

Appendix 1

* required information

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

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

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Is the applicant:

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

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

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.

Registration number

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.

Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

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

Continued from previous page...

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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NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

ROMAN ROAD PFC LTD

Details

Registered number (where applicable)

11631733

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

PRIVATE LIMITED COMPANY

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth

dd mm yyyy

* Nationality Documents that demonstrate entitlement to work in the UK

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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.

The premises is a A1 retail unit serving fast food and is located on the western end of Roman Road, closer to Bethnal Green Station. The area is a place extremely popular with visitors and promoted by the Tower Hamlets LDF Core Strategy as a location for evening and night time economy. The unit consists of only a ground floor unit and license is only sought for the entirety of the ground floor area.

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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

See guidance on regulated entertainment

Will you be providing performances of dance?

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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

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

SUNDAY

Start

End

Start

End

Continued from previous page...

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.

None

State any seasonal variations

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

None

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.

None

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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)

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

Continued from previous page...

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.

None

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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

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.

Continued from previous page...

None

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.

None

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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.

1. Work with the Police and Local Authority to improve upon delivering the objectives.
2. Regularly review policies and procedures.
3. Work in partnership with local businesses and residents to minimise crime and and improve public safety.
4. Undertake checks on all mechanical and electrical equipment.
5. Ensure staff are familiar with the licensing objectives and adhere to them at all times.

b) The prevention of crime and disorder

1. Clear and legible notice will be placed outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.
2. Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed.
3. Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.
4. All CCTV cameras will be maintained in good working order and will continually record and the tapes will be securely retained for a minimum of 14 days.
5. Drinks will only be served in plastic bottle and paper cups.
6. Persons appearing drunk or under the influence of illegal substances will not be permitted into the premises.
7. Install registers away from customer access and, upon closing, remove all money and leave the drawer open.
8. Maintain an incident log of any criminal activity or attempted criminal activity within or within the immediate vicinity of the premises.

c) Public safety

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1. Adequate access is provided for emergency vehicles and personnel.
2. All parts of the premises and all fittings and apparatus, including door fastenings and notices and the seating, lighting, heating, electrical, ventilation, sanitary accommodation, washing facilities and other installations, will be maintained at all times in good order and in a safe condition.
3. A log book or recording system will be kept in the premises for recording inspections made including those required by legislation, and information compiled to comply with any public safety condition attached to the premises license. The logbook shall be kept available and produced for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.
4. Adequate access is provided for emergency vehicles and personnels.
5. Regular gas and electricity check will be undertaken by a suitably qualified person.
6. Exits will be kept unobstructed, free of trip hazards and clearly identified.
7. All safety certificates and inspection reports will be kept on site and made available for inspection by officers of relevant statutory bodies.
8. All exit doors are easily accessible without the use of a key, card, code or similar means.
9. The premises should comply with all statutory fire safety controls.

d) The prevention of public nuisance

1. Prominent, clear and legible notices will be displayed at exits requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.
2. Deliveries to the premises will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.
3. Staff who arrive early morning or depart late at night when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.
4. Customers will be asked not to stand around talking in the street outside the premises; and asked to leave the vicinity quickly and quietly.
5. The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.
6. Noise or vibration will not emanate from the premises such as to cause unreasonably disturbance to neighbours.
7. The placing of refuse, such as bottles, into receptacles outside the premises takes place at times that will prevent disturbance to nearby properties.
8. Customer will be asked not to stand around talking in the street outside the premises; and asked to leave the vicinity quickly and quietly.
9. Provision of mechanical ventilation and air conditioning system will not allow noise breakout from the premises or cause a nuisance by its operation.
10. Regular maintenance will be carried out on all plant and machinery to ensure that noise disturbance from such sources is kept to a minimum.

Continued from previous page...

11. All the rubbish produced by the premises will be stored securely in a designated area or in a bin with a tight fitting lid. This will help prevent litter being blown around.

e) The protection of children from harm

1. In the interests of protecting children from harm, children below the age of 16 will be excluded from the premises between the hours of 23:00 to 01:00.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

LICENSING TEAM, JOHN ONSLOW HOUSE

Street

1 EWART PLACE

District

City or town

LONDON

County or administrative area

Postcode

E3 5EQ

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

MIFTA AHMED

* Capacity

AGENT

Date (dd/mm/yyyy)

27/11/2018

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.

Continued from previous page...

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



GROUND FLOOR PLAN
1:100

- PREMISES LICENCE AREA
- HEAT DETECTOR
- SMOKE DETECTOR
- FIRE EXTINGUISHER

0M 1M 2M 3M 4M 5M

NO LIABILITY IS ACCEPTED TO ANY THIRD PARTY
RELYING ON INFORMATION CONTAINED IN THIS
DRAWING.

CONTRACTORS MUST VERIFY ALL DIMENSIONS ON
SITE BEFORE COMMENCING ANY WORK OR
CONSTRUCTION DRAWINGS.

