

Appendix 1

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We SAM NERIMAN
(Insert name(s) of applicant)

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
ZENGI RESTAURANT 44 COMMERCIAL STREET			
Post town	LONDON	Post code	E1 6LT
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ 18,000	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

LBTH
TRADE STAND
- 8 AUG 2010
1
LICENSING

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

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

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
A	S	A
P		

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

Day	Month	Year

Please give a general description of the premises (please read guidance note1)

RESTAURANT & BAR

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

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

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

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

D

NO

Boxing or wrestling entertainment Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [Y](please read guidance note 9)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 10)	Both		
Tue						
Wed				State any seasonal variations for boxing or wrestling entertainment (please read guidance note 11)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick [Y](please read guidance note 9)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	11 00	23 30	Please give further details here (please read guidance note 10)	Both	
Tue	11 00	23 30			
Wed	11 00	23 30	State any seasonal variations for the performance of live music (please read guidance note 11)		
Thur	11 00	23 30			
Fri	11 00	23 30	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sat	11 00	23 30			
Sun	11 00	23 30			

AS M

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 9)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1100	2330	Please give further details here (please read guidance note 10)	Both	<input type="checkbox"/>
Tue	1100	2330			
Wed	1100	2330	State any seasonal variations for playing recorded music (please read guidance note 11)		
Thur	1100	2330			
Fri	1100	2330	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sat	1100	2330			
Sun	1100	2330			

AS M

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick [Y] (please read guidance note 9)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1100	2330	Please give further details here (please read guidance note 10)	Both	<input type="checkbox"/>
Tue	1100	2330			
Wed	1100	2330	State any seasonal variations for the performance of dance (please read guidance note 11)		
Thur	1100	2330			
Fri	1100	2330	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sat	1100	2330			
Sun	1100	2330			

AS M

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing TO BE DECIDED	
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 9)	Indoors <input checked="" type="checkbox"/>
Mon	1100	2330		Outdoors
				Both
Tue	1100	2330	Please give further details here (please read guidance note 10)	
Wed	1100	2330		
Thur	1100	2330	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 11)	
Fri	1100	2330		
Sat	1100	2330	Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 12)	
Sun	1100	2330		
			AS M	

Provision of facilities for making music Standard days and timings (please read guidance note 8)			Please give a description of the facilities for making music you will be providing NOT YET KNOWN		
			Will the facilities for making music be indoors or outdoors or both – please tick [Y] (please read guidance note 9)		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 10)		
Mon	1100	2330			
Tue	1100	2330			
Wed	1100	2330			
Thur	1100	2330			
Fri	1100	2330			
Sat	1100	2330			
Sun	1100	2330			
			State any seasonal variations for the provision of facilities for making music (please read guidance note 11)		
			Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)		
			AS M		

Provision of facilities for dancing Standard days and timings (please read guidance note 8)			Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (see guidance note 9)		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 10)		
Mon	1100	2330			
Tue	1100	2330			
	1100	2330			
Thur	1100	2330			
Fri	1100	2330			
Sat	1100	2330			
Sun	1100	2330			
			State any seasonal variations for providing dancing facilities (please read guidance note 11)		
			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)		
			AS M		

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment facility you will be providing NOT YET DECIDED		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick [Y]. (please read guidance note 9)	Indoor	<input checked="" type="checkbox"/>
				Outdoor	<input type="checkbox"/>
Mon	1100	2330		Both	<input type="checkbox"/>
Tue	1100	2330	Please give further details here (please read guidance note 10)		
Wed	1100	2330			
Thur	1100	2330	State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 11)		
Fri	1100	2330			
Sat	1100	2330	Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sun	1100	2330	AS M		

L

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 9)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input checked="" type="checkbox"/>
Mon	2300	2330		Both	<input type="checkbox"/>
Tue	2300	2330	Please give further details here (please read guidance note 10) TO INCLUDE OUTDOOR SEATING AREA		
Wed	2300	2330	State any seasonal variations for the provision of late night refreshment (please read guidance note 11)		
Thur	2300	2330			
Fri	2300	2330	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 12)		
Sat	2300	2330	NEW YEARS EVE & RAHADAN 2300 - 0130 HOURS		
Sun	2300	2330			

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)
 None (except for the sale of alcohol)

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	1100	2400	
Tue	1100	2400	
Wed	1100	2400	
Thur	1100	2400	
Fri	1100	2400	
Sat	1100	2400	
Sun	1100	2400	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

NEW YEARS EVE
 1100 - 0200 HOURS

RAHADAN 1100 - 0200 HOURS
 (WHICHEVER DATE THE FESTIVAL FALLS ON)

