Appendix 1

Liberty Lounge
1A Bell Lane
London
E1 7LA

Licensable Activities authorised by the licence

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

See the attached licence for the licence conditions

Signed by **John McCrohan** [redacted]
Trading Standards and Licensing Manager

Date: 20th March 2007

- Licence varied following the licensing sub-committee hearing on 19th August 2010
- Licence varied following the licensing sub-committee hearing on 16th June 2015

TOWER HAMLETS

LICENSING ACT 2003

Part A - Format of premises licence

Premises licence number	**18561**

Part 1 - Premises details

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

(Liberty Lounge)
1A Bell Lane

Post town	**Post code**
London	E1 7LA

Telephone number

[redacted]

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of licensable activities

Sale of Alcohol (on sales only)

- Sunday to Tuesday from 12:00hrs (midday) to 23:30hrs
- Wednesday to Thursday from 12:00hrs (midday) to 00:00hrs (midnight)
- Friday to Saturday from 12:00hrs (midday) to 01:00hrs (the following day)

The Provision of Regulated Entertainment (in the form of Live Music)

- Sunday to Tuesday from 12:00hrs (midday) to 23:30hrs
- Wednesday to Thursday from 12:00hrs (midday) to 00:00hrs (midnight)
- Friday to Saturday from 12:00hrs (midday) to 01:00hrs (the following day)

Late Night Refreshment

- Sunday to Tuesday from 23:00hrs to 23:30hrs
- Wednesday to Thursday from 23:30hrs to 00:00hrs (midnight)
- Friday to Saturday from 23:30hrs to 01:00hrs (the following day)

Non-Standard Times

- Sundays before Bank Holidays 12:00hrs (midday) to 01:00hrs (the following day)
- New Year's Eve 12:00hrs to 09:00hrs (the following day)
- Morning British Standard Time commences to allow clock going back on hour

The opening hours of the premises

- Sunday to Tuesday from 12:00hrs (midday) to 23:30hrs
- Wednesday to Thursday from 12:00hrs (midday) to 00:00hrs (midnight)
- Friday to Saturday from 12:00hrs (midday) to 01:00hrs (the following day)

Non-Standard Times:

- Sundays before Bank Holidays 12:00hrs (midday) to 01:00hrs (the following day)
- New Year's Eve 12:00hrs to 09:00hrs (the following day)
- Morning British Standard Time commences to allow clock going back on hour

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

On sales only

Part 2

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

Mr Andrew Kerr
[redacted]

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

Not applicable

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

Dorian Meillan
[redacted]

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

Personal Licence Number: [redacted]
Issuing Authority: [redacted]

Annex 1 - Mandatory conditions

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

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

1.
   (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises

   (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises;
      (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
         (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
         (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
      (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective
      (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
      (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
      (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability

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

3.

(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
   (a) a holographic mark, or
   (b) an ultraviolet feature.

4. The responsible person must ensure that—
   (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
      (i) beer or cider: ½ pint
      (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
      (iii) still wine in a glass: 125 ml;
   (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
   (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

5. 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

   2. For the purposes of the condition set out in paragraph 1—

      (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

      (b) "permitted price" is the price found by applying the formula —

$$\mathbf{P = D + (D \times V)}$$

      where —

         (i) **P** is the permitted price

(ii) **D** is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence

(i) the holder of the premises licence

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day

Annex 2 - Conditions consistent with the operating Schedule

1. Notices shall be displayed requesting the customers to leave the premises quietly.

2. The licence holder shall have an account with the taxi firm next to the premises to ensure the customers are not causing a nuisance on the street.

3. Staff shall monitor the noise levels outside the premises to ensure no nuisance is caused.

4. There shall be a litter patrol to ensure no empty bottles are immediately outside the premises.

5. No children shall be allowed entrance to the premises.

Annex 3 - Conditions attached after a hearing by the licensing authority following the licensing subcommittee hearing of 19th August 2010:

1. A CCTV camera system covering both internal and external to the premises shall be installed

2. The CCTV recordings shall be maintained for 30 days and shall be provided upon request to either a Police Officer or an officer of any other Responsible Authority

3. At all times the premises is open, a person who can operate the CCTV system must be present on the premises

4. No drinks (alcoholic or non-alcoholic) shall be sold on the premises for consumption off the premises

5. There shall be no amplified live music at any time

6. A lobby system shall be installed to the entrance within 6 weeks

Conditions attached following the licensing subcommittee hearing of 16th June 2015:

7. No more than 5 smokers outside the premises at one time.

Annex 4 - Plans

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

1st June 2010 – *Basement floor, plan dated 14.06.2010*

Part B - Premises licence summary

Premises licence number	**18561**

Premises details

Postal address of premises, or if none, ordnance survey map reference or description 1A Bell Lane	
Post town London	**Post code** E1 7LA
Telephone number [redacted]	

Where the licence is time limited the dates	Not applicable
Licensable activities authorised by the licence	• The sale by retail of alcohol • The provision of regulated entertainment • The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities	**Sale of Alcohol (on sales only)** • Sunday to Tuesday from 12:00hrs (midday) to 23:30hrs • Wednesday to Thursday from 12:00hrs (midday) to 00:00hrs (midnight) • Friday to Saturday from 12:00hrs (midday) to 01:00hrs (the following day) **The Provision of Regulated Entertainment (in the form of Live Music)** • Sunday to Tuesday from 12:00hrs (midday) to 23:30hrs • Wednesday to Thursday from 12:00hrs (midday) to 00:00hrs (midnight) • Friday to Saturday from 12:00hrs (midday) to 01:00hrs (the following day) **Late Night Refreshment** • Sunday to Tuesday from 23:00hrs to 23:30hrs • Wednesday to Thursday from 23:30hrs to 00:00hrs (midnight) • Friday to Saturday from 23:30hrs to 01:00hrs (the following day)
The opening hours of the premises	• Sunday to Tuesday from 12:00hrs (midday) to 23:30hrs • Wednesday to Thursday from 12:00hrs (midday) to 00:00hrs (midnight) • Friday to Saturday from 12:00hrs (midday) to 01:00hrs (the following day) **Non-Standard Times:** • Sundays before Bank Holidays 12:00hrs (midday) to 01:00hrs (the following day) • New Year's Eve 12:00hrs to 09:00hrs (the following day) • Morning British Standard Time commences to allow clock going back on hour

Name, (registered) address of holder of premises licence	Mr Andrew Kerr [redacted]
Where the licence authorises supplies of alcohol	On sales only
Registered number of holder, for example company number, charity number (where applicable)	Not applicable
Designated Premises Supervisor	Dorian Meillan
State whether access to the premises by children is restricted or prohibited	No children shall be allowed entrance to the premises

Appendix 2

TOWER HAMLETS

Tower Hamlets
Application to vary a premises licence
Licensing Act 2003

For help contact
licensing@towerhamlets.gov.uk
Telephone: 020 7364 5008

* required information

Section 1 of 18

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

System reference: Not Currently In Use
This is the unique reference for this application generated by the system.

