uk
www.met.police.uk

23rd August 2018

Dear Sir,

Tower Hamlets Police formally object to the application for Premises License application for Yummy Pizza 57 Burdett Road E3.

Tower Hamlets Police object to this application on the grounds of preventing Crime and Disorder and Public Nuisance.

The area around this premises suffers from high levels of crime including drug dealing and assaults as well as anti-social behaviour. The area around Mile End Park is also used by local gangs to commit robberies and other crimes.

By having a premises open till 4am Police believe that the premises will be a magnet for these groups and result in increased crime and disorder in the area.

While none of the crimes that have taken place in the area can be linked to the premises, Police believe that having a premises open until 4am would be a place where groups of people who do cause crimes could congregate at these very late hours. The premises would be offering them a meeting point, somewhere to get food and drink. In short Police believe it would act as a magnet for crime and anti-social behaviour.

Please see a list of crimes in the area of the premises which is shown at the end of this application.

The area itself is a heavily residential area, with a large number of families living in very close proximity to the applicant's premises. Indeed there are flats above the parade of shops where the premises is located.

By having a shop open until 4:30 on weekends and 4 am the rest of the week, the Police believe this will have a detrimental effect on local residents. During these late hours, especially at weekends, the majority of customers will be those who have been out drinking. This in our experience leads to increased noise levels from customers who have been drinking alcohol.

Having drunk customers also increases the risk of disorder and violence as when people drink their decision making becomes impaired and we see a number of disputes and fights taking place as people get food on the way home from a night out.

Police do not believe that the conditions offered by the applicant would mitigate the risk of crime and disorder, due to the late hours they are requesting.

Tower Hamlets Police Licensing also note that the applicant states in his letter dated 15th August 2018, which is attached, that other premises in the area were opened until 4am. After some very basic research on Tower Hamlets Council publicly available website it is clear that most of the premises have closing times are not what the applicant claims.

Where other premises do have later hours, this is in the large part due to the fact they have been operating for some considerable time, and have demonstrated that they can operate within the hours given without causing problems to local residents, and also uphold the licensing objectives.

The applicant has no such record to demonstrate their ability to run a premises into the early hours of the morning. Indeed so far the only thing the applicant has been able to prove is an inability to follow the basic tenant of the licensing act. This is demonstrated by a successful test purchase at the premises in July 2017 where hot food was sold past 11pm.

Tower Hamlets Police believe that despite the successful test purchase the applicant should be given the chance to demonstrate their ability to run a late night venue. We therefore suggest that the applicant be given the following hours:

Sunday to Wednesday 23:00 – 00:00

Thursday to Saturday 23:00 – 01:00

With the conditions they have offered.

This would give the applicant the ability to open past their current hours, and to demonstrate that they are capable of running a late night restaurant and takeaway while not adding to crime and anti-social behaviour.

If the applicant can successfully demonstrate this then they can apply to extend their hours at a point in the future.

Crimes of note over the past 6 months in the immediate environs include, but are not limited, to the following:

CAD 5359/13thMar18; Assault at 1616 near Eric Street, Burdett Road, E3.

CAD 7099/19thMar18; Attempted Robbery and male attacked with a baseball bat, in Mile End Park opposite premises.

CAD 8932/21stApr18; 2 x males armed with a pick axe and hammer at 2330 near climbing wall Mile End Park, Burdett Road, E3.

CAD 8488/22ndJune18; males armed with a knife AT 2100 near the football pitches, Mile End Park, E3.

Crime reference 4218742/18; On 03/07/18 at 2237 officers were patrolling The Urban Adventure Park, Mile End Park, E3 (opposite premises) as a result of ongoing ASB and drug taking in the area and chased and detained a group of males who were found to be in possession of Cannabis and Cocaine.

Crime reference 4222343/18; Allegation of GBH on 31/07/2018 between 0001 – 0250 in Park area opposite the premises.

Consumer and Business Regulations
Licensing Team
Mulberry Place
5 Clove Crescent
London
E14 2BG

YOUR REF:

OUR REF: so/Noori/32-18/6

DATE: 15 August 2018

Dear Sirs

Premises Licence application for 57 Burdett Road, London E3 4TN

We refer to the Premises Licence application for 57 Burdett Road E3 4TN which has been lodged with the local authority.

We note the police and child protection feedback. The Applicant believes however that due to the nature of his business as a takeaway and delivery pizza shop, it is neither appropriate nor useful to start at 6 am. The normal working hours for similar businesses is between 11 am in the morning and the early hours of the following day.

There is also proof that neighbouring businesses such as TGF Kebab & Grill of 2 Midlothian Road, London E3 4SE (operating hours: Sunday – Thursday 11:00 – 03:00 and Friday and Saturday 11:00 – 4:00) and Milano Pizza of 8 Grove Road, London E3 5AX (operating hours: 11:00 - 04:15 every day) were granted licences until similar hours to those applied for by our client in relation to 57 Burdett Road.

In the circumstances, the applicant believes that the hours applied for are reasonable. If the above licences have been granted with conditions, the applicant is ready to discuss the same with a view to agreeing to them.

Yours faithfully

[REDACTED]
Newman Law LLP

Enc.

