

# **Appendix 1**

This form should be completed and forwarded to: London Borough of Tower Hamlets, Licensing Section, Mulberry Place, 5 Clove Crescent, London E14 2BG or by email to [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk) with the correct fee.  
Payments can be by phoning 020 7364 5008 or on-line:  
[www.towerhamlets.gov.uk/payit](http://www.towerhamlets.gov.uk/payit)



## 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 GIADA BOTTI

(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

408 HACNEY ROAD

Post town	LONDON	Postcode	E2 7AP
Telephone number at premises (if any)			
Non-domestic rateable value of premises	£	10,750	

## **Part 2 - Applicant details**

<b>Please state whether you are applying for a premises licence as</b>	<b>Please tick as appropriate</b>
a) an individual or individuals *	<input type="checkbox"/> please complete section (A)
b) a person other than an individual *	
i as a limited company/limited liability partnership	<input checked="" type="checkbox"/> please complete section (B)
ii as a partnership (other than limited liability)	<input type="checkbox"/> please complete section (B)
iii as an unincorporated association or	<input type="checkbox"/> please complete section (B)
iv other (for example a statutory corporation)	<input type="checkbox"/> please complete section (B)
c) a recognised club	<input type="checkbox"/> please complete section (B)
d) a charity	<input type="checkbox"/> please complete section (B)
e) the proprietor of an educational establishment	<input type="checkbox"/> please complete section (B)
f) a health service body	<input type="checkbox"/> 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 in Wales	<input type="checkbox"/> please complete section (B)
ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England	<input type="checkbox"/> please complete section (B)
h) the chief officer of police of a police force in England and Wales	<input type="checkbox"/> please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- 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)

M <input type="checkbox"/>	Mrs <input type="checkbox"/>	Mr <input type="checkbox"/>	Miss <input type="checkbox"/>	Mr <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names			
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes			
Nationality						
Current residential address if different from premises address						
Post town				Postcode		
Daytime contact telephone number						
E-mail address (optional)						
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)						

**SECOND INDIVIDUAL APPLICANT** (if applicable)

M <input type="checkbox"/>	Mrs <input type="checkbox"/>	Mr <input type="checkbox"/>	Miss <input type="checkbox"/>	Mr <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names			
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes			
Nationality						
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)						
Current residential 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	FLOUR AND FLOWERS LTD
Address	408 HACKNEY ROAD E2 7AP
Registered number (where applicable)	12281676
Description of applicant (for example, partnership, company, unincorporated association etc.)	FLOUR & FLOWERS LTD IS A LIMITED COMPANY DIRECTOR : GIADA BOTI
Telephone number (if any)	[REDACTED]
E-mail address (optional)	[REDACTED]

### Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY  
24062022

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

DD MM YYYY  
[REDACTED]

Please give a general description of the premises (please read guidance note 1)

FLOUR & FLOWERS IS A COFFEE SHOP AND FLOWERS SHOP. WE SERVE FOOD TAKEAWAY AND FOR CONSUMPTION ON PREMISES. AS PASTRIES AND BRUNCH MENUS. WE WOULD LIKE TO BE ABLE TO SELL ALCOHOLIC DRINKS ON PREMISES AND SELLING OF BOTTLES OF WINE OFF PREMISES.

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

[REDACTED]

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

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

A

Plays Standard days and timings (please read guidance note 7)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 5)	
Thur				
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 6)	
Sat				
Sun				

B

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)	
Thur				
Fri			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 6)	
Sat				
Sun				

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b>Please give further details</b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 5)
Wed			
Thur			<b>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</b> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)</b>	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			<b>Please give further details here (please read guidance note 4)</b>	
Thur			<b>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)</b>	
Fri			<b>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 6)</b>	
Sat				
Sun				

E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			<b>Please give further details here</b> (please read guidance note 4)	
Thur				
Fri			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)	
Sat				
Sun			<b>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</b> (please read guidance note 6)	

## F

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			<b>Please give further details here</b> (please read guidance note 4)	
Thur				
Fri			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)	
Sat			<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)	
Sun				