Your reference:
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: ANDREW
* Family name: KERR
* E-mail: [redacted]
Main telephone number: [redacted]
Include country code.
Other telephone number:

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

Are you:

◉ 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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant 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: 08754567
Business name: DISCOUNT SUIT COMPANY LTD
If your business is registered, use its registered name.
VAT number: - 185200721
Put "none" if you are not registered for VAT.
Legal status: Private Limited Company

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Your position in the business	OPERATIONS DIRECTOR
Home country	United Kingdom

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name	1A BELL LANE
Street	
District	SHOREDITCH
City or town	LONDON
County or administrative area	TOWER HAMLETS
Postcode	E1 7TB
Country	United Kingdom

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APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number	18561

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	DISCOUNT SUIT COMPANY LTD
Street	1A BELL LANE
District	SHOREDITCH
City or town	LONDON
County or administrative area	TOWER HAMLETS
Postcode	E1 7TB
Country	United Kingdom

Premises Contact Details

Telephone number	[redacted]

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Non-domestic rateable value of premises (£): 5,891.81

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VARIATION

Do you want the proposed variation to have effect as soon as possible? (•) Yes ( ) No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

(•) Yes ( ) No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

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

As proposed with consultation by licensing Police Officer Mark Perry Discount Suit Company would be looking for extension for of Sale of Alchol, Late night refreshment and Late Night Entertainmnet:

Thursday, Friday and Saturday until 1.30am with a 30 minute drink up time

With the new conditions stipulated and agreed with PC Mark Perry:

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

2 An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:

a) all crimes reported to the venue;

b) all ejections of patrons;

c) any complaints received concerning crime and disorder

d) any incidents of disorder;

e) all seizures of drugs or offensive weapons;

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f) any faults in the CCTV system, searching equipment or scanning equipment;

g) any refusal of the sale of alcohol;

h) any visit by a relevant authority or emergency service.

3 In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:

a) the police (and, where appropriate, the London Ambulance Service) are called without delay;

b) all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;

c) the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and

d) such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

4 A minimum of 1 SIA licensed door supervisors shall be on duty at the premises from 8pm on Wednesday, Thursday, Friday and Saturday

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to vary is successful?

○ Yes ◉ No

Section 5 of 18

PROVISION OF FILMS

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to vary is successful?

○ Yes ◉ No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

○ Yes ◉ No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

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Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

○ Yes ◉ No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will the schedule to provide live music be subject to change if this application to vary is successful?

○ Yes ◉ No

Section 9 of 18

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

◉ Yes ○ No

Standard Days And Timings

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

MONDAY

Start [ ] End [ ]

Start [ ] End [ ]

TUESDAY

Start [ ] End [ ]

Start [ ] End [ ]

WEDNESDAY

Start [ ] End [ ]

Start [ ] End [ ]

THURSDAY

Start [ ] End [ ]

Start 12:00 End 02:00

FRIDAY

Start [ ] End [ ]

Start 12:00 End 02:00

SATURDAY

Start [ ] End [ ]

Start 12:00 End 02:00

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SUNDAY

Start ____ End ____

Start ____ End ____

Will the playing of recorded music take place indoors or outdoors or both?

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

- ○ Indoors
- ○ Outdoors
- ○ Both

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.

Extending Recorded Music to be in place to match new closing times.
All other days to be kept as current licence

State any seasonal variations for playing recorded music.

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

none

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

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

no

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PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- ○ Yes
- ◉ No

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

See guidance on regulated entertainment

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- ○ Yes
- ◉ No

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PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

(•) Yes ( ) No

Standard Days And Timings

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

MONDAY

Start _____ End _____

Start _____ End _____

TUESDAY

Start _____ End _____

Start _____ End _____

WEDNESDAY

Start _____ End _____

Start _____ End _____

THURSDAY

Start _____ End _____

Start 12:00 End 02:00

FRIDAY

Start _____ End _____

Start 12:00 End 02:00

SATURDAY

Start _____ End _____

Start 12:00 End 02:00

SUNDAY

Start _____ End _____

Start _____ End _____

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

(•) Indoors ( ) Outdoors ( ) Both

Where taking place in a building or other structure select 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.

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Continued from previous page...

State any seasonal variations.

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

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

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

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SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- (●) Yes
- ( ) No

Standard Days And Timings

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

MONDAY

Start		End	
Start		End	

TUESDAY

Start		End	
Start		End	

WEDNESDAY

Start		End	
Start		End	

THURSDAY

Start		End	
Start	12:00	End	01:30

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FRIDAY

Start		End	
Start	12:00	End	01:30

SATURDAY

Start		End	
Start	12:00	End	01:30

SUNDAY

Start		End	
Start		End	

Will the sale of alcohol be for consumption?

- (●) On the premises
- ( ) Off the premises
- ( ) Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

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

None

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

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

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ADULT ENTERTAINMENT

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

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

N/A

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

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

MONDAY	Start	12:00	End	00:00
	Start		End	
TUESDAY	Start	12:00	End	00:00
	Start		End	
WEDNESDAY	Start	12:00	End	00:00
	Start		End	
THURSDAY	Start	12:00	End	02:00
	Start		End	
FRIDAY	Start	12:00	End	02:00
	Start		End	
SATURDAY	Start	12:00	End	02:00
	Start		End	
SUNDAY	Start	12:00	End	23:00
	Start		End	

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 you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

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

N/A

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

Please see previous with regards to new conditions as agreed with PC Mark Perry

☒ I have enclosed the premises licence

☐ I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

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.

As stated in new conditions of license. This will prevent and and uphold any issues that might occur due to extended hours

b) The prevention of crime and disorder

Door Staff will be on door Thursday to Saturday as condition of extension

#4

c) Public safety

See new conditions as proposed #1 and #2

d) The prevention of public nuisance

Again in conditions

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e) The protection of children from harm

No undr 18 allowed within the venue (As stated in current licence)

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NOTES ON REGULATED ENTERTAINMENT

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:
  - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - 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.
  - 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.
  - 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.
  - 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:
  - 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.
  - 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.
  - 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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Continued from previous page...

- 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:
  - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - 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;
  - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - 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.

Section 18 of 18

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.

Variation 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 £4300 £100.00
Band B - £4301 to £33000 £190.00
Band C - £33001 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 - £87001 to £12500 £900.00
Band E - £125001 and over £1,905.00
If you own a large premise 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

* Fee amount (£) 190.00

DECLARATION

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Continued from previous page...