FLOOR PLAN

1:100 @ A4

89 ROMAN ROAD
LONDON

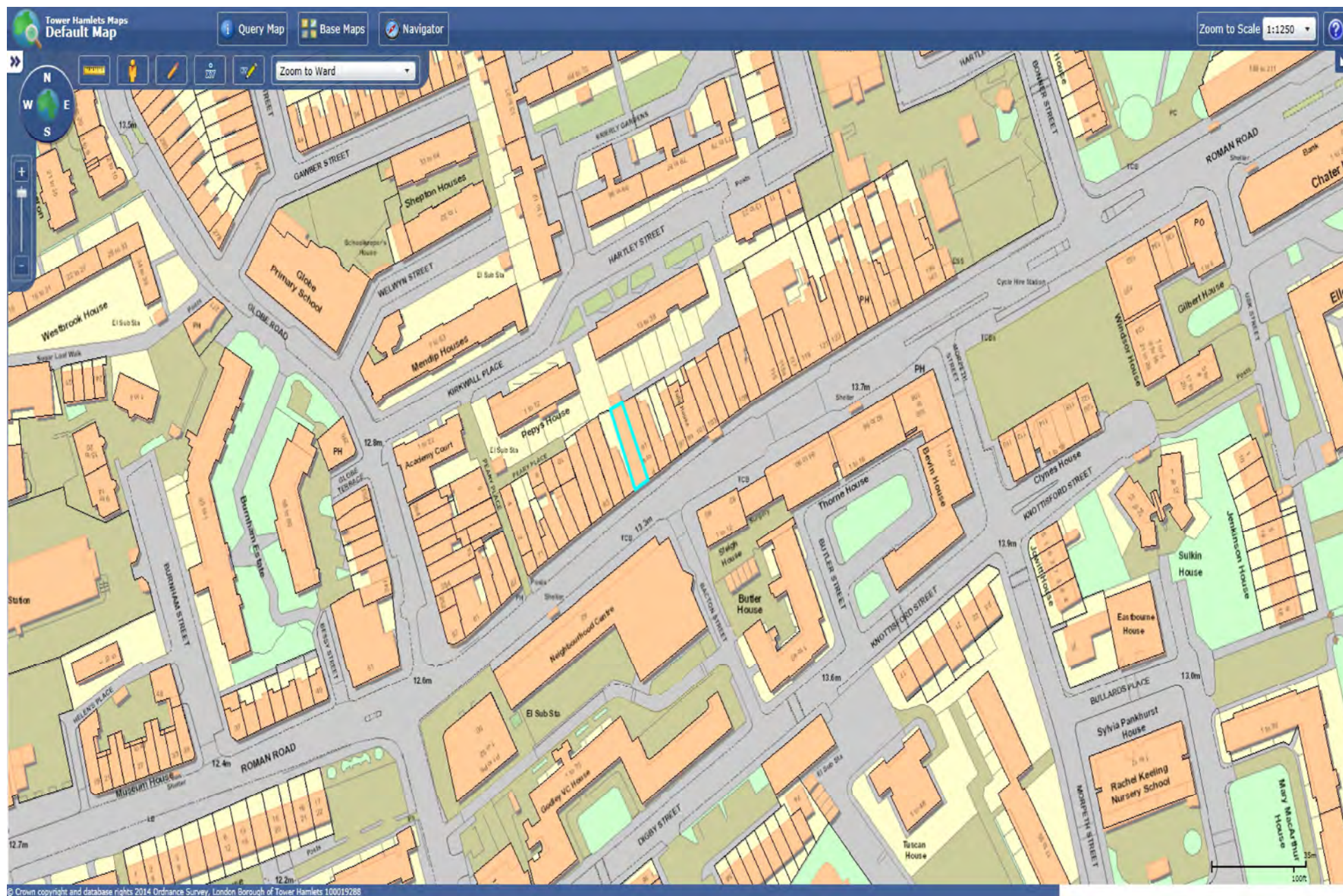
DRAWN: MC 18/011/001

CHECKED: MA 26 NOVEMBER 2018

CITYSCAPE
PLANNING ARCHITECTURE

Appendix 3





Appendix 4

Roman Road PFC, 89 Roman Road – Nearby licensed premises

Name and address	Licensing activities	Opening times
(Trieu Nails London Ltd.) 105 Roman Road London E2 0QN	<u>Sale by retail of alcohol (on sales only)</u> Monday to Sunday from 10:00hrs to 21:00hrs	Monday to Sunday from 10:00hrs to 21:30hrs
(Nola) 107 Roman Road London E2 0QN	Alcohol may be sold or supplied (On sales only) (1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 11am to midnight. (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm (3) On Christmas Day: 12 noon to 11:30pm; (4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight; (5) On New Year's Eve on a Sunday, 12 noon to 11.30 p.m. The provision of late night refreshment Monday to Saturday, from 11pm to midnight Sunday, from 11pm to 11:30pm	There are no restrictions on the hours during which this premises is open to the public (On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
(New Lotus House) 103 Roman Road London E2 0QN	The provision of late night refreshment <ul style="list-style-type: none"> Monday through to Sunday, 23:00 hours until 01:00 hours the following day 	Monday through to Sunday, 23:00 hours until 01:00 hours the following day
(Café Isha) 115a Roman Road London E2 0QN	The sale by retail of alcohol: (On sales only) Sunday to Thursday from 11:00 to 24:00 hours Friday and Saturday from 11:00 to 01:00 hours the following day Regulated Entertainment consisting of: Films including Karaoke: Monday to Sunday from 11:00 to 23:00 hours Live Music, Recorded music: Monday to Sunday from 11:00 to 24:00 hours Performance of dance, facilities for making music, facilities for dancing : Sunday to Thursday from 11:00 to 24:00 hours Friday and Saturday from 11:00 to 01:00 hours the following day Late Night Refreshment: Sunday to Thursday until 00:30 hours the following day Friday and Saturday until 01:30 hours	Sunday to Thursday from 11:00 to 00:30 hours the following day Friday and Saturday from 11:00 to 01:30 hours the following day Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day

Roman Road PFC, 89 Roman Road – Nearby licensed premises

(Shah Noor Restaurant) 123 Roman Road Bethnal Green London E2 0QN	Alcohol may be sold or supplied: (On sales only) (1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 11am to 12pm. (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm (3) On Christmas Day: 12 noon to 11:30pm; (4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight; (5) On New Year's Eve on a Sunday, 12 noon to 11.30 p.m. (6) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).	There are no restrictions on the hours during which this premises is open to the public
(Star Grill) 131a Roman Road London E2 0QN	Late Night Refreshment: Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday until 01:00 hours the following day	Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 23:00 hours until 01:00 hours the following day

Appendix 5

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 6

Mohshin Ali

From: Mohshin Ali
Sent: 11 January 2019 17:06
To: 'Alexandre Howard'
Subject: RE: Representation against license extension- Roman Road PFC, 89 Roman Road, London E2 0QN

Dear Mr Howard,

Licensing Act 2003

New premises licence application: Roman Road PFC, 89 Roman Road, London E2 0QN

Following our telephone conversation, please note that your representation will become a public document (contact details redacted) and the applicant is legally entitled to a full, un-redacted copy of your representation. They may wish to contact you to mediate an amendment of their application, in order to address your concerns; with a view to you potentially withdrawing your objection. Should you wish to withdraw, please advise in writing to this email address.

If the representations are not resolved then the matter will be dealt with by way of a public hearing by the Tower Hamlets Licensing Sub-Committee. You will be notified by the Democratic Services at Mulberry Place, 5 Clove Crescent, London E14 2BG of the date, time and venue of the public hearing and invited to attend. Should you wish to make additional comments to the Committee, please advise Democratic Services directly and copy us in.

If I can be of any further help, do not hesitate to contact me.

Regards

Mohshin Ali - Senior Licensing Officer

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



From: Alexandre Howard [REDACTED]
Sent: 04 January 2019 18:07
To: Mohshin Ali
Subject: Re: Representation against license extension- Roman Road PFC, 89 Roman Road, London E2 0QN

Hello Mohshin,

Any news on the below? Did you get everything you needed?

Alex

On Thu, 20 Dec 2018 at 09:00, Alexandre Howard [REDACTED] wrote:

Hell Mohshin,

Thank you for your message.

Sorry I think your email confused me, would you like me to further clarify why I would like to be anonymous or clarify the complaint itself?

I do know that my neighbour and I were texting one night when they were being very loud (just the staff, without customers), and my neighbour went downstairs and basically the shop owners were very aggressive to him and said things such as "do you want to fight?". Therefore I would rather they did not know who I am given that the entrance to my flat is literally against their shop.

If it is going to be very complicated for me to be anonymous then maybe just submit it as is.

Best,
Alex

ALEXANDRE K. HOWARD

■ [REDACTED]
■ [REDACTED]

On Wed, Dec 19, 2018 at 2:06 PM Mohshin Ali [REDACTED] wrote:

Dear Mr Howard,

Licensing Act 2003

New premises licence application: Roman Road PFC, 89 Roman Road, London E2 0QN

Thank you for your email. In relation to this application, under the Licensing Act 2003, you are required to provide your full address to the Licensing Authority. By law the applicant is entitled to know the details of the parties making the representation. The Home Office Guidance issued under Section 182 of the Licensing Act 2003 states: ***“where a notice of a hearing is given to an applicant, the licensing authority is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations that have been made”***.

What evidence is there to show a genuine and well-founded fear of intimidation? Even in exceptional circumstances, if minimal details

(such as street name or general location within a street) were given to the applicant, might they figure out it was you that made the representations due to the contents? In such a case if you are fearful of intimidation, you may wish to approach a resident's association who can raise your concerns. You may wish to ask your ward councillor or your MP to act on your behalf, or any of the Responsible Authorities, namely, Environmental Protection or Met Police.

As we have already received other representations to this application, the matter will be dealt with by the Licensing Sub-Committee. All parties that make a valid representation will be notified by the Democratic Services with the details of the hearing.

If you wish to make a representation, you will need to explain how granting this particular application will have a negative impact on you in relation to one or more of the licensing objectives (the prevention of

crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm).