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)	
Thur				
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 6)	
Sat				
Sun				

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	
Mon			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
			<u>Please give further details here</u> (please read guidance note 4)	
Wed				
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5)	
Fri				
Sat			<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 6)	
Sun				

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			<b><u>Please give further details here</u></b> (please read guidance note 4)	
Thur			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)	
Fri			<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 6)	
Sat				
Sun				

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)		On the premises <input type="checkbox"/> Off the premises <input type="checkbox"/> Both <input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	11:30	17:00			
Tue	11:30	17:00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)  <i>SAME DAYS AND TIMETABLE ALL YEAR LONG</i>		
Wed	11:30	17:00			
Thur	11:30	17:00			
Fri	11:30	17:00			
Sat	11:30	17:00			
Sun	11:30	17:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name		
Date of birth		
Address		
Postcode		
Personal licence number (if known)		
Issuing licensing authority (if known)		

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

THE PREMISES IS USED ONLY AS A COFFEE SHOP  
BRUNCH / RESTAURANT PLACE.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
			NO SEASONAL VARIATIONS.
Day	Start	Finish	
Mon	8:00	17:00	
Tue	8:00	17:00	
Wed	8:00	17:00	
Thur	8:00	17:00	<u>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 6)</u>
Fri	8:00	17:00	SAME TIMETABLE ALL YEAR
Sat	8:00	17:00	LONG
Sun	8:00	17:00	

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

FLOW & FLOWERS WILL ENSURE THAT ALL TIMES WHEN THE PREMISES ARE FOR ANY LICENSABLE ACTIVITY, THERE ARE SUFFICIENT STAFF ON DUTY AT THE PREMISES FOR THE PURPOSE OF FULLFILLING THE TERMS AND CONDITIONS OF THE LICENCE AND FOR PREVENTING CRIME AND DISORDER.

b) The prevention of crime and disorder

ANY INCIDENTS OF A CRIMINAL NATURE WILL BE REPORTED TO THE POLICE. THE LICENCIER HAVE CCTV COVERAGE AT THE PREMISES.

c) Public safety

APPROPRIATE FIRE SAFETY PROCEDURES ARE IN PLACE INCLUDING FIRE EXTINGUISHERS (FOAM, H2O AND CO2) FIRE BLANKET, INTERNALLY ILLUMINATED FIRE EXIT SIGNS, SMOKE DETECTORS (SEE ENCLOSED PLAN FOR DETAIL OF LOCATIONS)

d) The prevention of public nuisance

ALL CUSTOMERS WILL BE ASKED TO LEAVE QUIETLY CLEAR AND LEGIBLE NOTICES WILL BE DISPLAYED TO HAVE REGARD TO OUR NEIGHBOURS.

e) The protection of children from harm

THE LICENCIER AND STAFF WILL ASK PERSONS WHO APPEAR TO BE UNDER THE AGE OF 25 FOR ID, SUCH A PROOF OF AGE CARD. ALL STAFF WILL BE TRAINED FOR UNDER AGE SALES PREVENTION REGULARLY. A REGISTER OF REFUSED SALES SHALL BE KEPT AT THE PREMISES.

Checklist:

Please tick to indicate agreement

- 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 designated 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.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

**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.**

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

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"><li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li><li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li></ul>
<b>Signature</b>	
<b>Date</b>	
<b>Capacity</b>	

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

<b>Signature</b>	
<b>Date</b>	25/05/2022
<b>Capacity</b>	DIRECTOR

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

GIAVA BOU DIRECTOR OF FLOUR & FLOWERS LTD

<b>Post town</b>	LONDON	<b>Postcode</b>	E2 7AP
<b>Telephone number (if any)</b>			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

**LONDON BOROUGH OF TOWER HAMLETS  
LICENSING ACT 2003**



**NOTICE OF APPLICATION FOR A PREMISES LICENCE**

Notice is given that Flair & Flowers LTD  
has applied to London Borough of Tower Hamlets Licensing  
Authority for a Premises Licence under the Licensing Act 2003