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

☒ 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	ANDREW KERR
* Capacity	OPERATIONS DIRECTOR
* Date	03 / 07 / 2020 (dd mm yyyy)

Add another signatory

Once you're finished you need to do the following:
1. Save this form to your computer by clicking file/save as...
2. Go back to https://www.gov.uk/apply-for-a-licence/premises-licence/tower-hamlets/change-1 to upload this file and continue with your application.
Don't forget to make sure you have all your supporting documentation to hand.

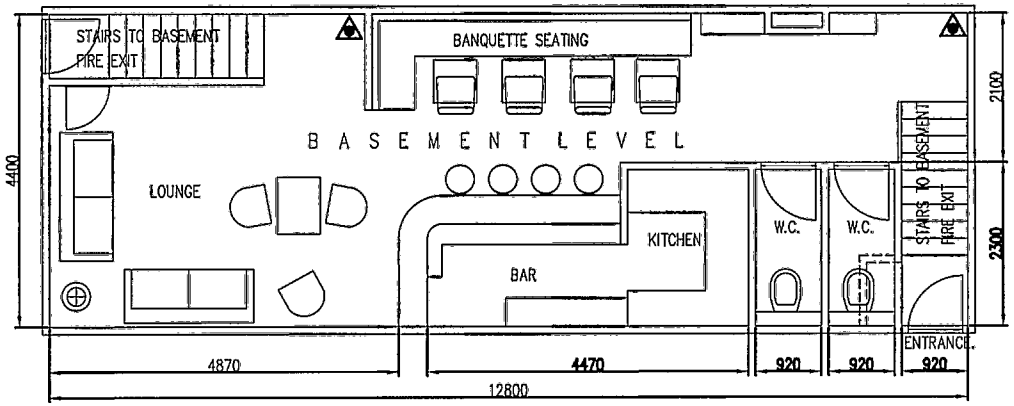
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number	
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	☐