To clarify the application is seeking the following:

Provision of late night refreshment (hot food and hot drinks)

- Sunday to Thursday, from 23:00 hours to 00:00 hours (midnight)
- Friday and Saturday, from 23:00 hours to 01:00 hours the following day

You can find information on how to make a representation on our website:

www.towerhamlets.gov.uk/representation

All representations for this application must reach us by **25th December 2018**. Please advise how you wish to proceed.

If you would like any clarification on the above, do not hesitate to contact me.

Regards

***Mohshin Ali* - Senior Licensing Officer**

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

[REDACTED]

Error! Filename not specified.

From: Alexandre Howard [REDACTED]

Sent: 17 December 2018 12:47

To: Licensing

Subject: Representation against license extension

Hello,

My name is Alex Howard and I live in [REDACTED].

I would like to represent against the license application ref: CLC/EHTS/LIC/112943 at Roman Road PFC, 89 Roman Road London, E20N.

I am firmly against the extension of operating hours past 11pm and even more so against the alcohol license.

My reasons are that the shop, which I live right above, is extremely loud already simply serving food. The walls and floors in the building are very very thin and therefore anything that goes on in the shop can be fully heard in my flat.

Moreover we have, in the building (me and my neighbours), tried to have discussions about the noise levels, however the owners have been very aggressive and non-collaborative about any discussion, and have made it very clear they would never want to reach a friendly agreement. They have also been very inconsiderate themselves (the owners), being very loud in the kitchen which is where my bedroom is.

Please keep this application anonymous as there is some history between us as neighbours and we share the same landlord and divulging my identity could be compromising, if you cannot do that, do let me know.

I know for a fact that 3 other flats in the building will be submitting a representation as well.

Best,

Alex

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

London Borough of Tower Hamlets E-Mail Disclaimer.

This communication and any attachments are intended for the addressee only and may be confidential. It may contain privileged and confidential information and if you are not the intended recipient, you must

Appendix 7

Mohshin Ali

From: Corinne Holland on behalf of Licensing
Sent: 13 December 2018 11:05
To: Mohshin Ali
Subject: FW: 89 Roman Road - Representation
Attachments: 20180612_alleged noise nuisance.pdf; 20180712_App ref 279483 Noise Nuisance Diary.pdf; 20180718_App ref 279483 Noise Nuisance Diary.pdf; 20180730_App ref 279483 Noise Nuisance Diary.pdf; 20181212_89 Roman Road Representation.pdf

-----Original Message-----

From: Jack Matthews [REDACTED]
Sent: 12 December 2018 17:54
To: Licensing
Subject: 89 Roman Road - Representation

Dear Licensing Team,

Please find my representation to 89 Roman Road's recent application attached with related documents. Hard copies have also been posted to the address stated on my representation letter.

Please also confirm receipt of this email and information on next steps.

Thanks,
Jack Matthews

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

David Tolley

Head of Environmental Health &
Trading Standards
John Onslow House
1 Ewart Place
London, E3 5EQ

Jack Matthews

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

11 December 2018

To Whom it may concern,

RE: Premises License Application Representation - Roman Road PFC, 89 Roman Road, E2
OQN - Ref: CLC/EHTS/LIC/112943

I would like to make a representation against the above license application which seeks to extend opening hours of Roman Road PFC (the premises) until 01:00 on Fridays and Saturdays and 12:00 during the rest of the week.

My concerns about the license application and the grounds for my representation are listed below against their relevant licensing objectives as stated in the Tower Hamlets Statement of Licensing.

These concerns are raised on behalf of myself, a direct neighbour to Roman Road PFC.

1. The prevention of crime and disorder

- During the proposed extended opening hours the premises will attract customers leaving pubs and bars in the local area.
- Customers under the influence of alcohol will be more likely to partake in anti social behaviour like vandalism and graffiti of mine and other residents property. For example Spice N Nice, another hot food takeaway restaurant on Roman Road, which had a window smashed and the more recent graffiti next to the front door of my property.

2. The prevention of public nuisance

2.1. Noise nuisance

- Hot food takeaways attract higher customer numbers late at night and the noise of that increased customer traffic entering and exiting the premises will be clearly audible in my living room which is directly above the premises' entrance.
- This will be made worse by late night customers being under the influence of alcohol and therefore louder and less likely to follow guidance on keeping quiet.
- The noise of delivery drivers late into the night will also cause a disturbance to residents like myself.
- The proposed later hours will also mean the premises' newly installed extract will be on late into the night. The extract fan on the roof of the building sits meters

from my bed and can be heard in my bedroom. (My bedroom is on the top floor at the rear of the building, the fan is on the adjacent roof). Although recent modification have reduced the noise output of the fan I am concerned that when the system grows old it's noise output will increase affecting my ability to sleep while the premises is open.

- Prior to the recent modifications to the extract I logged complaints with the council's Noise Nuisance team and have attached all relevant information.
- The above issues are also exaggerated at night as surrounding noise levels are low and residents like myself are extremely likely to be at home and trying to sleep or enjoy the relative peace that our section of roman road offers during those hours.

2.2. Noxious smells

- Later opening hours will lead to a worsening of current situation where odours can sometimes deter the use and enjoyment of my roof terrace.

2.3. Litter

- Hot food takeaways have the potential to generate a significant amount of litter because customers need to dispose of food wrappings/containers after the food is consumed. This will be an eyesore to residents.

2.4. Dead shop frontages

- Later opening hours would mean a shift in business focus to evenings and increase the chance of 'dead frontages' during the day reducing the attractiveness of Roman Road to residents and visitors

Sincerely,

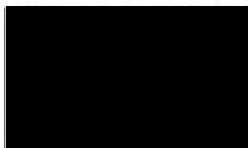
Jack Matthews

**Place Directorate
Public Realm**

Head of Service

David Tolley
Head of Environmental Health and Trading Standards

Mr Jack Matthews



John Onslow House
1 Ewart Place
London E3 5EQ

Enquiries: Noise Team

Tel:

Fax:

App Ref:

Your Ref **CC-25423**

Email: environmental.protection@towerhamlets.gov.uk

12 June 2018

Dear Mr Matthews,

Environmental Protection Act 1990

Alleged Noise Nuisance at On The Grill, , 89 Roman Road,London, E2 0QN

I refer to your recent complaint of a noise nuisance from Out of Hours noise - domestic (other) coming from the above premises.

In order to assist our investigation I require evidence of the noise nuisance over a period of time to ensure we have sufficient evidence to consider action under the above legislation.

I would be obliged if you would fully complete the diary sheet included at the end of this letter over the next three weeks and return it to the above address.

During this period, if you are affected by noise please call our noise service on 020 7364 5007/8⁷⁰⁷⁰ at the time of the nuisance or at your earliest opportunity so we can record this complaint. Please continue to record events on the diary sheets given, so that we can get an understanding as to whether or not a statutory noise nuisance exists, and determine what support we can provide you.

If you are unable to provide the exact address of the premises you are complaining of then no further action will be taken, as officers need to be able to engage with premises to make them aware of their impact on other residents/businesses and give appropriate warnings.

At the conclusion of this three week period an officer, on receipt of your completed diary sheet, will be appointed as your case officer and contact you regarding the next stage in their investigation. Please email the diary sheet to the following email address: environmental.protection@towerhamlets.gov.uk or post to the address above.

If the completed diary sheet is not returned within 28 days it will be assumed that the matter has been resolved to your satisfaction and no further action will be taken.

It is clear in law that isolated instances of noise nuisance cannot be progressed through legal action, however, should noise occur during office hours, Monday – Friday 9am – 5pm or outside of these hours on

Thursday – Sunday, 8pm – 3:30am then please call 020 7364 5007 and an officer will attempt to visit your property to witness the alleged noise nuisance and take appropriate action.