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

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

TRAINING OF ALL STAFF ON THE PREMISES TO ENSURE THAT THEY UNDERSTAND AND ADHERE TO THE LAW RELATING TO THE SALE OF ALCOHOL

b) The prevention of crime and disorder

CCTV INSTALLED AND MAINTAINED SO FULLY OPERATIONAL AT ALL TIMES.
RECORDINGS TO BE KEPT IN ACCORDANCE WITH POLICE GUIDELINES, FOR A MINIMUM OF 30 DAYS AND TO BE MADE AVAILABLE TO POLICE/COUNCIL OFFICERS IF REQUIRED.
ALARM SYSTEM IN PLACE
SHUTTERS AT FRONT WINDOWS

c) Public safety

ALL STAFF TRAINED TO DEAL WITH ANY OUTBREAK OF FIRE AT THE PREMISES. FIRE EXTINGUISHERS INSTALLED AND REGULARLY SERVICED IN ACCORDANCE WITH FIRE AUTHORITY GUIDELINES
TO COMPLY WITH ANY REQUIREMENTS OF THE FIRE AUTHORITY

d) The prevention of public nuisance

ANYONE WHO IS DRUNK OR APPEARS TO BE BUYING ALCOHOL FOR SOMEONE WHO IS DRUNK WILL BE REFUSED THE SALE OF ALCOHOL

e) The protection of children from harm

CHALLENGE 25 TO BE OPERATED AT ALL TIMES, AND ALL STAFF WILL BE TRAINED TO ACCEPT ONLY A PROOF OF AGE (PASS SCHEME) CARD, PASSPORT OR PHOTO DRIVING LICENCE AS ACCEPTABLE FORMS OF ID WHEN SELLING ALCOHOL TO YOUNG PEOPLE.
SIGN TO BE DISPLAYED AT POINT OF SALE - 'NO PROOF OF AGE - NO SALE'
REFUSAL BOOK TO BE KEPT AT THE PREMISES AND MAINTAINED AT ALL TIMES


Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	5 / 8 / 10
Capacity	AGENT

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

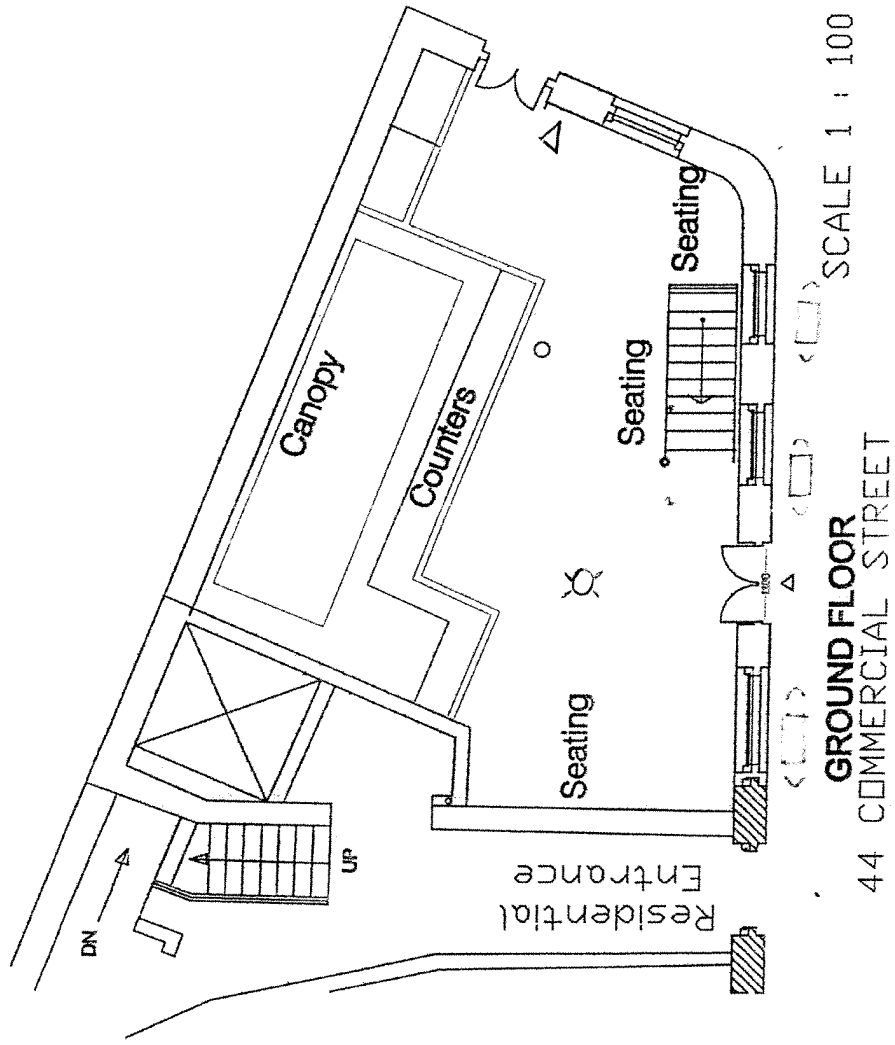
Signature	
Date	
Capacity	AGENT

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)
LICENSING SERVICES AGENCY
16 BENGEO STREET

Post town	HERTFORD	Post code	SG14 3ES
Telephone number (if any)	01992 584959		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