Appendix 3

L I B E R T Y L O U N G E



FIRE EXTINGUISHERS

1:100 BASEMENT FLOOR PLAN . 1A BELL LANE . EC1 7LA

PROJECT:
LIBERTY LOUNGE

TITLE:
BASEMENT PLAN

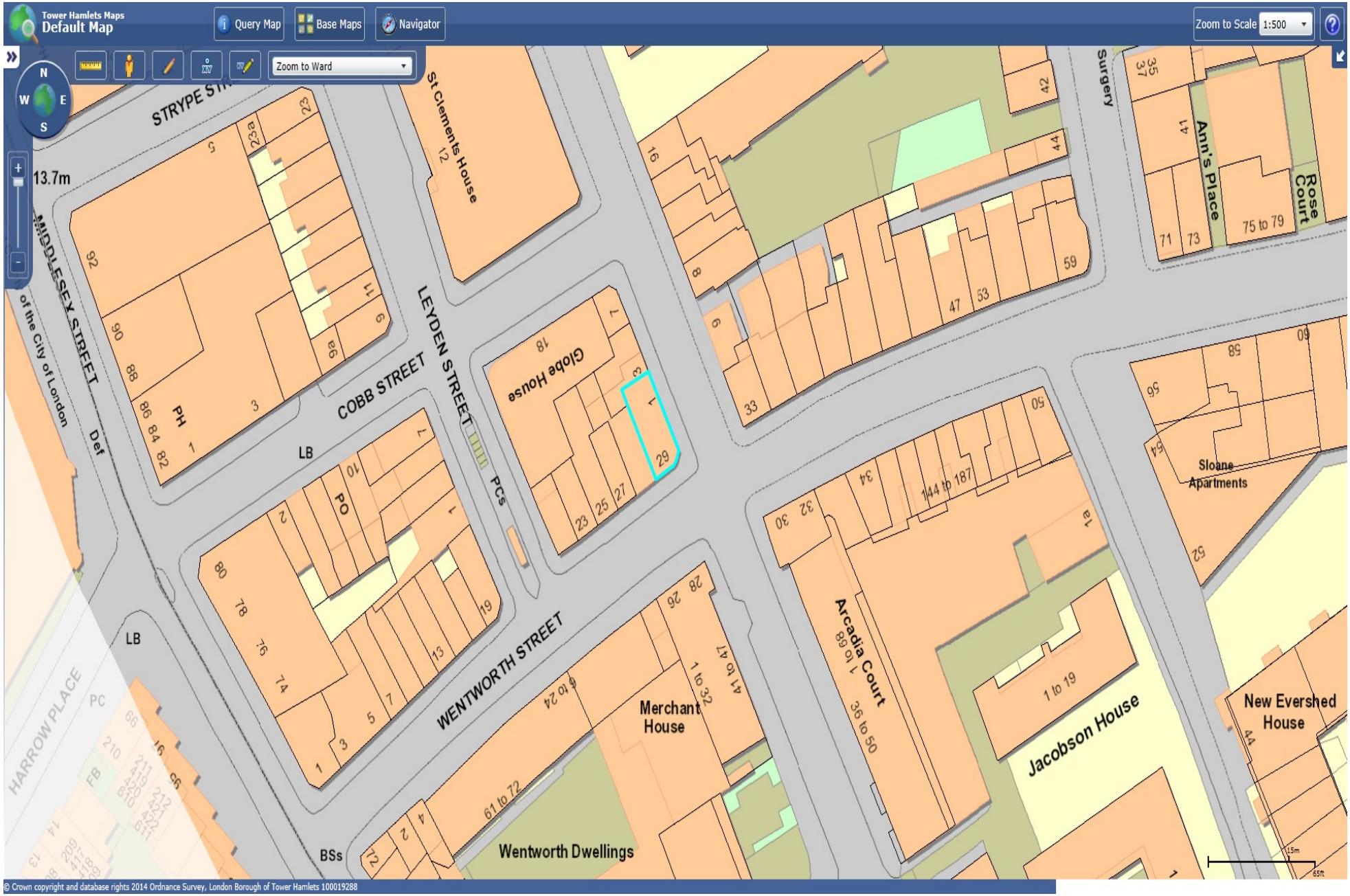
DRG. NO	001	DRG. 1 OF 1

DATE:	SCALE:	DRN.BY:	CHECKED:
14.06.10	1:100 @A4	XXX	XXX

LIBERTY LOUNGE

1A BELL LANE SHOREDITCH
LONDON EC1 7LA
TEL: 0207 377 5118

Appendix 4


Tower Hamlets Maps
Default Map
Query Map
Base Maps
Navigator
Zoom to Scale
1:500
Zoom to Ward
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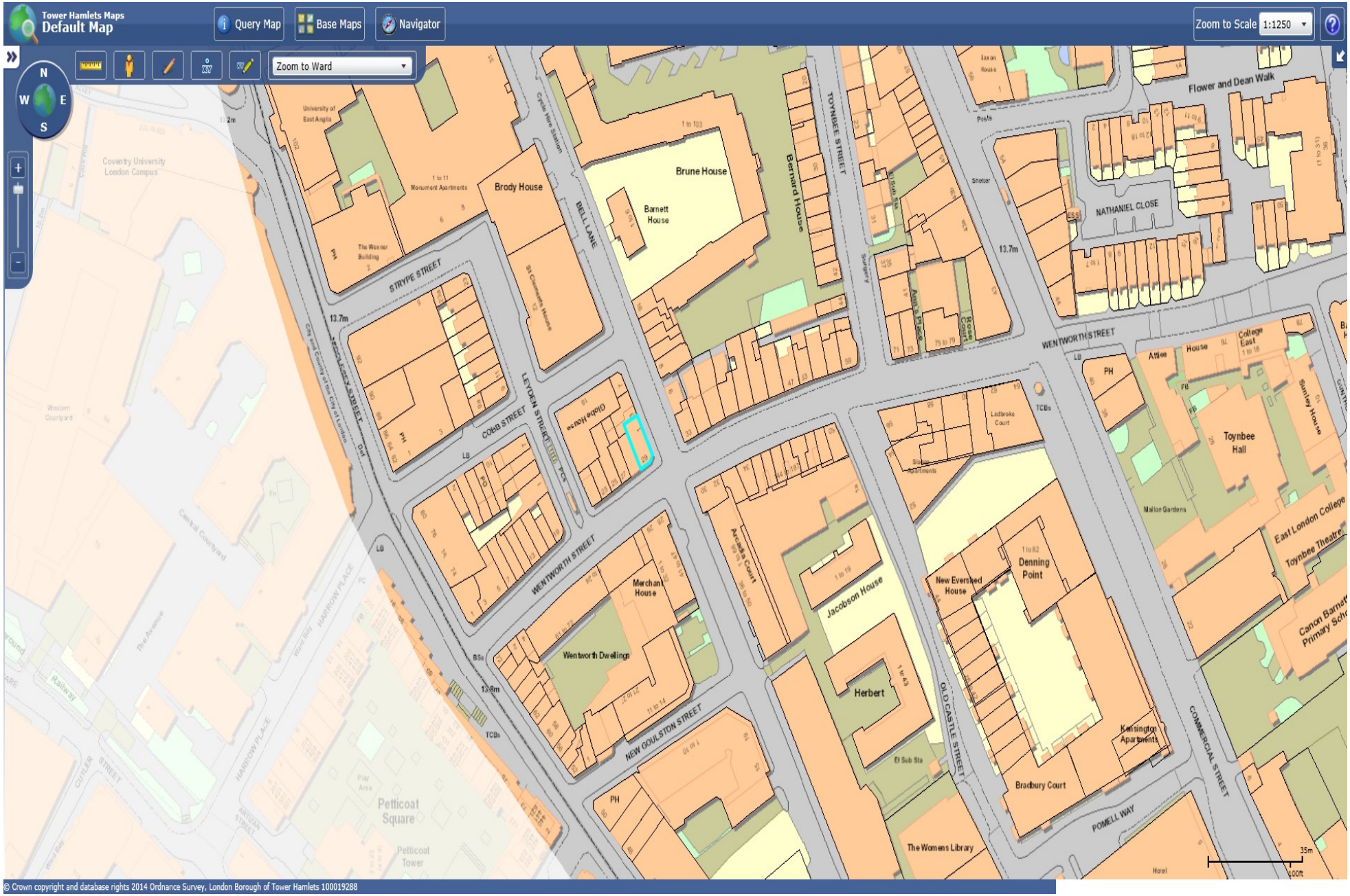
13.7m
MIDDLESEY STREET
of the City of London
Def
LB
COBB STREET
LEYDEN STREET
PCs
PH
PO
St Clements House
Globe House
WENTWORTH STREET
Merchant House
Wentworth Dwellings
Arcadia Court
Jacobson House
Surgery
Ann's Place
Rose Court
Sloane Apartments
New Evershed House
HARROW PLACE
BSs
© Crown copyright and database rights 2014 Ordnance Survey, London Borough of Tower Hamlets 100019288


Tower Hamlets Maps
Default Map
Query Map
Base Maps
Navigator
Zoom to Scale
1:1250
Zoom to Ward
N
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Brody House
Brune House
Barnett House
Bernard House
TOYNBEE STREET
Flower and Dean Walk
NATHANIEL CLOSE
WENTWORTH STREET
STRYPE STREET
BELL LANE
COBB STREET
LEYDEN STREET
Merchant House
Wentworth Dwellings
Arcade Court
Jacobson House
Herbert
New Evershed House
Denning Point
Ladbroke Court
Toynbee Hall
Mallon Gardens
East London College
Toynbee Theatre
Canon Barnett Primary School
Kensington Apartments
Bradbury Court
OLD CASTLE STREET
COMMERCIAL STREET
POMELL WAY
NEW GOULSTON STREET
The Womens Library
Petticoat Square
Petticoat Tower
Coventry University London Campus
University of East Anglia
Monument Apartments
The Weaver Building
St Clements House
Cycle Hire Station
Posts
Shelter
Surgery
Ann's Place
Rose Court
Sunley House
College East
Attlee House
PH
TCBs
BSs
13.7m
13.8m
35m
100ft
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Appendix 5

1a Bell Lane - Nearest licences

Name and address	Licensable activities and hours	Opening hours
(Sainsbury's) **31 Bell Lane** **London** **E1 7LA**	Sale of Alcohol by retail (Off sales only) Monday to Sunday from 09:00 hours to 23:00 hours	Monday to Sunday – 24 hours a day
(Refresh) **8 Bell Lane** **London** **E1 7LA**	The sale by retail of alcohol (Off sales) • Monday to Saturday, from 07:00 hours to 20:00 hours • Sunday, from 07:00 hours to 19:00 hours	• Monday to Saturday, from 07:00 hours to 20:00 hours • Sunday, from 07:00 hours to 19:00 hours
(Inito) **Unit 6** **31 Bell Lane** **London** **E1 7LA**	**Sale by retail of alcohol (**On and off sales**)** • Monday to Thursday, from 11:00 hours to 22:30 hours • Friday and Saturday, from 11:00 hours to 23:00 hours • Sunday, from 11:00 hours to 21:30 hours **The Provision for Late Night Refreshments - Indoors** • Friday and Saturday, from 23:00 hours to 23:30 hours	• Monday to Thursday, from 11:00 hours to 23:00 hours • Friday and Saturday, from 11:00 hours to 23:30 hours • Sunday, from 11:00 hours to 22:00 hours
Rox Burgers **3 Bell Lane** **London** **E1 7LA**	**Supply of Alcohol (**On sales only**)** • Monday to Sunday inclusive 08:00 hrs to 23:00 hrs **Late Night Refreshment** • (Christmas Eve and New Years Eve only) 23:00 hrs until 03:00 hrs the next day **Regulated Entertainment:** Live Music Friday: 18:00 hrs to 22:00 hrs Saturday: 17:00 hrs to 22:00 hrs Sunday: 14:00 hrs to 16:00 hrs 17:00 hrs to 20:00 hrs • (Christmas Eve and New Years Eve Only) until 03:00 hrs the next day Recorded Music • Monday to Sunday inclusive, 08:00 hrs to 23:00 hrs	• Monday to Sunday inclusive, 08:00 hrs to 24:00 hrs • (Christmas Eve and New Yeas Eve only), until 03:00 hrs the next day
(Hungry	**Sale by retail of alcohol (On sale)**	• Monday to