Premises details	408 HACKNEY ROAD E2 7AP
The licensable activities and timings are:	SELLING OF ALCOHOL ON PREMISES SELLING OF ALCOHOL AS SHOP FOR BOTTLE OF WINES OFF PREMISES.  MON TO SUNDAY                    11:30 AM 17:00 PM

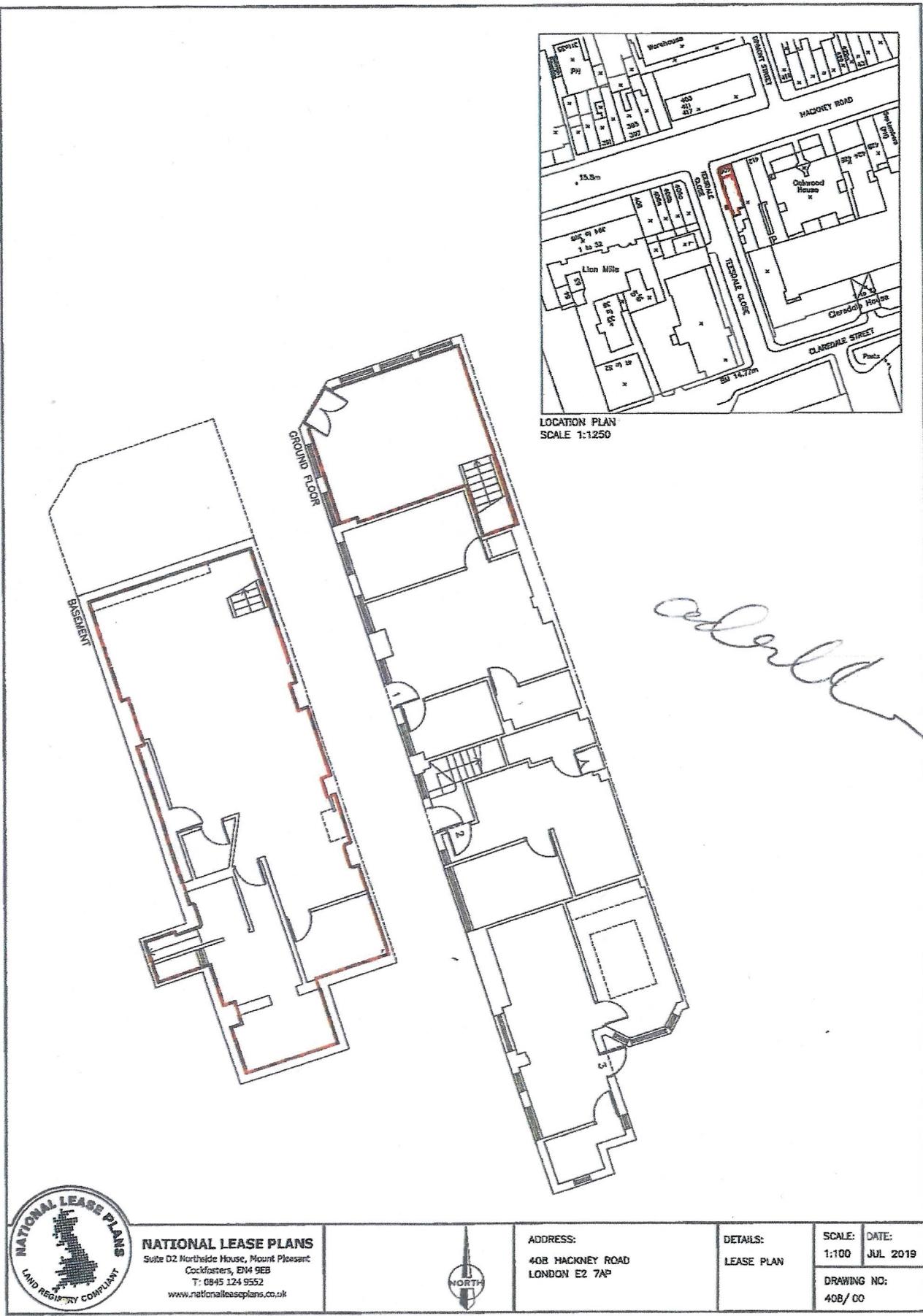
Anyone who wishes to make representations regarding this application must give notice in writing to: **The Licensing Section, London Borough of Tower Hamlets, Mulberry Place, 5 Clove Crescent, London E14 2BG** or  
**email: licensing@towerhamlets.gov.uk**  
**Website: www.towerhamlets.gov.uk Tel: 020 7364 5008**