Corinne Holland

From: Thomas.Ratican [REDACTED]
Sent: 18 September 2018 11:58
To: Licensing
Cc: MARK.J.Perry [REDACTED]
Subject: FW: Yummy Pizza – 57 Burdett Road, London, E3 4TN

Follow Up Flag: Follow up
Flag Status: Completed

Dear all,

Could this email be submitted as evidence to our objection for the Premises Licence Application.

Many thanks

Tom

Tower Hamlets Police Licensing
Bethnal Green Police Station
12 Victoria Park Square
E2 8NZ
[REDACTED]

From: Newman Law <[REDACTED]>
Sent: 07 September 2018 10:54
To: Ratican Tom - HT <Thomas.Ratican [REDACTED]>
Subject: Yummy Pizza – 57 Burdett Road, London, E3 4TN

Dear Sirs

We refer to your letter to us of 23 August 2018 and apologise for the slight delay in replying.

The first point we wish to address is that you say that the applicant has no record to demonstrate her ability to run the premises into the early hours of the morning. You go on to say “Indeed so far the only thing the applicant has been able to prove is an inability to follow the basic tenant of the Licensing Act. This is demonstrated by a successful test purchase at the premises in July 2017 where hot food was sold past 11.00 p.m.”

With respect the current applicant was not the owner of the premises in July 2017 having taken the premises over only on 30 July 2018.

Additionally, the applicant assists her husband in connection with premises that are owned by her husband in respect of which a licence has been granted at 3 West India Dock Road, London, E14 8EZ. The licence in relation to those premises is until 2.00 a.m. and as far as we are aware there have been no complaints in connection with that licence.

Our client does not agree that the extension of their hours to trade can automatically be assumed to be “a magnet” for local gangs to commit robberies and other crimes. Additionally, we are instructed that number 49 Burdett Road which is only a short distance from our client’s premises is open until 2.00 a.m. and that there are many other premises in the area that are open to a similar time such as TJF Kebab & Grill of 2 Midlothian Road, London, E3 4SA (operating hours Sunday-Thursday 11.00 a.m. to 3.00 a.m. and Friday and Saturday 11.00 a.m. to 4.00 a.m.) and Milano Pizza of 8 Grove Road, London, E3 5AX (operating hours 11.00 a.m. to 4.15 a.m. every day). Accordingly, our client repeats that she considers the application to be merited and that the police objections are not well founded and asks that those objections are withdrawn.

Yours faithfully

Suzette Newman
Partner



[Redacted]
[Redacted]
[Redacted]
[Redacted]

Email: [Redacted]
Phone: [Redacted]
Fax: [Redacted]

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Twitter: @metpoliceuk

Appendix 7

Corinne Holland

From: Nicola Cadzow
Sent: 29 August 2018 15:39
To: Licensing
Cc: "MARK.J.Perry@[REDACTED] (MARK.J.Perry@[REDACTED]);
'Thomas.Ratican@[REDACTED] k' (Thomas.Ratican@[REDACTED]);
[REDACTED]
Subject: MAU REPRESENTATION 110644 Yummy Pizza 57 Burdett Road, London E3 4TN

Dear Licensing

I have regarded the application for Premises License for Yummy Pizza 57 Burdett Road, London E3 4TN 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 hours are well beyond the Council's framework hours, and 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 is proposing:

- **late night refreshment: Sunday to Thursday until 04:00 hours**
Friday & Saturday until 04:30 hours

Noise Sensitive premises: residential and commercial premises in close proximity to 57 Burdett Road, London, E3 4TN

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:-

- 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 57 Burdett Road, London E3 4TN 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
London Borough of Tower Hamlets, John Onlsow House, 1 Ewart Place, London, E3 5EQ

Appendix 8

10th September 2018

[REDACTED]

David Tolley
Head of Environmental Health & Trading Standards
Licensing Section
John Onslow House
1 Ewart Place
London
E3 5EQ

Dear Mr Tolley

RE: Application for Premises Licence - Yummy Pizza, 57 Burdett Road London E3 4TN

I wish to make a formal representation in respect of the above application. Yummy Pizza is situated right behind my property and my first floor back bedroom is literally right next to their food preparatory kitchen.

The application for extended opening hours is of a major concern to us due to the following points:

- 1) The operation of cooking facilities past midnight and within close proximity to residents increase fire risk. The number of people working in Yummy pizza past midnight would be reduced and hence the oversight and safely management of the kitchen is put at risk.
- 2) The health and safety of the residents in Mossford street are put at risk. Research shows that the possibility of saving everyone during a fire outbreak is greatly reduced in the middle of the night compared to the day. This is because residents of Mossford Street would be asleep and going through the various cycle of sleep and would have enter the Deep Sleep cycle by 4am. In the event of fire, it is during the deep sleep cycle that is the most dangerous as it will be very difficult to wake a person.
- 3) Due to the close proximity of Yummy Pizza to residents, the noise and smell of food into the middle of the night will be intolerable for residents and deprive them of the right to quite enjoyment of their property. I believe this is a violation of both the humans right act and housing act.

Given the above points, it is with regret that we will put forth our strongest objection to Yummy Pizza's application for an extension to its operating hours. We trust that the council will not take the lessons learnt from the Grenfell Tower disaster lightly.

Yours sincerely,

[REDACTED]

Rev. Bing Li

Email: [REDACTED]



* 170M 1/1/1/ Daek 00/11/00 - 11/08/2010, 11:00



Appendix 9

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 10

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 Councils 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 11

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 12

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 13

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 14

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 15

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 16

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 17

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.