1a Bell Lane - Nearest licences

Donkey) **56 Wentworth Street** **London** **E1 7AL**	• Monday to Thursday from 11:00hrs to 23:00hrs • Friday and Saturday from 11:00hrs to 23:30hrs • Sunday from 11.00hrs to 22:00hrs **sale by retail of alcohol (Off sale)** • Monday to Saturday from 11:00hrs to 23:00hrs • Sunday from 11:00hrs to 22:00hrs **The provision of regulated entertainment** <u>Recorded Music</u> • Monday to Thursday from 11:00hrs to 23:00hrs • Friday and Saturday from 11:00hrs to 23:30hrs • Sunday from 11:00hrs to 22:00hrs **Provision of late night refreshment** • Monday to Thursday from 23:00hrs to 23:30hrs • Friday and Saturday from 23:00hrs to 00:00hrs (midnight)	Thursday from 07:30hrs to 23.30hrs • Friday and Saturday from 07.30hrs to 00:00hrs (midnight) • Sunday, from 07:30hrs to 22:30hrs
(Xian Biang Biang) **62 Wentworth Street** **London** **E1 7AL**	The sale by retail of alcohol (On sales only) Monday to Sunday from 11:00 hours to 22:30 hours	Monday to Sunday from 11:00 hours to 23:00 hours
(Unity Diner) **60 Wentworth Street** **London** **E1 7AL**	**The sale by retail of alcohol (On sales only)** • Monday to Friday from 12:00 hours to 23:00 hours • Saturday, from 12:00 hours to 23:30 hours (midnight) • Sunday, from 12:00 hours to 21:30 hours	• Monday to Friday from 12:00 hours to 23:30 hours • Saturday, from 12:00 hours to 00:00 hours • Sunday, from 12:00 hours to 22:00 hours
(Chicago Rib Shack) **Retail Unit D** **City Scape** **Wentworth Street** **London** **E1 7AL**	**On sale of alcohol: (**On sales only**)** Monday to Thursday from 09:00 hrs to 23:00 hrs Friday and Saturday from 09:00 hrs to 23:30 hrs Sunday from 09:00hrs to 22:00 hrs **Provision of late night refreshment:** Monday to Thursday until 23.30 hrs Friday and Saturday until midnight	Monday to Thursday from 06:00 hrs to 23:30 hrs Friday and Saturday from 06:00 hrs to midnight Sunday from 06:00 hrs to 22:30 hrs

Appendix 6

TOWER HAMLETS

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

POSITIVE ABOUT DISABLED PEOPLE

INVESTOR IN PEOPLE

Place Directorate
Public Realm

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

Email:
[redacted]

My reference: P/EHTS/LIC/129225

Date 31st July 2020

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

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

Tel [redacted]
Fax [redacted]
Enquiries to **Lavine Miller- Johnson**

Email: [redacted]k

www.towerhamlets.gov.uk

Dear Sir/Madam,

Licensing Act 2003

Variation- Licence application for (Discount Suit Company LTD) 1A Bell Lane London E1 7TB

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

- ***the prevention of public nuisance***

Cumulative Impact Policy

On 1st November 2013, Tower Hamlets Council adopted a Cumulative Impact Policy in the Brick Lane Area. The Council Cumulative Impact Zone (CIZ) was revised alongside this Statement of Licensing Policy on the 1st November 2018. *Local crime mapping showed that although there had been a reduction in crime and disorder linked to licensed premises within the CIZ since January 2015, the same crime mapping showed that the area of the CIZ is still higher than average in regards to crimes and disorder linked to licensed premises compared to the rest of the borough (19.3).*

The Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the

provision of late night refreshment in the Bethnal Green area is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone within the area. The Bethnal Green CIZ aims to manage the negative cumulative impact of the concentration of licensed premises in the area and the stresses that the saturation of licensed premises has had on local amenity, environmental degradation and emergency and regulatory services in managing this impact.

The effect of this Special Cumulative Impact Policy will affect applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for the following:

- *New Premises Licences applications,*
- *New Club Premises Certificates applications*
- *Provisional Statements,*
- *Variation of Premises Licenses and Club Premises Certificate applications (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity).*

The Licensing Authority expects such applications to have regard for and make reference to the CIZ (19.5).

The Special Cumulative Impact policy creates a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons against applications within the CIZ zones the application will be refused (19.6).

Where representations have been received in respect to applications within the CIZ zones, the onus is on applicants to adequately rebut the presumption. Applicants will need to demonstrate in their applications why the granting of their application will not negatively add to the cumulative already experience within the CIZ Zones. Applicants may wish to address the following in their applications:

- *Genuinely exceptional circumstances,*
- *Relevant good practices they employ (for example, this could include details of membership of local Pubwatch/other trade groups,*
- *Accreditation of Award Schemes (as applicable), and any participation in Police/Council initiatives),*
- *Other good operational/practice arrangements in respect of any outside drinking and smoking to control potential impact in the area,*
- *Measures used to promote the licensing objectives (for example, any relevant conditions to control noise, dispersal, litter and other anti-social issues (19.7)*

This Policy will be strictly applied and where relevant representations are received it is the view of the Council that the application will be refused. Applicants will need to demonstrate that there are exceptional circumstances and that granting their application will not negatively add to

the cumulative effect on the Licensing Objectives within the Brick Lane and Bethnal Green CIZ if they wish to rebut this presumption.