Please be mindful that should a prosecution occur, your details will become known to the individual creating the nuisance and you will be required to make a statement and attend court. Without your support in this matter we would not be able to take formal action in support of your complaint.


If you are a tenant of a Registered Social Landlord I will forward the details of your complaint to them. You may wish to discuss the noise disturbance with them so they may consider action for enforcing tenancy conditions against the perpetrator of the noise.

If we are unable to support action in your case then you may take your own action by applying to a Magistrates Court under Section 82 Environmental Protection Act 1990.

Yours sincerely,

A black rectangular box redacting the signature of the Noise Team.

Noise Team

From: Jack Matthews [REDACTED] 
Subject: App ref 279483 - Noise Nuisance Diary
Date: 12 July 2018 at 14:27
To: environmental.protection@towerhamlets.gov.uk



Dear Tower Hamlets Noise Team,

Please find attached my noise nuisance diary in response to the 'Alleged Noise Nuisance' letter I received on 13 June 2018 (also attached).

My case number is quoted in the subject of this email and I hope all communication and visits will be accessible through that however I have included a timeline of enforcement officer visits below in case that proves difficult:

Date: 31/05/2018
Officer: Onouha Oloro
Ref: 279141
Actions: Enforcement officer witnessed noise.

Date: 07/06/2018
Officer: Bryony Parkinson
Ref: 279483
Actions: Enforcement officer witnessed noise.

Date: 05/07/2018
Officer: Barry Clark
Ref: 280662
Actions: Enforcement officer witnessed noise.

I would like to stress that this noise nuisance is the result of the new development at 89 Roman Road to which planning permission for the offending extract was objected to by residence.

I look forward to hearing from you and to being assigned a case officer.

This email and it's attachments have also been sent via post.

Thanks
Jack Matthews

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

Noise Nuisance Diary Sheet

Environmental Health

Address where noise originates: <u>ON THE GRILL</u> <u>89 ROMAN ROAD</u> <u>LONDON</u> <u>E2 0QN</u>	Name and address of complainant: <u>JACK MATTHEWS</u> [REDACTED] I confirm that this is a true record of events: Signed: [REDACTED]
--	---

Date	Type of Noise	Time Started	Time Finished	Effect of Noise (e.g., prevented sleep, interfered with conversation, reading or TV)
18.06.18	CONSTANT RUMBLE FROM EXTRACT FAN	~11:00	~23:00	PREVENTED SLEEP (22:00 - 23:15)
19.06.18				(22:00 - 23:15)
20.06.18				(22:15 - 23:15)
21.06.18				(22:00 - 23:00)

24.06.18							(21:45 - 23:00)
25.06.18							(22:50 - 23:00)
26.06.18							(21:30 - 23:00)
27.06.18							(21:50 - 23:10)
28.06.18							(21:45 - 23:15)
29.06.18							(21:05 - ALL NIGHT)
01.07.18							(21:45 - 23:15)
04.07.18							(21:50 - 23:10)
05.07.18							(21:45 - 23:10)
	<div> <div></div> <div>ENFORCEMENT OFFICERS VISITED TO WITNESS THE</div> </div>						
	<div> <div>NOISE - REF # 25737</div> </div>						



letter.pdf

From: Jack Matthews [REDACTED]
Subject: Re: App ref 279483 - Noise Nuisance Diary
Date: 18 July 2018 at 10:40
To: Onuoha Olere [REDACTED]



Hi Mr Olere,

Further to our phone call yesterday I have restated my complaint below. I have also summarised why I think this matter is of significance to Tower Hamlets council (either yourself in the noise team or some other department) and how I expect you to be able to help.

Firstly, my name is Jack Matthews and I am a resident and owner of [REDACTED] - the neighbouring building to 89 Roman Road.

In February of this year a planning application was submitted for the installation of a **new** extract flue on the roof of 89 Roman Road. I objected to this application as I was worried about the negative visual, noise and fume impacts its location would have on my roof terrace at [REDACTED] Roman Road. Following this objection the planning application in its initial form was rejected and a later iteration was approved with the exit of the flue pointing in a different direction to try and mitigate the previously stated negative effects. This is the flue that is currently in place and about which I am logging this noise complaint.

On 16 May 2018 the chicken shop at 89 Roman Road ('On the Grill') opened and I realised that the noise and vibrations from the extract flue were not only noticeable on my roof terrace but also in my bedroom. This was an effect I had not considered possible in my planning objection nor do I believe the planning officers considered it when they assessed the application. Had this effect been considered I am sure the planning application would have been subject to some specific noise and vibration requirements.

The noise and vibrations are present daily during the shops opening hours (roughly 11:00 to 23:15). Although the noise is relatively quiet it is having a constant negative impact on the standard of living in my flat. It is especially noticeable at night and prevents me from sleeping before the shop closes. I would like to stress again that it is a **newly installed feature** which is now causing a **constant negative impact on my ability to sleep in my bedroom**.

Since 16 May 2018 I have pursued the proper noise complaint procedures including keeping a diary and three visits from noise nuisance enforcement officers whose reports I understand you have access to. My discussions with the enforcement officers followed a similar pattern where they agreed the noise and vibrations were noticeable, constant and would prevent sleep. However, they felt it did not constitute an 'SN'. I would like to add at this point that I believe the constant nature of the noise and vibration, its timing and that fact that it is due to a new installation make it of more significance to Tower Hamlets than other intermittent low level noises - for example a neighbour's loud music.

I expect Tower Hamlets to accept that it is unacceptable for a new commercial installation to have a constant negative effect on a neighbouring resident's ability to sleep and to help in applying pressure on those responsible to reach a solution. In this particular case, I would hope that Tower Hamlets have powers to apply pressure on On The Grill to have them identify ways in which noise from its extract flue can be mitigated and for them to then implement those solutions.

So you agree with my concluding paragraph? Do you agree that the constant nature of the noise and vibration, their timing and that they are caused by a new commercial feature make them of more significance? Are you able to help in resolving this issue?

I look forward to hearing from you and I thank you again for your time thus far.

Thanks
Jack Matthews
[REDACTED]

On 16 Jul 2018, at 13:58, Onuoha Olere [REDACTED] wrote:

Will call you tomorrow.

Regards

Olere

-----Original Message-----

From: Jack Matthews [REDACTED]
Sent: 16 July 2018 11:31
To: Onuoha Olere
Subject: Re: App ref 279483 - Noise Nuisance Diary

Hi Mr Olere,

Thank you for your email. I agree that your report is a correct record of your visit. By 'Enforcement officer witnessed noise' I was referring to the 'noise heard from extractor fan but not SN' line of your report. My apologies if my short summary of events suggested anything further.

Would you now be able to advise on next steps to establish a solution to what I believe to be a noise nuisance?

Thanks
.Jack

On 16 Jul 2018, at 10:35, Onuoha Olere <[REDACTED]> wrote:

Dear Mr Mathews

Thank you for your email

Let use this opportunity to refute the impression you stated below that I witnessed noise in your property.

1/ 6/2018 13:41 OOL

Visit made as agreed with compl, noise heard from extractor fan but not SN, requested compl to open his window, which he did and its more evident that traffic noise from the street was even more audible than noise from extractor fan complained about.

I advised compl to call our OOH service during the night to assess noise during this time as it could be more audible if background noise level drops at night.

There was also issue raised by compl at to his initial objection to the planning permission which was later amended and as we now know wasn't to any good effect re - noise.

The above was my note recorded on my visit to you on the 31/5/2018.

To this effect, I would like you to first correct this impression that I witnessed noise nuisance from your flat.