ZENGI RESTAURANT, 44 COMMERCIAL STREET E1

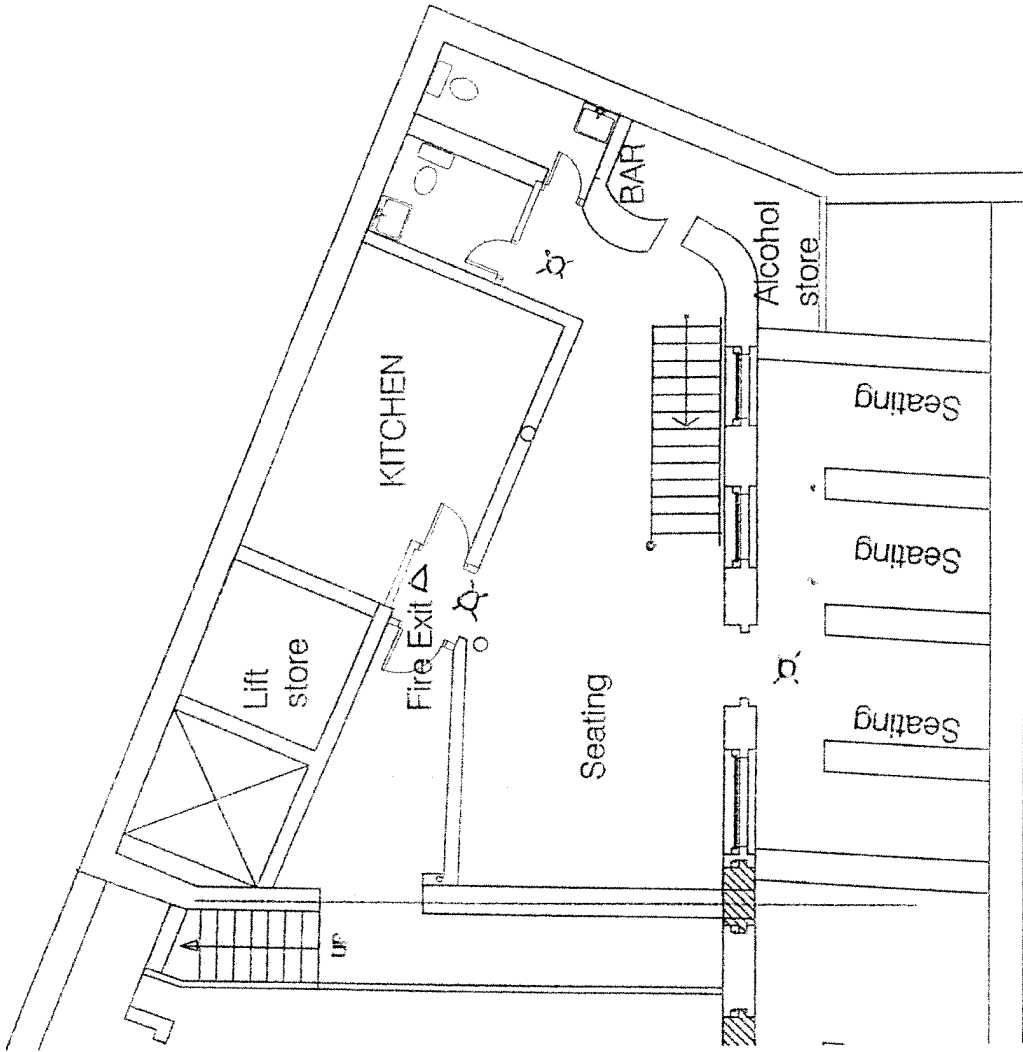
LETT
TRADING STANDARDS
- 6 AUG 2010
LICENSING



CCTV TO BE
INSTALLED

X EMERGENCY
LIGHTING

△ FIRE
EXTINGUISHERS



EMERGENCY
LIGHTING

Basement Floor Plan
44 COMMERCIAL STREET
SCALE 1 : 100

Appendix 2

Mohshin Ali

From: Licensing Services Agency [licensingagency@ntlworld.com]
Sent: 20 August 2010 12:34
To: Alan.D.Cruickshank@met.police.uk
Cc: Kathy Driver
Subject: RE: Zengi , 44 Commercial St, E1

All confirmed as below.

Kind regards

Debra Silvester

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

From: Alan.D.Cruickshank@met.police.uk [mailto:Alan.D.Cruickshank@met.police.uk]
Sent: 20 August 2010 12:19
To: licensingagency@ntlworld.com
Cc: Kathy.Driver@towerhamlets.gov.uk
Subject: Zengi , 44 Commercial St, E1

Indeed I will withdraw my representation

If we can confirm the following. Please also reply to Kathy Driver above.

1. All licensable hours agreed per application

12.. Non standard times relating to Ramadan to be removed..

2. CCTV to be installed / updated

The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of 31 days. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity. There must also be someone on the premises, who can download the images and present them immediately on request by a police officer or other responsible authority,

(one camera to be placed outside the main entrance onto the street)

3. Any outdoor seating , service to be concluded at 2200

Best wishes

Alan

Appendix 3

Map



Scale 1:1250

Map of:

Notes:

44 Commercial Street

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Map



Scale 1:2500

Map of:

Notes:

44 Commercial Street

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Appendix 4

Section 182 Advice by the DCMS

RELEVANT, VEXATIOUS AND FRIVOLOUS REPRESENTATIONS

- 9.8 A representation would only be “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 businessman which argued that his business would be commercially damaged by a new licensed premises would not be relevant. On the other hand, a representation that nuisance caused by the new premises would deter customers from entering the local area and the steps proposed by the applicant to control that nuisance were inadequate would be relevant. There is no requirement for an interested party or responsible authority to produce a recorded history of problems at a premises to support their representations, and in fact this would not be possible for new premises. Further information for interested parties about the process for making representations is available in “Guidance for interested parties: Making representations” which can be found on the DCMS website.
- 9.9 The “cumulative impact” on the licensing objectives of a concentration of multiple licensed premises may also give rise to a relevant representation when an application for the grant or variation of a premises licence is being considered, but not in relation to an application for review which must relate to an individual premises.
- 9.10 It is for the licensing authority to determine whether any representation by an interested party is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. Vexation may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Frivolous representations would be essentially categorised by a lack of seriousness. An interested party who is aggrieved by a rejection of their representations on these grounds may challenge the authority’s decision by way of judicial review.