Examples of factors the Licensing Authority may consider as exceptional may include, though are not limited to:

- *small premises with a capacity of fifty persons or less who only intend to operate during Framework Hours,*
- *premises which are not alcohol led and operate only within Framework Hours, such as coffee shops,*
- *instances where the applicant has recently surrendered a licence for another premises of a similar size and providing similar licensable activities in the same Special Policy Area.*

*Examples of factors the Licensing Authority will **not** consider as exceptional include:*

- *that the premises will be well managed and run,*
- *that the premises will be constructed to a high standard,*
- *that the applicant operates similar premises elsewhere without complaint (19.8).*

Licensable activities and times

The applicant has applied for the following licensable activities and hours:

The Provision of Recorded Music

- **Thursday – Saturday from 12:00 hours to 02:00 hours**

The Provision of Late Night Refreshment

- **Thursday – Saturday from 12:00 hours to 02:00 hours**

The Supply of Alcohol

- **Thursday – Saturday from 12:00 hours to 01:30 hours**

Opening Hours

Monday – Wednesday 12:00 hours to 00:00 hours (midnight)
Thursday – Saturday 12:00 hours to 02:00 hours (the following day)
Sunday from 12:00 hours to 23:00 hours

On a balance of probability, this Authority is concerned by the addition of another premise providing extended hours for “licensable activities”, potentially adding to the existing anti-social issues in the area.

The Home Office guidance under Section 182 of the Licensing Act2003 (8.42) says:

"Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

- *the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;*

- *any risk posed to the local area by the applicants' proposed licensable activities; and*

- *any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks."*

The applicant has provided no information in the Operating Schedule to address the CIZ particularly the impact that these additional late hours will have within the CIZ.

Great consideration has been given to the fact that the premise is in the Brick Lane Cumulative Impact Zone and although the applicant has a number of conditions on the current licence and has offered further condition in the application, there is no supporting evidence as to how the licensing objectives will be upheld with regards to public nuisance.

It is important to note that when applying for a licence in a CIZ area, applicants need to demonstrate that the granting of their application will not negatively add to the cumulative effect and undermine the licensing objectives.

On considering this application as it stands, I feel it does not uphold the following licensing objective of 'prevention of public nuisance' therefore the Licensing Authority feels that the application should be rejected.

Yours faithfully,

[redacted]

Licensing Officer
(Acting as a Responsible Authority)

Appendix 7

Mohshin Ali

From: Vincent Fajilagmago on behalf of Licensing
Sent: 29 July 2020 16:30
To: Mohshin Ali
Subject: FW: 129225 - MAU REPRESENTAITON Discount Suit Company 1a Bell Lane London E1 7B

FYI

From: Nicola Cadzow
Sent: 29 July 2020 11:26
To: Licensing
Subject: 129225 - MAU REPRESENTAITON Discount Suit Company 1a Bell Lane London E1 7B

Dear Licensing,

I have reviewed the variation of premises license application for Discount Suit Company 1a Bell Lane London E1 7TB, and have considered the impact of the licensing objectives, particular for Environmental Protection the prevention of public nuisance and the prevention of noise generated from within the premises or outside to be causing disturbance to people in the vicinity. Consideration also has to be given to the fact that the premises is in Brick Lane Cumulative Impact Zone (CIZ)

Premises Current Licensable Activities: Sale of Alcohol, Late Night Refreshment, Recorded Music:

Thursdays until Midnight
Friday and Saturdays until Midnight

The applicant is proposing licensable activities:

Late Night Refreshment, Recorded Music:

Thursday until 02:00 hours (an extension of two hours)
Friday and Saturday until 02:00 hours (an extension of one hour)

Sale of Alcohol:

Thursday until 01:30 hours (an extension of one and a half hours)
Friday and Saturday until 02:00 hours (an extension of half an hour)

The applicant has failed to provide information in their operation schedule to demonstrate how they will promote the licensing objective for the prevention of public nuisance as a result of customers from their licenced premises if they extend their hours of operation, particular when considering the premises is in Brick Lane CIZ.

Noise Sensitive premises: residential premises in close proximity to 1A Bell Lane, London E1 7TB.

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

- Noise breakout from the venue affecting neighbouring residents,
- Access & egress to and from the venue, of patrons, especially due to patrons likely to be in high spirits; and

- The hours of operation (inclusive of proposals)

CONCLUSION

Environmental Protection **does not** support the application for Discount Suit Company 1a Bell Lane London E1 7B, as there is great likelihood of disturbance to residential premises at the noise sensitive hours sought, with consideration that the premises is in Brick Lane Cumulative Impact Zone.

Kind regards

Nicola Cadzow
Environmental Health Technical Officer
Environmental Protection Team
Place Directorate
London Borough of Tower Hamlets
John Onslow House
London E3 5EQ

[redacted]
www.towerhamlets.gov.uk

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Appendix 8

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 9

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

<u>Guidance Issued under Section 182 of the Licensing Act 2003</u>
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 10

Planning

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

Appendix 11

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

<u>(see 14.8 of the Licensing Policy)</u>
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

<u>(See 14.9 of the licensing policy)</u>
Subject to any representations to the contrary in individual cases the following premises are not generally considered to contribute to late night anti-social behaviour and will therefore generally have greater freedom

- Theatres
- Cinemas
- Premises with club premises certificates

Appendix 12

Special Cumulative Impact Policy for the Brick Lane and Bethnal Green Area

19.1 As with many other London Borough's the majority of late night licensed premises are concentrated within one area of the Borough. Following guidance issued under the Licensing Act 2003 a cumulative impact policy for the Brick Lane area was adopted on 18th September 2013 by the Council and came into effect on the 1st November 2013.

19.2 After consultation the Council recognised that because of the number and density of licensed premises selling alcohol, on and off the premises and the provision of late night refreshment (sale of hot food after 11pm) within the Brick Lane Area as defined in Figure One, there might be exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect.

19.3 The Council Cumulative Impact Zone (CIZ) was reviewed alongside this Statement of Licensing Policy by the Licensing Committee on 14th December 2017. Following this review and consultation in early 2018 the Council has decided to keep the Cumulative Impact Zone (CIZ). Local crime mapping showed that although there had been a reduction in crime and disorder linked to licensed premises within the CIZ since January 2015, the same crime mapping showed that the area of the CIZ is still higher than average in regards to crimes and disorder linked to licensed premises compared to the rest of the borough.

Further to the CIZ in the Brick Lane Area shown in Figure One below, data from 999/101 calls to Police in 2016/17 showed a large number of incidents linked to licensed premises within the area shown in Figure Two below (Bethnal Green Area). In light of this evidence and following consultation mentioned above the Council has decided to adopt a second CIZ in the Bethnal Green Area.

19.4 The Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the area highlighted in Figures One and Two is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone within these areas. The Brick Lane and Bethnal Green CIZ aims to manage the negative cumulative impact of the concentration of licensed premises in these areas and the stresses that the saturation of licensed premises has had on local amenity, environmental degradation and emergency and regulatory services in managing this impact.