Regards

Olere

-----Original Message-----

From: Jack Matthews <[REDACTED]>
Sent: 12 July 2018 14:27
To: Environmental Protection
Subject: App ref 279483 - Noise Nuisance Diary

Dear Tower Hamlets Noise Team,

Please find attached my noise nuisance diary in response to the 'Alleged Noise Nuisance' letter I received on 13 June 2018 (also attached).

My case number is quoted in the subject of this email and I hope all communication and visits will be accessible through that however I have included a timeline of enforcement officer visits below in case that proves difficult:

Date: 31/05/2018
Officer: Onouha Oloro
Ref: 279141
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Officer: Bryony Parkinson
Ref: 279483
Actions: Enforcement officer witnessed noise.

Date: 05/07/2018
Officer: Barry Clark
Ref: 280662
Actions: Enforcement officer witnessed noise.

I would like to stress that this noise nuisance is the result of the new development at 89 Roman Road to which planning permission for the offending extract was objected to by residence.

I look forward to hearing from you and to being assigned a case officer.

This email and it's attachments have also been sent via post.

Thanks
Jack Matthews

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

From: Onuoha Olere [REDACTED]
Subject: RE: App ref 279483 - Noise Nuisance Diary
Date: 30 July 2018 at 15:51
To: Jack Matthews [REDACTED]
Cc: John Abiona [REDACTED]



Hi Mr Mathews

Further to my visit this afternoon alongside my colleague John Abiona regarding alleged noise complaint from extractor system.

We today again jointly reiterated my initial assessment position that considering the time of the day, business opening and finishing hours and the high volume of traffic noise in Roman Road which is more pronounced in your flat than that of the extractor fan, we do not consider your complaint a statutory noise nuisance.

Please if you do feel concerned about the initial granting of planning permission for it, I think its best you contact planning about it.

Let me know if I could be of further assistance to you on this matter.

Kind regards

Olere

From: Jack Matthews [REDACTED]
Sent: 24 July 2018 09:54
To: Onuoha Olere
Subject: Re: App ref 279483 - Noise Nuisance Diary

Hi Mr Olere,

Would you be able to provide an update to my below email?

Thanks
Jack

On 18 Jul 2018, at 10:40, Jack Matthews [REDACTED] wrote:

Hi Mr Olere,

Further to our phone call yesterday I have restated my complaint below. I have also summarised why I think this mater is of significance to Tower Hamlets council (either yourself in the noise team or some other department) and how I expect you to be able to help.

Firstly, my name is Jack Matthews and I am a resident and owner of [REDACTED]
[REDACTED] - the neighbouring building to 89 Roman Road.

In February of this year a planning application was submitted for the installation of a **new** extract flue on the roof of 89 Roman Road. I objected to this application as I was worried about the negative visual, noise and fume impacts it's location would have on my roof terrace at [REDACTED] Roman Road. Following this objection the planning application in

it's initial form was rejected and a later iteration was approved with the exit of the flue pointing in a different direction to try and mitigate the previously stated negative effects. This is the flue that is currently in place and about which I am logging this noise complaint.

On 16 May 2018 the chicken shop at 89 Roman Road ('On the Grill') opened and I realised that the noise and vibrations from the extract flue were not only noticeable on my roof terrace but also in my bedroom. This was an effect I had not considered possible in my planning objection nor do I believe the planning officers considered it when they assessed the application. Had this effect been considered I am sure the planing application would have been subject to some specific noise and vibration requirements.

The noise and vibrations are present daily during the shops opening hours (roughly 11:00 to 23:15). Although the noise is relatively quite it is having a constant negative impact on the standard of living in my flat. It is especially noticeable at night and prevents me from sleeping before the shop closes. I would like to stress again that is a **newly installed feature** which is now causing a **constant negative impact on my ability to sleep in my bedroom**.

Since 16 May 2018 I have pursued the proper noise complaint procedures including keeping a diary and three visits from noise nuisance enforcement officers who's reports I understand you have access to. My discussions with the enforcement officers followed a similar pattern where they agreed the noise and vibrations were noticeable, constant and would prevent sleep. However, they felt it did not constitute an 'SN'. I would like to add at this point that I believe the constant nature of the noise and vibration, it's timing and that fact that it is due to a new installation make it of more significance to Tower Hamlets than other intermittent low level noises - for example a neighbour's loud music.

I expect Tower Hamlets to accept that it is unacceptable for a new commercial installation to have a constant negative effect on a neighbouring residents ability to sleep and to help in applying pressure on those responsible to reach a solution. In this particular case, I would hope that Tower Hamlets have powers to apply pressure on On The Grill to have them identify ways in which noise from it's extract flue can be mitigated and for them to then implement those solutions.

So you agree with my concluding paragraph? Do you agree that the constant nature of the noise and vibration, their timing and that they are caused by a new commercial feature make them of more significance? Are you able to help in resolving this issue?

I look forward to hearing from you and I thank you again for your time thus far.

Thanks
Jack Matthews
[REDACTED]

On 16 Jul 2018, at 13:58, Onuoha Olere [REDACTED] wrote:

Will call you tomorrow.

Regards

Olere

-----Original Message-----

From: Jack Matthews [REDACTED]

Sent: 16 July 2018 11:31

To: Onuoha Olere

Subject: Re: App ref 279483 - Noise Nuisance Diary

Hi Mr Olere,

Thank you for your email. I agree that your report is a correct record of your visit. By 'Enforcement officer witnessed noise' I was referring to the 'noise heard from extractor fan but not SN' line of your report. My apologies if my short summary of events suggested anything further.

Would you now be able to advise on next steps to establish a solution to what I believe to be a noise nuisance?

Thanks
Jack

On 16 Jul 2018, at 10:35, Onuoha Olere [REDACTED] > wrote:

Dear Mr Mathews

Thank you for your email

Let use this opportunity to refute the impression you stated below that I witnessed noise in your property.

1/ 6/2018 13:41 OOL

Visit made as agreed with compl, noise heard from extractor fan but not SN, requested compl to open his window, which he did and its more evident that traffic noise from the street was even more audible than noise from extractor fan complained about.

I advised compl to call our OOH service during the night to assess noise during this time as it could be more audible if background noise level drops at night.

There was also issue raised by compl at to his initial objection to the planning permission which was later amended and as we now know wasn't to any good effect re - noise.

The above was my note recorded on my visit to you on the 31/5/2018.

To this effect I would like you to first correct this impression that I witnessed noise

to this effect, I would like you to first correct this impression that I witnessed noise nuisance from your flat.

Regards

Olere

-----Original Message-----

From: Jack Matthews [REDACTED]
Sent: 12 July 2018 14:27
To: Environmental Protection
Subject: App ref 279483 - Noise Nuisance Diary

Dear Tower Hamlets Noise Team,

Please find attached my noise nuisance diary in response to the 'Alleged Noise Nuisance' letter I received on 13 June 2018 (also attached).

My case number is quoted in the subject of this email and I hope all communication and visits will be accessible through that however I have included a timeline of enforcement officer visits below in case that proves difficult:

Date: 31/05/2018
Officer: Onouha Oloro
Ref: 279141
Actions: Enforcement officer witnessed noise.

Date: 07/06/2018
Officer: Bryony Parkinson
Ref: 279483
Actions: Enforcement officer witnessed noise.

Date: 05/07/2018
Officer: Barry Clark
Ref: 280662
Actions: Enforcement officer witnessed noise.

I would like to stress that this noise nuisance is the result of the new development at 89 Roman Road to which planning permission for the offending extract was objected to by residence.

I look forward to hearing from you and to being assigned a case officer.

This email and it's attachments have also been sent via post.