**Representations must be received no later than 23/06/22**

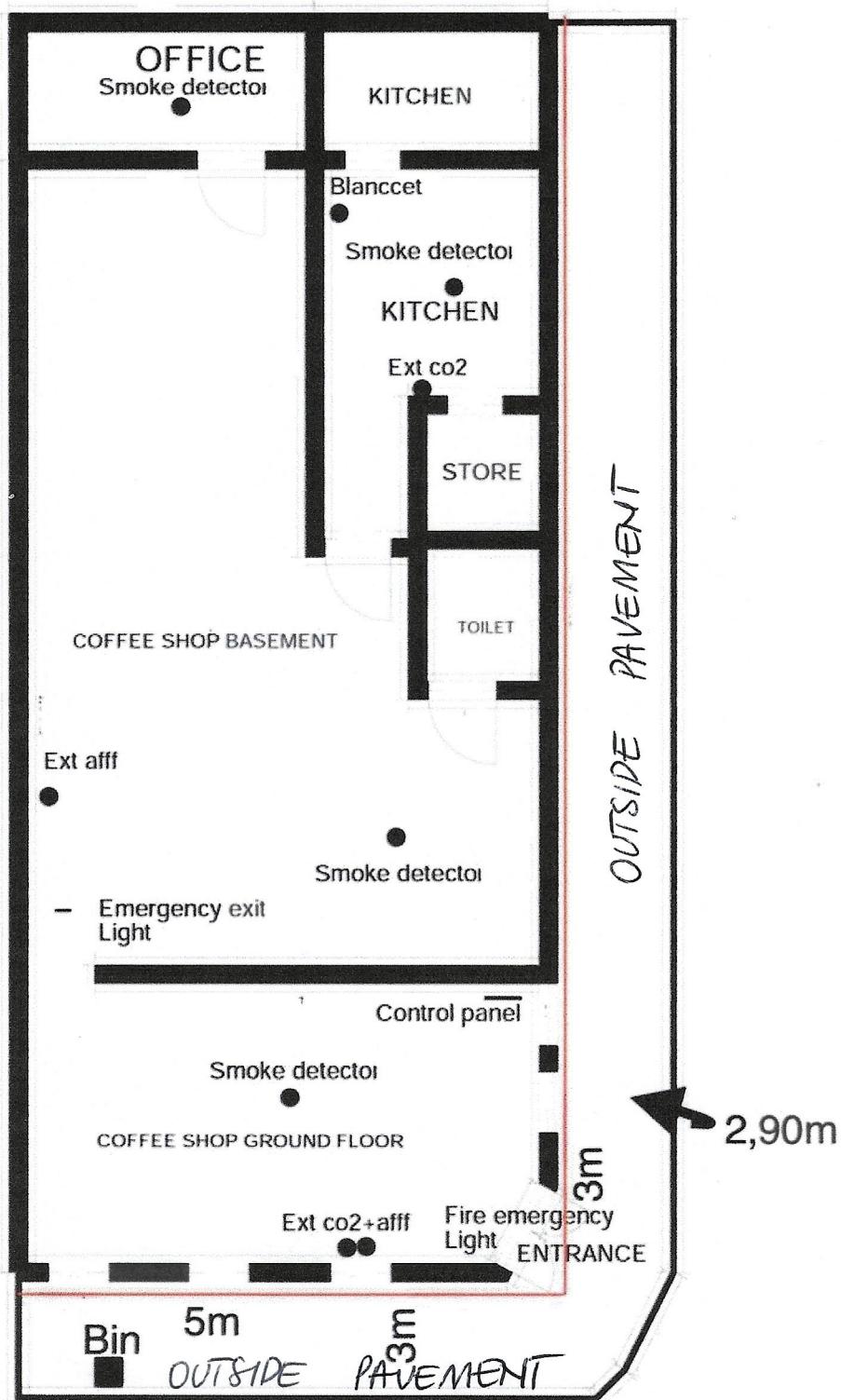
The Application Record and Register may be viewed between 10am and 4pm Monday to Friday during normal office hours at the above address.