19.5 The effect of this Special Cumulative Impact Policy will affect applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for the following:

- New Premises Licences applications,
- New Club Premises Certificates applications
- Provisional Statements,
- Variation of Premises Licenses and Club Premises Certificate applications (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity).

The Licensing Authority expects such applications to have regard for and make reference to the CIZ.

19.6 The Special Cumulative Impact policy creates a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons against applications within the CIZ zones the application will be refused.

19.7 Where representations have been received in respect to applications within the CIZ zones the onus is on applicants to adequately rebut the presumption. Applicants will need to demonstrate in their applications why the granting of their application will not negatively add to the cumulative already experience within the CIZ Zones. Applicants may wish to address the following in their applications:

- Genuinely exceptional circumstances,
- Relevant good practices they employ (for example, this could include details of membership of local Pubwatch/other trade groups,
- Accreditation of Award Schemes (as applicable), and any participation in Police/Council initiatives),
- Other good operational/practice arrangements in respect of any outside drinking and smoking to control potential impact in the area,
- Measures used to promote the licensing objectives (for example, any relevant conditions to control noise, dispersal, litter and other anti-social issues.

19.8 **This Policy will be strictly applied and where relevant representations are received it is the view of the Council that the application will be refused. Applicants will need to demonstrate that there are exceptional circumstances and that granting their application will not negatively add to the cumulative effect on the Licensing Objectives within the Brick Lane and Bethnal Green CIZ if they wish to rebut this presumption.**

Examples of factors the Licensing Authority may consider as exceptional may include, though are not limited to:

- small premises with a capacity of fifty persons or less who only intend to operate during Framework Hours,
- premises which are not alcohol led and operate only within Framework Hours, such as coffee shops,

- instances where the applicant has recently surrendered a licence for another premises of a similar size and providing similar licensable activities in the same Special Policy Area.

Examples of factors the Licensing Authority will **not** consider as exceptional include:

- that the premises will be well managed and run,
- that the premises will be constructed to a high standard,
- that the applicant operates similar premises elsewhere without complaint.

19.9 The Special Cumulative Impact policy will not be used to revoke an existing licence or certificate and will not be applicable during the review of existing licences.

The Cumulative Impact Zones:

Figure One

Brick Lane area:

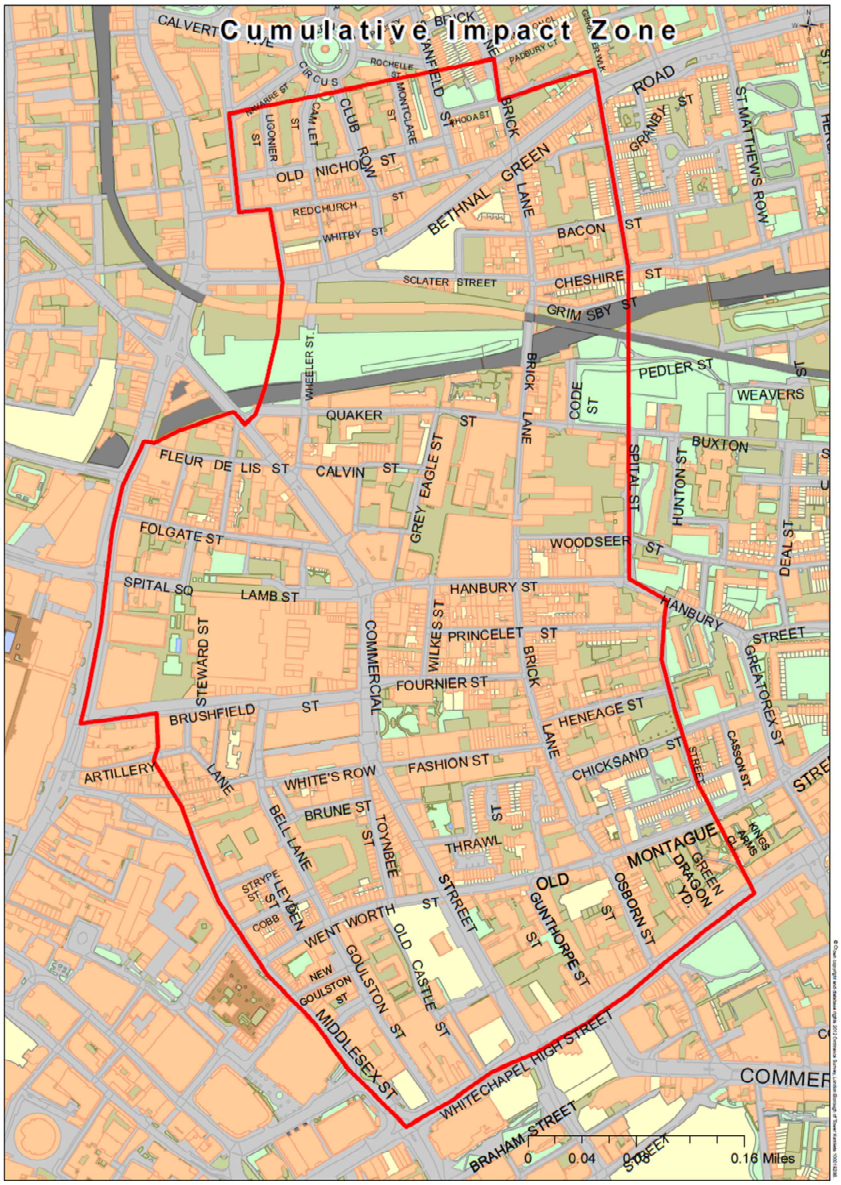
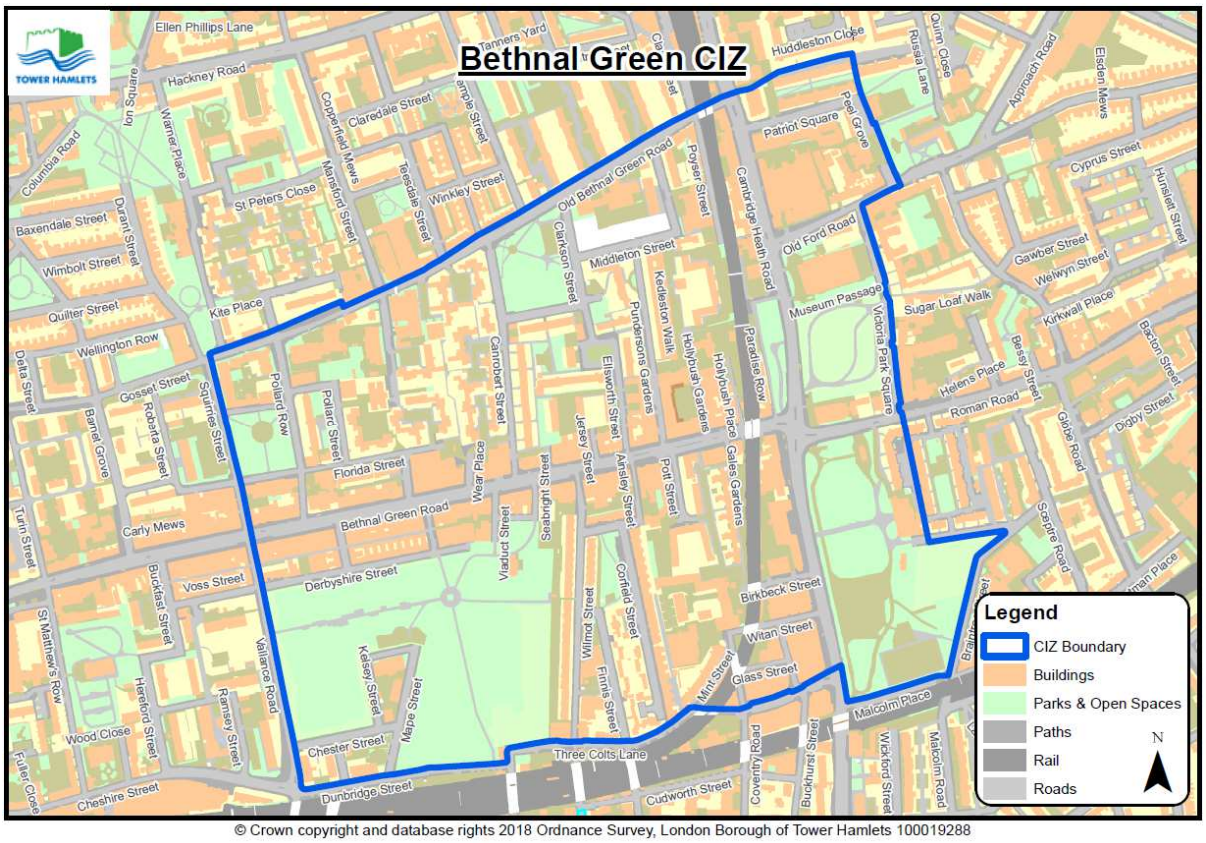