Thanks
Jack Matthews

[REDACTED]
[REDACTED]
[REDACTED]

Appendix 8

Your reference: **CLC/EHTS/LIC/112943**

Licensing Act 2003 New premises licence application

Representation concerning Roman Road PFC, 89 Roman Road, London E2 0QN

20th December 2018

Dear Sir/Madam,

Re: Application seeking the provision of late night refreshment:

- Sunday to Thursday, from 23:00 hours to 00:00 hours (midnight)
- Friday and Saturday, from 23:00 hours to 01:00 hours the following day

As residents of Peary Place, we wish to make the following Representation with regard the above referenced license application.

Peary Place is a T shaped road that runs behind the PFC commercial premises on Roman Road. Should the license to extend opening hours be granted, we will all be directly impacted, as will the general public using this popular cut-through road.

The road is already a popular gathering spot for groups of customers from PFC. After eating their take-away, these groups frequently discard their litter.

- Increased street litter. The extended hours will result in an increase of rubbish being dropped in Peary Place. It's unhygienic and encourages vermin when the street is strewn with empty chicken boxes, burger cartons, pools of ketchup, greasy bones, dirty serviettes, empty drinks cans and used plastic cutlery.
- Public health. As well as the risk of vermin attracted by the scraps of food discarded in the street, groups gathering to eat in Peary Place are also regularly seen urinating and even on occasion defecating. Regrettably, the nature of the street lends itself to this, being dimly lit, with few overlooking properties and no passing vehicles. Unsurprisingly, this issue is worse late at night. The late-night extended opening hours will likely increase the frequency with which we leave our homes in the morning to find streams of urine and human faeces in the street. This poses a serious risk to health, particularly for the young children who live here or pass through Peary Place on their way to school.
- Public safety. The litter that is generated in Peary Place from PFC unfortunately also seems to attract other types of rubbish. Drug paraphernalia is common in the street. Residents on occasion have also found small knives. All this is particularly concerning with young children living here, as well as Peary Place being a popular route for families and young children to and from the many nearby schools. Groups gathering in Peary Place has also historically caused issues with opportunistic crime. Empty handbags, purses and phone covers have all been found dumped here. Beyond 11pm the public are particularly vulnerable, as people returning from pubs and clubs with impaired judgement see Peary Place as a shortcut.
- Public nuisance. Groups gathering to eat PFC take-away in Peary Place are often the cause of public nuisance. Residents are disturbed by the noise. Loud conversations, music on mobile phones. Groups gather here specifically to eat food from PFC. Once finished they usually drop their rubbish and leave. This will continue later into the evening every single night of the week, should this license be granted. Some groups intending to visit PFC arrive in cars, which are parked in Peary Place. Typically some of the group will remain in the car, playing loud music and revving the engine, while other members of the group collect food from PFC. It's not unusual for such a group to then sit in the car playing loud music while they eat, toss their wrappers out of the window, then drive off. The extended opening hours will undoubtedly encourage this to happen more frequently, and later into the night.

Your reference: **CLC/EHTS/LIC/112943**

Re: Licensing Act 2003 New premises licence application

Representation concerning Roman Road PFC, 89 Roman Road, London E2 0QN

- Public disorder. The age groups most likely to be attracted to visit PFC during the extended opening hours are the same as those who've most frequently been reported to the police for disorderly and unruly behaviour in Peary Place. There's been instances of take-away delivery drivers refusing to enter Peary Place at night due to feeling intimidated by the groups gathered there. Those groups gather around visits to PFC and if the opening hours are extended, the frequency of such events will almost certainly increase.
- Concentration of nuisance. Currently, there's a natural dispersion happens around the area when the local pubs and take-away shops close, around 11pm. By allowing PFC to trade beyond these hours the footfall is likely to increase during the hours when few other options are locally available. In other words, the disturbance to local residents will increase significantly during the extra opening hours that are being applied for.
- Encouraging fly tipping. The worst littering occurs directly after school, when children eat food from PFC in Peary Place, and in the evenings. Perhaps when it's dark people feel less guilty about dropping rubbish. The littering has a knock-on effect of encouraging fly-tipping. An increase in street litter will likely increase the nuisance of fly-tipping and a snowballing of the amount of rubbish being dumped in the street.
- Further public nuisance. For residents who back on to Roman Road, there is additional nuisance due to the proximity to the rear of the PFC commercial premises. These will be exacerbated by the extended opening hours. Residents are already unable to make full use of their outdoor spaces due to the bad smells and noise generated by the inadequate ventilation shaft. Residents are forced to keep doors and windows closed during the summer. When the ventilation is shut down at the close of business, this isn't the end of the disturbance, as staff then spend time in the yard, taking out rubbish and so on. Should extended opening hours be granted this disturbance will continue later into the night and the closing down procedures will happen even later, causing additional disturbance to residents.

With regards,

[Redacted signature block]

Iain Forsyth and Jane Pollard, [Redacted]
James Purnell and Alexis Kirschbaum, [Redacted]
Cristientje van den Munckhof, [Redacted]
Marisa Bellani, [Redacted]
Joanne Mariner, [Redacted]
Robert Palmer, [Redacted]

Our nominated spokesperson to which you can respond is:
Jane Pollard of [Redacted]

Appendix 9

Mohshin Ali

From: Mail Admin
Sent: 18 January 2019 11:39
To: Mohshin Ali
Subject: FW: License 89 Roman Road

[Email release](#)

From: Marcella Mastantuono [REDACTED]
Sent: 15 January 2019 14:34
To: Mohshin Ali; Stef b
Subject: License 89 Roman Road

Dear Mr Ali,

Restaurant 89 Roman Road.

As you are probably aware, residing near or on top of a Restaurant has it's own problems.

To expand on the negative impact of extending the opening hours to the above Restaurant.

There is already a great deal of noise with cars stopping to pick up food. Also the noise of chatter as people enter and leave the premises the noise and smells that are also associated with running a catering business.

Not to mention litter and food left on the floors and pavements which attracts rodents. Which in turn infiltrate and cause nuisance in the residential area of the building.

The fact that the premises closes at 11:00 means the residents will have a reasonable cut off period where this activity comes to an end.

If the premises closes later it's dragging all of the above factors associated with restaurant activity to a later time when the residents are trying to sleep.

This will make a difference on successfully renting the residential aspect of the building which is imperative for me to afford to pay the large loan taken out recently to renovate the building.

The residential tenants have already reported their concerns regarding this application. Also they have already complained to me and to the restaurant personnel of existing noise. I have enclosed their letter below sent to me by the Agency which manages the property.

One of the tenants reports that the noise from the restaurant is already quite disruptive, even without a late license. The most disruptive noise is work being conducted by the owners/workers of the restaurant or from chairs/furniture being moved around by customers. This noise travels into the flats.

This same tenant reports he raised this with one of the people in the restaurant, aiming to provide some suggestions on how to reduce noise (by placing 'pads' on the bottom of the chairs/tables). According to the tenant the restaurant worked/owner reacted quite aggressively, below is his exact e-mail to me:

It's been a couple of weeks from now that myself and the others in the house have noticed some noise nuisances and couldn't work out where it was coming from, mostly furniture being moved at any time from 6 towards midnight, also some building noises / hammering. I first thought it was coming from the flat above me [REDACTED] but when i reached out they said they had same issue of noise they could hear and thought it was from the flats next door at number 89. I asked next door to investigate and found out the noise is coming from the snack / restaurant under flat 89, as they're sharing a wall with my bedroom - and the back with flat 1 and the same wall coming up to [REDACTED] rooms, I've decided to go and ask them two days ago if it was coming from them.