*It is an offence under Section 158 of the Licensing Act 2003, knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence is up to level 5 on the standard scale (unlimited fine)*

# **Appendix 2**

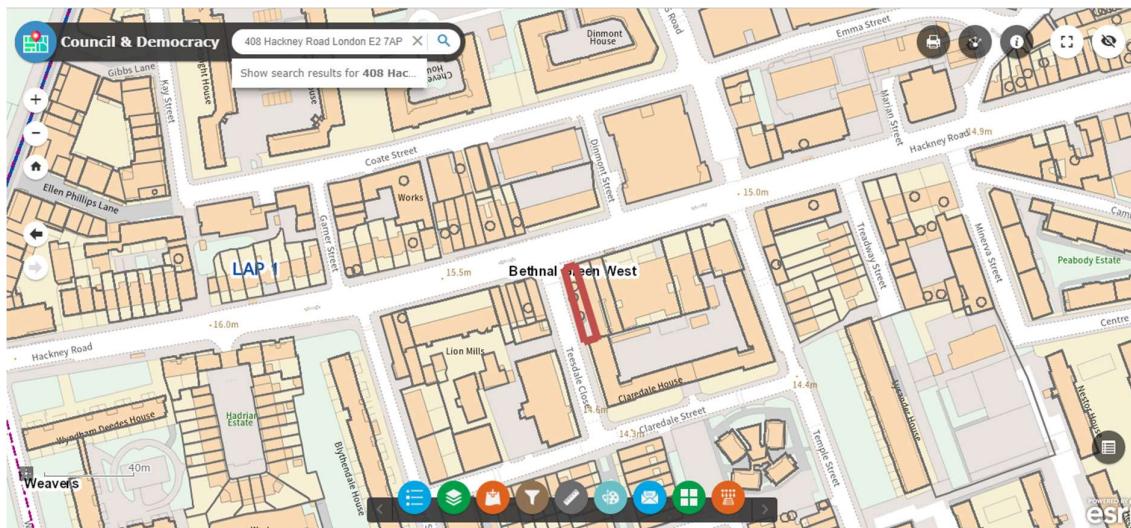
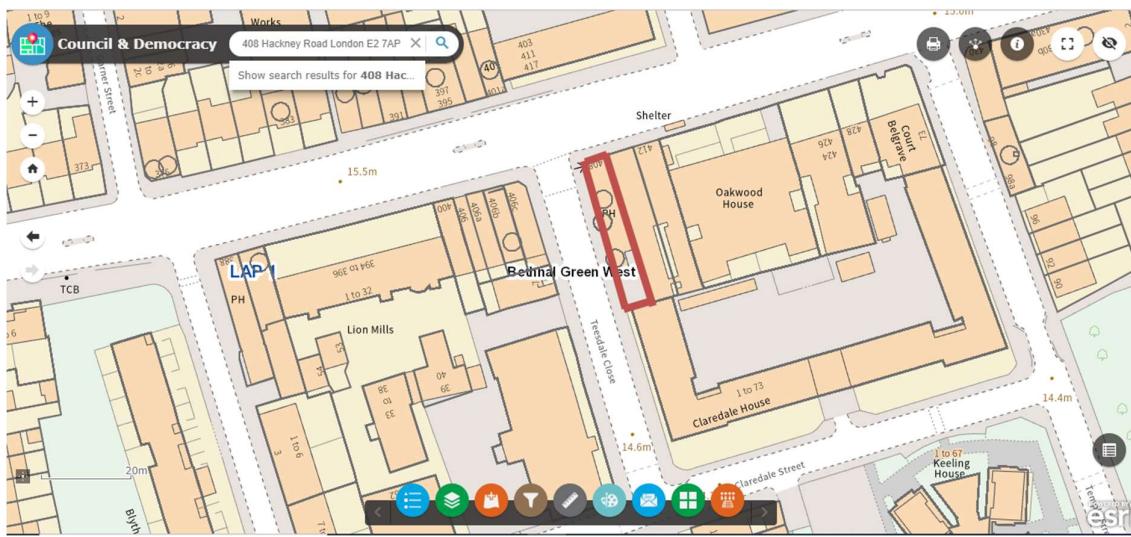