- 9.11 Licensing authorities should not take decisions on whether representations are relevant on the basis of any political judgement. This may be difficult for ward councillors receiving 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 subcommittee before any decision is taken that necessitates a hearing. Any ward councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.
- 9.12 The Secretary of State recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it. If it then emerged, for example, that the representation should not be supported, the licensing authority could decide not to take any action in respect of the application.
- 9.13 Licensing authorities should consider providing advice on their websites about how any interested party can make representations to them.

Appendix 5

<u>List of residents making representations for Zengi Restaurant, 44 Commercial, London E1 6LT</u>						
	<u>Name</u>	<u>Address 1</u>	<u>Address 2</u>	<u>Address 3</u>	<u>Address 4</u>	<u>Appendix</u>
1	The Occupier		Flower and Dean Walk	London	E1	6
2	The Occupier	Flat	Brick Lane	London	E1	7
3	A Razak		Flower and Dean Walk	London	E1	8
4	The Occupier		Flower and Dean Walk	London	E1	9
5	F.K. Hussain		Flower and Dean Walk	London	E1	10
6	The Occupier		Flower and Dean Walk	London	E1	11
7	The Occupier		Flower and Dean Walk	London	E1	12
8	The Occupier		Flower and Dean Walk	London	E1	13
9	The Occupier		Flower and Dean Walk	London	E1	14
10	S. K. Khatun		Flower and Dean Walk	London	E1	15
11	Mr F. A. Shumon		Flower and Dean Walk	London	E1	16
12	R. Begum	Nathaniel Close		London	E1	17
13	The Occupier	Thrawl Street		London	E1	18
14	M. H. Ahmed	Nathaniel Close		London	E1	19
15	The Occupier	Nathaniel Close		London	E1	20
16	The Occupier	Nathaniel Close		London	E1	21
17	The Occupier		Flower and Dean Walk	London	E1	22
18	Mosrura Chowdhury	Thrawl Street		London	E1	23
19	Syedul Alam	Nathaniel Close		London	E1	24

Appendix 6

Jackie Randall
Licensing Section
Mulberry Place
PO Box 55739
5 Clove Crescent
London
E14 1BY

Flower & Dean Estate
London
E1

Tel:
Fax:
E-Mail:

Date: 26 August 2010

Dear Ms Randall

Licensing Act 2003 and the Zengi Restaurant, 44 Commercial St, London E14 6LT

I wish to object to the granting of increased night time opening hours and that of an alcohol licence to the above mentioned establishment under the Licensing Act 2003.

I believe that the by granting Zengi both extended opening hours and a alcohol licence will adversely affect the quality of life for my family as well as the local Flower & Dean community..

The grounds for my objections are as follows:

1. Nathaniel Close is a very quiet residential area where children play safely as it is closed off from the main roads and has only one small vehicle entry point and one very small foot tunnel for pedestrians. The proximity of Zengi is that it directly backs on to the close as it is situated on the junction of the busy thoroughfare of Commercial Street and Wentworth Street.
2. There is currently a long running dispute with an existing music and bar establishment, namely Club 54, which is a few doors away from the Zengi Restaurant. Since the opening of Club 54 and it's incarnations under numerous predecessors, the local community has seen a spike in crime and anti-social behaviour from outsiders encouraged into the area.
3. No impact study has been done on the effect to the community of the increased numbers of entertainment and food venues that have been allowed to open and operate on the boundary of the residential estate.
4. At the western end of the estate (Commercial St), a number of large venues have recently opened up. They are the Bundu Khan Restaurant, The Gramophone Bar and Restaurant, Club 54 bar and night club, the long standing Princess Alice public house as well as numerous other eateries, clubs and bars within the vicinity of Petty Coat Lane and Middlesex Street; all of which have brought in a substantial increase in the number of the general public using the estate as a thoroughfare at all times of night and day bringing with them the ill consequences in their wake.
5. Even before extended hours and drinks licence has been granted to Zengi, the increase in evening and night time activity as a direct result of the entertainment and food venue has resulted in cases of stabbings, muggings, drug use, drug trafficking, wanton acts of drink related vandalism, public acts of gross indecency as a result of prostitution and finally the party goers using our paths and streets as public toilets by littering them with urine and human excrement.

On the above justifications, I implore you to reject the application by Zengi Restaurant for an increase in it's night-time operating hours and refuse it a late night drinks licence on the grounds that it will seriously affect the daily lives of the local residents and jeopardises the health and risk of our children and community by laying them open to the detritus of discarded drugs paraphernalia, the lure of Class A drugs, the encouragement and open practice of prostitution, the litter and glass strewn roads and paths, having to navigate the vomit and human waste and the fear of increased levels violence that will otherwise be brought.