The tenant/manager of the snack directly reacted VERY aggressively, he showed me how customers where moving the chairs (and it made a noise like someone would move furniture in the whole place to be honest) and they were also doing work at the back (at 10pm - hence why i came down) he was claiming that he's got a licence to be open till 11pm and was trying to make a business and didn't "give a shit" about the noise because he couldn't find any was around it. (I suggested if we could find a solution together to reduce at least the noise on the chairs or else and he directly told me he didn't care - asked if i was "renting one of those shits above" and if i had a problem with it i should talk to my landlord or agent cause they were in full rights to do so. I just wanted him to acknowledge that this noise mostly comes from them moving chairs when they clean in the morning and in the evening (there's barely no clients in general that actually sit and eat here anyway) but he didn't want to hear a thing. I'm not sure how this could be approached as it became a real issue where i could hear daily noises that feels like neighbours are just constantly moving furniture and it's clearly coming from an issue of isolation between the houses (and a lack of consideration of others from the manager of the snack).

If you need any further clarification please let me know. You can also speak to me directly on [REDACTED].

My home address [REDACTED]

Kindest Regards

Marcella Mastantuono

Mohshin Ali

From: Samantha Neale
Sent: 07 January 2019 13:04
To: Mohshin Ali
Subject: FW: 89 License Application

One for you.

Samantha Neale - Licensing Officer

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



From: Marcella Mastantuono [REDACTED]
Sent: 24 December 2018 14:24
To: Samantha Neale
Subject: Re: 89 License Application

Dear Samantha

The property address in question is 89 ROMAN ROAD, BETHNAL GREEN, E2 0QN

Kindest regards.

M Mastantuono

On Mon, 24 Dec 2018 at 10:01, Samantha Neale <[REDACTED]> wrote:

Dear Marcella,

Please could you confirm the street address of the premises application in question.

Kindest Regards,

Samantha Neale - Licensing Officer

Licensing Team, Environmental Health & Trading Standards, John Onslow House, [1 Ewart Place, London E3 5EQ](#)



From: Marcella Mastantuono [REDACTED]
Sent: 22 December 2018 13:23

To: Licensing
Subject: 89 License Application

Dear Ms Driver,

89 Restaurant license application.

I have just been made aware that my tenants in the above property have made an application for a license to extend their opening hours.

Firstly as their Landlord they have neither informed me or asked my permission.

Secondly I strongly object to the license, not only are there residential tenants above the restaurant and next door to the Restaurant, but the majority of the street have numerous tenants on the upper part.

Due to the increase of the residential aspect of the Road I think priority should be given to the wellbeing of the residents.

Kindest Regards

Marcella Mastantuono

Working Together for a Better Tower Hamlets

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

London Borough of Tower Hamlets E-Mail Disclaimer.

This communication and any attachments are intended for the addressee only and may be confidential. It

Appendix 10

From: Nick Sanderson [REDACTED]
Sent: 17 December 2018 16:54
To: Licensing
Subject: Premises Licencing Application Representation – Roman Road PFC, 89 Roman Road, E2 0QN – Ref: CLC/EHTS/LIC/112943

Follow Up Flag: Follow up
Flag Status: Completed

To whom it may concern,

Re: Premises Licencing Application Representation – Roman Road PFC, 89 Roman Road, E2 0QN – Ref: CLC/EHTS/LIC/112943

I would like to formally object to the above mentioned licencing application which seeks to extend the opening hours of Roman Road PFC beyond 23:00 hours on a number of grounds as noted below:

Nuisance from noise

In its current configuration the premises of 89 Road operates an extractor fan system which is located on a party wall with 91 Roman Road and terminates adjacent to number 91. Due to the way in which the system is installed significant noise is exhibited within the residential flats throughout all floors of 91 Roman Road. It is noted that in line with BS 8233 and Building Regulations noise generated by such an extract system in adjacent resting rooms (bedrooms for example) should not exceed 30db. It is advised that noise generated from this system regularly exceeds this limit, even despite recent modifications. Any such extension of opening hours sought within this application would result in further disturbance to residents sleep at these late hours and would represent a public nuisance

The extension of hours would also result in the creation of new nuisance noise levels from customers visiting the fast food facility and delivery vehicles which would further disturb local residents sleep and represent a public nuisance.

Nuisance from Noxious Smells

Due to the proximity of the extract system outlet noxious smells are commonly observed within the flats of 91 Roman Road. The noxious smells sometimes dictate that windows and doors cannot be opened to avoid the fumes, as a result causing discomfort in summer months. An extension of the opening hours of this facility would further exacerbate this situation causing more disturbance to sleep and therefore represent a public nuisance.

Crime and Disorder

The extension of hours will attract customers leaving late licenced premises who will be under the influence of alcohol. This is more likely to exacerbate already exhibited antisocial behaviour including vandalism and graffiti which has recently been exhibited in close proximity to 89 Roman Road.

Litter

The extension of opening hours will result in an increase of customers to the facility and as a result litter. I am sure that the restaurant operators do currently undertake some effort to minimise litter as a result of its custom, however an increase in opening hours will only make this worse, resulting in a public nuisance to local residents.

Dead Shop frontages

Later opening hours in the area mean a shift away from normal opening hours which result in 'dead frontages' on Roman Road further decreasing its attractiveness.

Lastly I would note that as widely reported in the media Roman Road was found to be the second most unhealthy high street in London in the Royal Society for Public Health's rankings. This is as a result of establishments such as Roman Road PFC. The extension of these hours would only worsen this issue and perception in a time when public health of the population is a major concern to me and should be to all.

I would finally like to add that although my concerns regarding this application are more wide ranging than the extractor system. If the whole system were to be moved to the opposite (west) side of the building (89 Roman Road), where no party wall exists or residential dwellings within such close proximity. I would remove my objections as practical steps would have been taken to minimise the impact of this application on the local community.

Yours Sincerely

Nicholas Sanderson

[Redacted signature]

Sent from [Outlook](#)

Appendix 11

Mohshin Ali

From: Steven Lang [REDACTED]
Sent: 20 December 2018 16:58
To: Licensing
Subject: 89 Roman Road - Representation against license extension

Follow Up Flag: Follow up
Flag Status: Completed

From:
Steven Lang
[REDACTED]

License application ref: CLC/EHTS/LIC/112943 at Roman Road PFC, 89 Roman Road London, E20N.

Dear Sir or Madam,

I'm addressing you this e-mail regarding the license extension application that I've received in my mail a few days ago regarding the restaurant on 89 Roman Road.

I'm the tenant of the [REDACTED], Which is directly above the restaurant on the left side and am sharing a wall with the permises.

Myself and others in the building have had several noise issues coming from the snack/restaurant during the opening hours and outside, mostly coming from works being done in the permises and moving / shifting chairs and furnitures making a really loud noise. I've tried to talk to the manager of the restaurant, trying to work out if we could find a friendly agreement or any way to manage between us the noise coming from his restaurant and directly responded very aggressively with insults telling me that he's got the right to exericise a license and doesn't care if he's doing any sort of noise, and if I had any issues with him I should talk to my landlord or agency because it's not his business that i'm "renting one of these shits upstairs".

I am firmly against the extension of operating hours past 11pm, as the noise already is a problem before that time and would not want it to extend to later hours ever, moreover knowing how disrespectful regarding their neighbours and surroundings they have been.

I haven't been involved in sending representations before so please let me know if you're missing any specific informations.

The landlord and the letting agency have also been informed and told me they will not miss getting in touch with you as soon as they can,

Best,
Steven

Appendix 12

**REPRESENTATION REGARDING APPLICATION REF: CLC/EHTS/LIC/112943
ROMAN ROAD PFC, 89 ROMAN ROAD, LONDON, E2 0QN**

DR TOLULLAH ONI & MR TAU TAVENGWA

Tolullah Oni

21 December 2018

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

Dear Mr Tolley,

This letter constitutes our representation in objection to the application for the granting of a late night refreshment licence by Roman Road PFC on 89 Roman Road, London, E2 0QN.