Figure Two:

Bethnal Green Area



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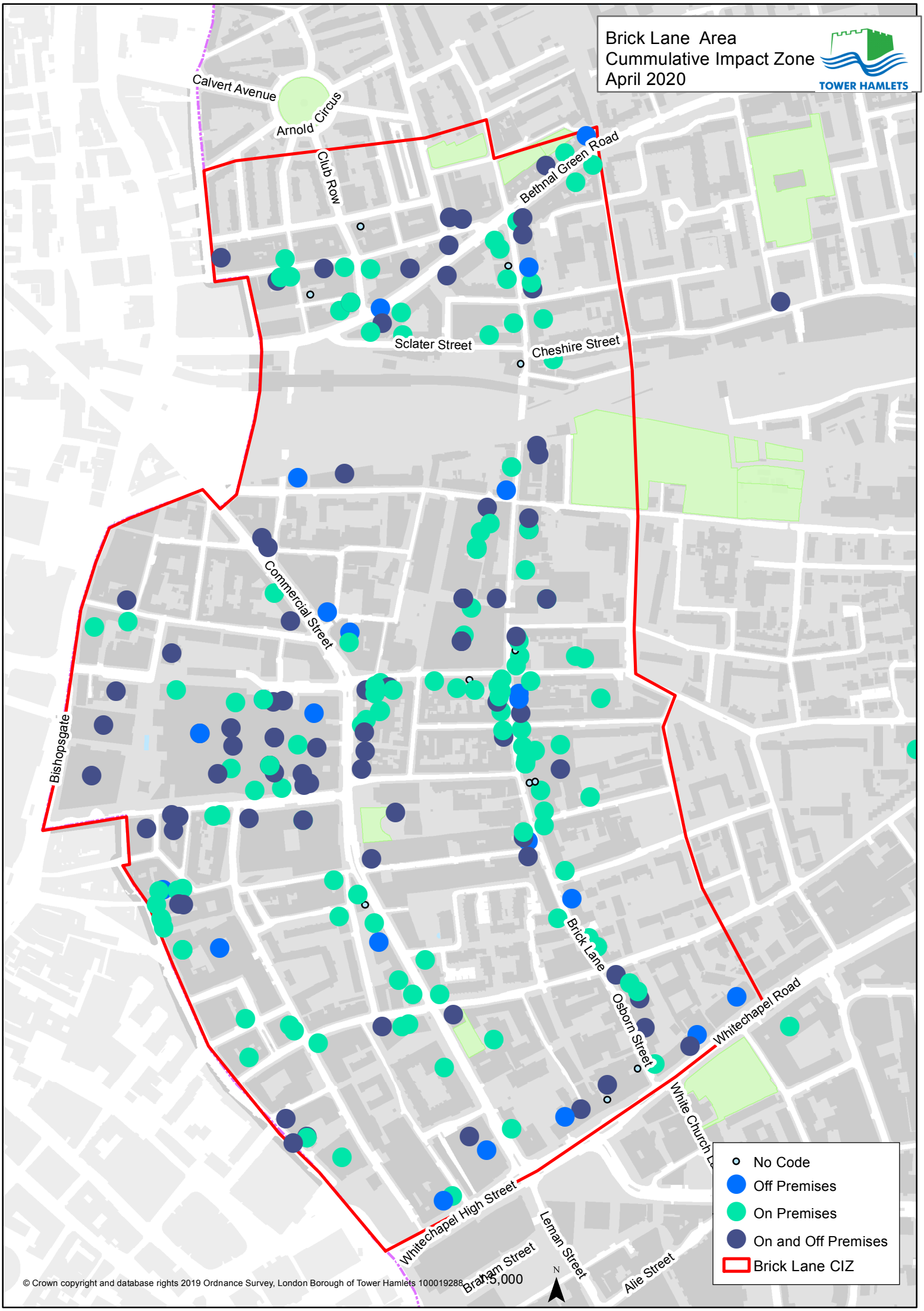
Brick Lane Area
Cummulative Impact Zone
April 2020
TOWER HAMLETS
Calvert Avenue
Arnold Circus
Club Row
Bethnal Green Road
Sclater Street
Cheshire Street
Commercial Street
Bishopsgate
Brick Lane
Osborn Street
Whitechapel Road
White Church La
Whitechapel High Street
Leman Street
Alie Street
No Code
Off Premises
On Premises
On and Off Premises
Brick Lane CIZ
N
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