Yours sincerely



Appendix 7

Jackie Randall
Licensing Section
Mulberry Place
PO Box 55739
5 Clove Crescent
London
E14 1BY

[Redacted]
[Redacted]
[Redacted]

Tel: [Redacted]
Fax: [Redacted]
E-Mail:

Date: 26 August 2010

Dear Ms Randall

Licensing Act 2003 and the Zengi Restaurant, 44 Commercial St, London E14 6LT

I wish to object to the granting of increased night time opening hours and that of an alcohol licence to the above mentioned establishment under the Licensing Act 2003.

I believe that the by granting Zengi both extended opening hours and a alcohol licence will adversely affect the quality of life for my family as well as the local Flower & Dean community..

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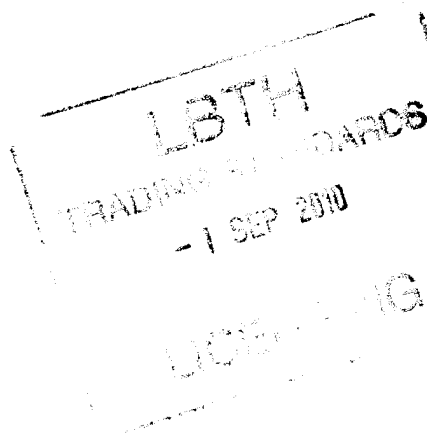
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Yours sincerely

A large black rectangular redaction box covering the signature area.

Appendix 8

Jackie Randall
Licensing Section
Mulberry Place
PO Box 55739
5 Clove Crescent
London
E14 1BY



[REDACTED]
Flower & Dean Estate
London
E1 [REDACTED]

Tel: [REDACTED]
Fax: [REDACTED]
E-Mail:

Date: 26 August 2010

Dear Ms Randall

Licensing Act 2003 and the Zengi Restaurant, 44 Commercial St, London E14 6LT

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I believe that the by granting Zengi both extended opening hours and a alcohol licence will adversely affect the quality of life for my family as well as the local Flower & Dean community..

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Yours sincerely

A solid black rectangular box used to redact the signature of the sender.

Appendix 9

Jackie Randall
Licensing Section
Mulberry Place
PO Box 55739
5 Clove Crescent
London
E14 1BY

Flower & Dean Estate
London
E1

Tel:
Fax:
E-Mail:

Date: 26 August 2010

TRAFFIC
- 1 SEP 2010
LICENSING

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Licensing Act 2003 and the Zengi Restaurant, 44 Commercial St, London E14 6LT

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Yours sincerely



Appendix 10

Jackie Randall
Licensing Section
Mulberry Place
PO Box 55739
5 Clove Crescent
London
E14 1BY

Flower & Dean Estate
London
E1

Tel:
Fax:
E-Mail:

Date: 26 August 2010

LBTH
TRADING STANDARDS
- 1 SEP 2010
LICENSING

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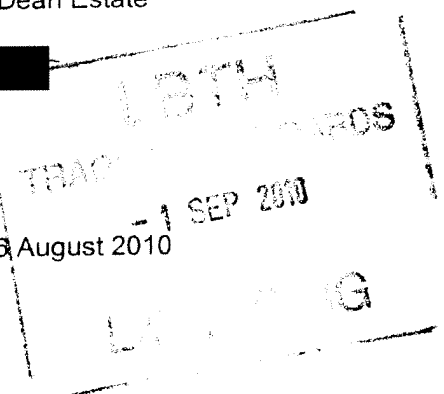
Appendix 11

Jackie Randall
Licensing Section
Mulberry Place
PO Box 55739
5 Clove Crescent
London
E14 1BY

Flower & Dean Estate
London
E1 [REDACTED]

Tel:
Fax:
E-Mail:

Date: 26 August 2010



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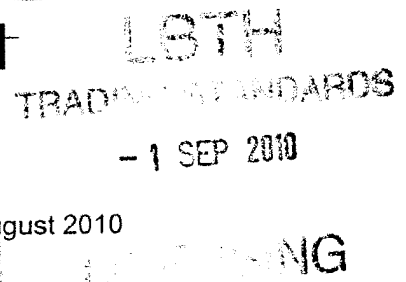
Appendix 12

Jackie Randall
Licensing Section
Mulberry Place
PO Box 55739
5 Clove Crescent
London
E14 1BY

Flower & Dean Estate
London
E1

Tel:
Fax:
E-Mail:

Date: 26 August 2010



Dear Ms Randall

Licensing Act 2003 and the Zengi Restaurant, 44 Commercial St, London E14 6LT

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Yours sincerely

A solid black rectangular box used to redact the signature of the sender.

Appendix 13

Jackie Randall
Licensing Section
Mulberry Place
PO Box 55739
5 Clove Crescent
London
E14 1BY

Flower & Dean Estate
London
E1 [REDACTED]

Tel:
Fax:
E-Mail:

Date: 26 August 2010

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TRADING STANDARDS
- 1 SEP 2010

LICENSING

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Yours sincerely 

Appendix 14

Jackie Randall
Licensing Section
Mulberry Place
PO Box 55739
5 Clove Crescent
London
E14 1BY

Flower & Dean Estate
London
E1

Tel:
Fax:
E-Mail:

Date: 26 August 2010

Dear Ms Randall

Licensing Act 2003 and the Zengi Restaurant, 44 Commercial St, London E14 6LT

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DM
TRADING STAMPS
1 SEP 2010

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Yours sincerely

A solid black rectangular box used to redact the signature of the sender.