As their neighbours, resident in [REDACTED]; we object to the granting of this licence on the premises on the grounds of excessive noise. We feel the granting of this extended hours licence will prove bothersome to not just us but our neighbours in general and appeal to you to not grant the request.

The nominated person for this representation is Dr Tolullah Oni.

Regards

Tolullah Oni & Tau Tavengwa

[REDACTED]

[REDACTED]

[REDACTED]

Appendix 13

Mohshin Ali

From: Nicola Cadzow
Sent: 06 December 2018 12:24
To: Licensing
Cc: mark.j.perry [REDACTED]; 'Thomas.Ratican [REDACTED]
(Thomas.Ratican [REDACTED]); amirhussain [REDACTED]
Subject: New premises Licence application for Roman Road PFC 89 Roman Road ref M/112943

Dear Licensing,

I have no objections to the new premises license application for Roman Road PFC 89 Roman Road ref M/112943, further to agreement with the applicant to amendment to conditions as shown in red below (see also email trail), :-

Condition 2 : Deliveries to the premises will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.

To be amended to read: No deliveries to the premises shall take place between 22:00 hours and 08:00 hours the following day.

Condition 5: The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.

To be amended to read: No collections of waste or recycling materials (including bottles) from the premises shall take place between 22:00 hours and 08:00 hours on the following day.

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

From: Amir Hussain [REDACTED]
Sent: 06 December 2018 11:23
To: Nicola Cadzow
Subject: Re: Premises Licence 89 Roman Road ref M/112943

Yes I have

Sent from my iPhone

On 6 Dec 2018, at 08:07, Nicola Cadzow [REDACTED] > wrote:

Dear Mr Hussain,

Thank you for your email and appreciate what you are saying. If your deliveries are 10-11 anyway there should be no problem with the amendments to the conditions as I have marked in red below:

Condition 2 : Deliveries to the premises will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.

To be amended to read: No deliveries to the premises shall take place between 22:00 hours and 08:00 hours the following day.

Condition 5: The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.

To be amended to read: No collections of waste or recycling materials (including bottles) from the premises shall take place between 22:00 hours and 08:00 hours on the following day.

Can you confirm your agreement to the above

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

From: Amir Hussain [REDACTED]
Sent: 05 December 2018 20:27
To: Nicola Cadzow
Subject: Re: Premises Licence 89 Roman Road ref M/112943

Thank you for your email: This is to confirm that we get our delivery on 10 to 11 in the morning. We do not get any delivery between 22.00 hours and 08.00 hours on the following day. There is no collection of waste or bottles between 22 hours and 08.00 hours on the following day. Thank you Hussain

Sent from my iPhone

On 3 Dec 2018, at 12:20, Nicola Cadzow [REDACTED] wrote:

Dear Mr Hussain,

Further to Tom's email can you confirm your agreement to the amendments to the following noise conditions on your application (as per my email 30/11/18) and below (amendments in red)

Condition 2 : Deliveries to the premises will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.

To be amended to read: No deliveries to the premises shall take place between 22:00 hours and 08:00 hours the following day.

Condition 5: The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.

To be amended to read: No collections of waste or recycling materials (including bottles) from the premises shall take place between 22:00 hours and 08:00 hours on the following day.

I await your confirmation at your earliest convenience.

Regards

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

From: [Thomas.Ratican](#) [REDACTED]
Sent: 03 December 2018 09:24
To: [amirhussain](#) [REDACTED]
Cc: Licensing; [MARK.J.Perry](#) [REDACTED]; Nicola Cadzow
Subject: RE: Premises Licence 89 Roman Road

Thankyou for agreeing to the extra conditions Mr Hussain.

Regards

Tom

PC Tom Ratican 1235CE
Tower Hamlets Police Licensing
Bethnal Green Police Station
12 Victoria Park Square
E2 8NZ
[REDACTED]

From: Amir Hussain [REDACTED] >
Sent: 30 November 2018 16:06
To: Ratican Tom - CE-CU [REDACTED] >
Subject: Re: Premises Licence 89 Roman Road

Thank you for your email sir: This is to confirm that cctv recording kept for 30 days and it will be available to police and other licensing authorities. we have incident report book and kept for a year. Thank you: mohammed Hussain

Sent from my iPhone

On 29 Nov 2018, at 13:21, "[REDACTED]"

<[REDACTED]> wrote:

Dear Mr Hussain,

In relation to your recently submitted application for the above premises may I ask that the following is included in assisting the Licensing Objective of Preventing Crime and Disorder:

CCTV recordings are kept for a minimum of 30 days and made available to Police or other licensing authorities on request.

An incident report book is kept and maintained.

Regards

PC Tom Ratican 1235CE
Tower Hamlets Police Licensing
Bethnal Green Police Station
12 Victoria Park Square
E2 8NZ
[REDACTED]

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Appendix 14

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 9.1 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 14.10)**.

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 9.2 of the Licensing Policy)**.

The Licensing Authority will consider attaching conditions to prevent nuisance. 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 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 15

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 16

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 17

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 18

Safety Problems

General Advice

Members need to bear in mind the substantial amount of primary legislation in this area, and to only impose conditions where they are both proportionate to identified problems and not adequately covered by primary legislation.

The larger and more complex a premises before Members, the more likely it is that specific conditions will be proportionate and necessary.

Licensing Policy

Premises should be constructed so as to minimise public safety risks. (See 7.1).

The Licensing Authority expects applicants to seek advice from both the relevant Health and Safety body and also the Fire and Emergency Planning Authority. (See 7.2). The applicant should identify where existing legislation is not adequate. (See 7.3).

The Licensing Authority will consider attaching conditions to ensure public safety and these may include Conditions drawn from the Model Pool of Conditions relating to public safety. (See Appendix 2 Annex E, F and J of the Licensing Policy). In particular Members may wish to consider the following headings: (this list is not exhaustive):

Annex E

- Adequate arrangements for people with disabilities, inc. their awareness of them.
- Escape routes
- Safety checks
- Curtains, hangings, decorations, upholstery etc.
- Accommodation limits
- Fire action notices
- Emergency procedures
- Water
- Emergency vehicle access
- First aid
- Lighting
- Temporary electrical installations
- Alterations to the premises
- Special effects

Annex F

This concerns Theatres and Cinemas

Annex J

The safe clubbing checklist

Guidance Issued under Section 182 of the Licensing Act 2003

The public safety objective “Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using a relevant premises rather than public health, which is addressed in other legislation” (2.6). For example, conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

2.7, A number of matters should be considered in relation to public safety.

These may include:

- Fire safety;
- Ensuring appropriate access for emergency services such as ambulances;
- Good communication with local authorities and emergency services, foreexample communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
- Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs
- 2.11-2.12, and Chapter 10; and
- Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).

Safe capacities “should only be imposed where necessary for the promotion of public safety or the prevention of disorder.” (2.11). Therefore, conditions of a fire certificate must not be reproduced.

Other Legislation

- The Health and Safety at Work Act 1974, and various Regs.
- The Regulatory Reform Order (Fire Safety) 2005.

Other Guidance

- Model National and Standard Conditions for Places of Public Entertainment and Assoc. Guidance
- The Event Safety Guide
- Managing Crowds Safely
- 5 Steps to Risk Assessment
- Safer Clubbing
- Safety Guidance for Street Art etc.
- Various BS and ISO standards

Appendix 19

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.

Appendix 20

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 14.8 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 14.9 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