Appendix 15

Jackie Randall
Licensing Section
Mulberry Place
PO Box 55739
5 Clove Crescent
London
E14 1BY

Flower & Dean Estate
London
E1

Tel:
Fax:
E-Mail:

Date: 26 August 2010

Dear Ms Randall

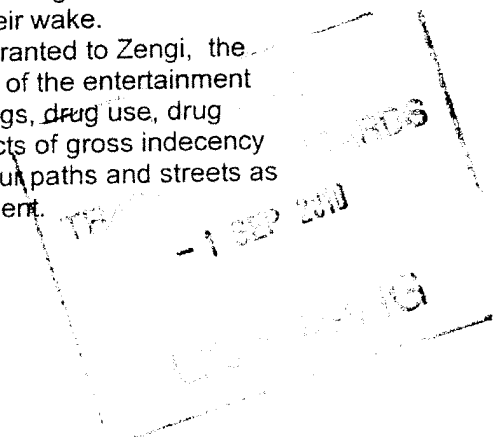
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Appendix 16

Jackie Randall
Licensing Section
Mulberry Place
PO Box 55739
5 Clove Crescent
London
E14 1BY

Flower & Dean Estate
London
E1

Tel:
Fax:
E-Mail:

Date: 26 August 2010

Dear Ms Randall

Licensing Act 2003 and the Zengi Restaurant, 44 Commercial St, London E14 6LT

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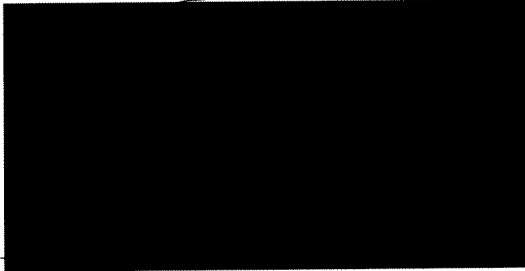
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LICENSING

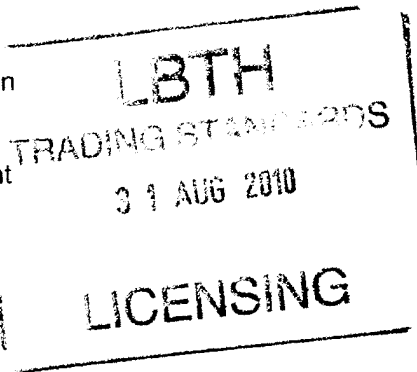
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Appendix 17

Jackie Randall
Licensing Section
Mulberry Place
PO Box 55739
5 Clove Crescent
London
E14 1BY



Flower & Dean Estate
London
E1

Tel:
Fax:
E-Mail:

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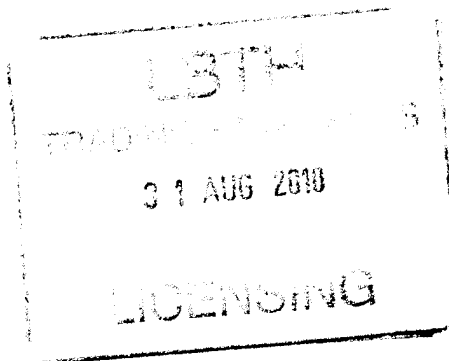
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Yours sincerely

A solid black rectangular box used to redact the signature of the sender.

Appendix 18

Jackie Randall
Licensing Section
Mulberry Place
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E14 1BY



[REDACTED]
Flower & Dean Estate
London
E1 [REDACTED]

Tel: [REDACTED]
Fax: [REDACTED]
E-Mail: [REDACTED]

Date: 26 August 2010

Dear Ms Randall

Licensing Act 2003 and the Zengi Restaurant, 44 Commercial St, London E14 6LT

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[REDACTED]
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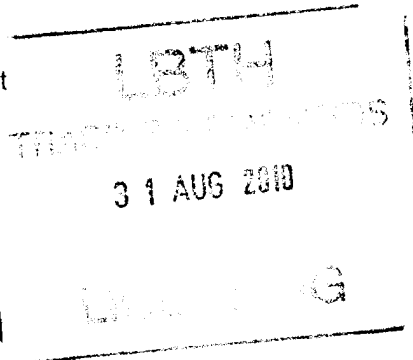
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Flower & Dean Estate
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Tel:
Fax:
E-Mail:

Date: 26 August 2010

31 AUG 2010

LICENSING

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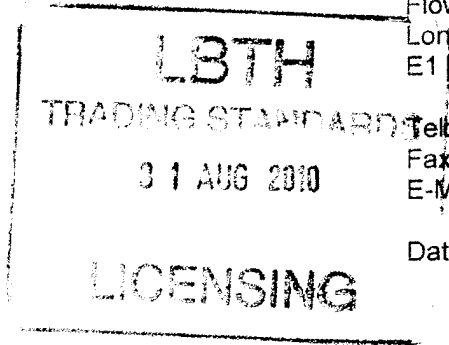
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Appendix 24

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[REDACTED]
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Tel: [REDACTED]
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Appendix 25

Crime and disorder 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 Sections 5.2. 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 Pool of Conditions relating to Crime and Disorder. (See Appendix 2 Annex D 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 is acknowledged (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 on, or in the immediate vicinity of the premises as they seek entry or leave (2.4).

Conditions are best targeted on deterrence and preventing crime and disorder (S.2.6) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (S.2.7-2.11).

Guidance Issued under Section 182 of the Licensing Act 2003

Conditions can be imposed for large capacity “vertical consumption” premises (10.40).

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 26

Crime and disorder 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.” Other controls need to be borne in mind. **(See Section 4.10 and 4.11 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 2 Annex D of the Licensing Policy).**

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Conditions can be imposed for large capacity "vertical consumption" premises (10.40).

There is also guidance issued around the heading of "public nuisance as follows

The pool of conditions, adopted by the council is recommended (Annexe G).

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 (2.36) but it is essential that conditions are focused on measures within the direct control of the licence holder" (2.38). Conditions relating to behaviour once they are beyond the control of the licence holder cannot be justified. (2.38)

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 27

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 8.1 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 12.11)**.

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 8.2 of the Licensing Policy)**.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Pool of Conditions relating to Crime and Disorder. (**See Appendix 2 Annex D of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a "beer garden", or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly
- Conditions controlling the use of explosives, pyrotechnics and fireworks
- Conditions controlling the placing of refuse
- Conditions controlling noxious smells
- Conditions controlling lighting (this needs to be balanced against potential crime prevention benefits)

Police Powers

Part 8 of the Licensing Act 2003 enables a senior police officer to close down a premises for up to 24 hrs. A premises causing a nuisance resulting from noise emanating from the premises.

Guidance Issued under Section 182 of the Licensing Act 2003

The Licensing Policy has adopted the recommended Pool of Conditions as permitted (13.20 and Annex D).

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community (2.33).

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.36) 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 (2.38).

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 28

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.

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 Sections 8.1 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 8.2 of the Licensing Policy**).

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 12.10**)

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Poll of Conditions relating to the prevention of Public Nuisance. **(See Appendix 2 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 pool of conditions, adopted by the council is recommended (Annex G). 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. (2.33).

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 (2.36) but it is essential that conditions are focused on measures within the direct control of the licence holder" (2.38).

In certain circumstances conditions relating to noise in the immediate vicinity of the premises may also prove necessary to address any disturbance anticipated as customers enter and leave (2.36).

However, it is essential that conditions are focused on measures within the direct control of the licence holder. Conditions relating to behaviour once they are beyond the control of the licence holder cannot be justified. (2.38)

Appendix 29

Section 182 Advice by the DCMS

Public Safety

2.19 Licensing authorities and responsible authorities should note that the public safety objective is concerned with the physical safety of the people using the relevant premises and not with public health, which is dealt with in other legislation. There will of course be occasions when a public safety condition could incidentally benefit health, but it should not be the purpose of the condition as this would be ultra vires the 2003 Act. Accordingly, conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

2.20 From 1 October 2006 the Regulatory Reform (Fire Safety) Order 2005 ('the Fire Safety Order') replaced previous fire safety legislation. As such any fire certificate issued under the Fire Precautions Act 1971 will have ceased to have effect. Licensing authorities should note that under article 43 of the Fire Safety Order any conditions imposed by the licensing authority that relate to any requirements or prohibitions that are or could be imposed by the Order automatically cease to have effect, without the need to vary the licence. This means that licensing authorities should not seek to impose fire safety conditions where the Order applies.

2.21 The exception to this will be in cases where the licensing authority and the enforcing authority for the fire safety order are one and the same body. For example, designated sports-grounds and stands where local authorities enforce the fire safety order. In such circumstances fire safety conditions should not be set in new licences, but conditions in existing licences will remain in force and be enforceable by the licensing authority.

2.22 The Fire Safety Order applies in England and Wales. It covers 'general fire precautions' and other fire safety duties which are needed to protect 'relevant persons' in case of fire in and around 'most premises'. The Order requires fire precautions to be put in place 'where necessary' and to the extent that it is reasonable and practicable in the circumstances of the case.

2.23 Responsibility for complying with the Order rests with the 'responsible person', which may be the employer, or any other person or people who may have control of the premises. Each responsible person must carry out a fire risk assessment which must focus on the safety in case of fire for all 'relevant persons'. The fire risk assessment is intended to identify risks that can be removed or reduced and to decide the nature and extent of the general fire precautions that need to be taken including, where necessary, capacity limits.

2.24 The local fire and rescue authority will enforce the Order in most premises and have the power to inspect the premises to check the responsible person is complying with their duties under the Order. They will look for evidence that the responsible person has carried out a suitable fire risk assessment and acted upon the significant findings of that assessment. If the enforcing authority is dissatisfied with the outcome of a fire risk assessment or the action taken, they may issue an enforcement notice that requires the responsible person to make certain improvements or, in extreme cases, issue a prohibition notice that restricts the use of all or part of the premises until improvements are made.

2.25 Further information and guidance about the Order and fire safety legislation is available from the Communities and Local Government website www.communities.gov.uk/fire.

2.26 Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be unnecessary for a licensing condition to require possession of such a certificate. However, it would be permissible to require as a condition of a licence or certificate, if necessary, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the premises licence holder or club provided this does not duplicate or gold-plate a requirement in other legislation. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or interested parties, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make clear their expectations in this respects to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules.

2.27 "Safe capacities" should only be imposed where necessary for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be unnecessary to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which

conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it necessary for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be necessary in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.

2.28 As noted above, a capacity limit should not be imposed as a condition of the licence on fire safety grounds (unless the licensing authority and the enforcing authority for fire safety purposes are the same) since, under article 43 of the Fire Safety Order, it would have no effect and so would not be enforceable.

2.29 The special provisions made for dancing, amplified and unamplified music in section 177 of the 2003 Act apply only to premises with a "permitted capacity" of not more than 200 persons. In this context, the capacity must be where the fire and rescue authority has made a recommendation on the capacity of the premises under the Fire Safety Order. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority who will consider it and then decide what the "permitted capacity" of those premises should be.

2.30 Whilst the Cinematograph (Safety) Regulations 1955 (S.I 1995/1129) which contained a significant number of regulations in respect of fire safety provision at cinemas, no longer apply, applicants taking advantage of the "grandfather rights" pursuant to Schedule 8 to the 2003 Act will have been subject to conditions which re-state those regulations in their new premises licence or club premises certificate. Any holders of a converted licence seeking to remove these conditions and reduce the regulatory burden on them (to the extent to which that can be done while still promoting the licensing objectives), would need to apply to vary their converted licences or certificates. When considering variation applications or applications for new licences, licensing authorities and responsible authorities should recognise the need for steps to be taken to assure public safety at these premises in the absence of the 1995 Regulations.

2.31 Public safety includes the safety of performers appearing at any premises.

Appendix 30

Section 182 Advice by the DCMS

PROTECTION OF CHILDREN FROM HARM

2.41 The protection of children from harm includes the protection of children from moral, psychological and physical harm, and this would include the protection of children from too early an exposure to strong language and sexual expletives, for example, in the context of film exhibitions or where adult entertainment is provided.

2.42 However, in the context of many licensed premises such as pubs, restaurants, café bars and hotels, it should be noted that the Secretary of State recommends that the development of family-friendly environments should not be frustrated by overly restrictive conditions in relation to children.

2.43 The Secretary of State intends that the admission of children to premises holding a premises licence or club premises certificate should normally be freely allowed without restricting conditions unless the 2003 Act itself imposes such a restriction or there are good reasons to restrict entry or to exclude children completely. Licensing authorities, the police and other authorised persons should focus on enforcing the law concerning the consumption of alcohol by minors.

2.44 Conditions relating to the access of children which are necessary to protect them from harm are self evidently of great importance. As mentioned in connection with statements of licensing policy in Chapter 13 of this Guidance, issues will arise about the access of children in connection with premises:

- where adult entertainment is provided;
- where a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider in the company of adults during a table meal);
- where it is known that unaccompanied children have been allowed access;
- where requirements for proof of age cards or other age identification to combat the purchase of alcohol by minors is not the norm;
- with a known association with drug taking or dealing;
- where there is a strong element of gambling on the premises (but not small numbers of cash prize machines);
- where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

2.45 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. Such trading practices should be obvious from the operating schedule or club operating schedule provided with the relevant application allowing the framing of an appropriate, time-limited condition.

2.46 Similarly, gambling may take place in part of a leisure centre but not in other parts of those premises. This means that the access of children will need to be carefully considered by applicants, licensing authorities and responsible authorities. In many respects, it should be possible to rely on the discretion and common sense of licence and certificate holders. However, licensing authorities and responsible authorities should still expect applicants when preparing an operating schedule or club operating schedule to state their intention to exercise discretion and where they are necessary, to set out the steps to be taken to protect children from harm when on the premises.

2.47 Conditions, where they are necessary, should reflect the licensable activities taking place on the premises and can include:

- where alcohol is sold, requirements for the production of proof of age cards or other age identification before sales are made, to ensure that sales are not made to individuals under 18 years (whether the age limit is 18 or 16 as in the case of the consumption of beer, wine and cider in the company of adults during a table meal);
- restrictions on the hours when children may be present;
- restrictions on the presence of children under certain ages when particular specified activities are taking place;
- restrictions on the parts of the premises to which children may have access;
- age restrictions (below 18);
- restrictions or exclusions when certain activities are taking place;
- requirements for accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- full exclusion of people under 18 from the premises when any licensable activities are taking place

2.48 The Secretary of State considers that representations made by the child protection bodies and the police in respect of individual applications should be given considerable weight when they address necessary issues regarding the admission of children.

2.49 The 2003 Act provides that where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.

2.50 The admission of children to theatres, as with other licensed premises, should not normally be restricted. However, theatres may present a range of diverse activities. The admission of children to the performance of a play should normally be at the discretion of the licence holder and no condition restricting their access to plays should be attached. However, theatres may also present a wide range of entertainment including, for example, variety shows incorporating adult entertainment. A condition restricting the admission of children in such circumstances may be necessary. Entertainments may also be presented at theatres specifically for children. It may be necessary to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the well being of the children during any emergency.

Appendix 31

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 32

Licensing Policy relating to hours of trading

All applications have to be considered on their own merits.

The Council has however adopted a set of framework hours as follows

Sunday to Thursday 06 00 hrs to 23 30 hrs

Friday and Saturday 06 00 hrs to midnight

(see 12.8 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 applicants 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 12.8 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
- Premises licensed for off sales only