# AN 3408 hackney road bakery shop



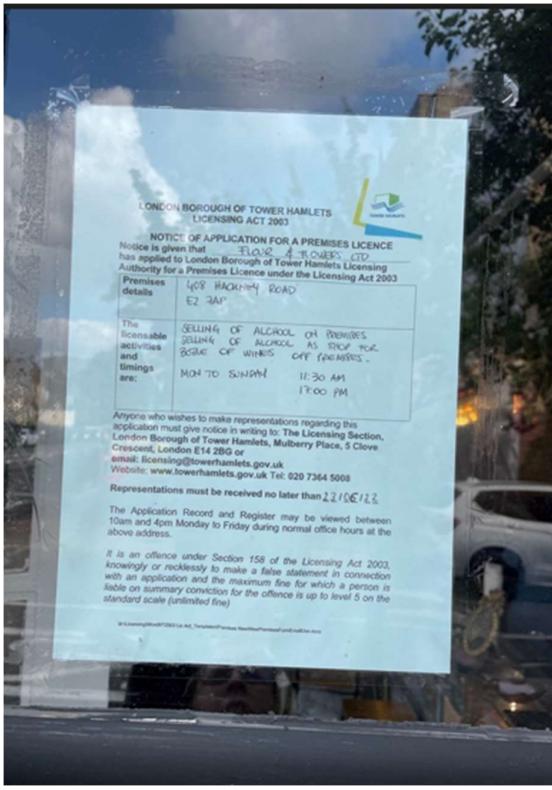
# **Appendix 3**

## Maps – 408 Hackney Road



# **Appendix 4**

## Photos – 408 Hackney Road







# **Appendix 5**

<b>Address</b>	<b>Licensable activities/times</b>	<b>Opening hours</b>
<b>Shisha Garden Grill Restaurant</b> 388 Hackney Road	<b>Late Night Refreshment</b> Sunday to Thursday until 00:30 hrs Friday and Saturday until 01:30 hrs	Sunday to Thursday from 11:00 hrs to 01:00 hrs  Friday and Saturday from 11:00 hrs to 02:00 hrs
<b>Ince Supermarket</b> 399 Hackney Road	The sale by retail of alcohol (off sales) Sunday to Wednesday 08:00 hours – midnight Thursday 08:00 hours – 01:00 hours the following day Friday & Saturday 08:00 hours – 02:00 hours the following day	There are no restrictions on the hours during which this premises are open to the public
<b>Mama Shelter Hotel</b> 419 - 437 Hackney Road	<p><b><u>The sale by retail of alcohol (on sales only)</u></b></p> <ul style="list-style-type: none"> <li>• Monday to Thursday from 08:00 hrs to 00:00 hrs (midnight)</li> <li>• Friday from 08:00 hrs to 01:00 hrs (the following day)</li> <li>• Saturday from 09:00 hrs to 01:00 hrs (the following day)</li> <li>• Sunday from 09:00 hrs to 00:00 hrs (midnight)</li> </ul> <p><b><u>The provision of regulated entertainment (Indoors) (plays and films, live music, recorded music, performance of dance and anything of a similar description)</u></b></p> <ul style="list-style-type: none"> <li>• Monday to Thursday from 08:00 hrs to 00:00 hrs (midnight)</li> <li>• Friday from 08:00 hrs to 01:00 hrs (the following day)</li> <li>• Saturday from 09:00 hrs to 01:00 hrs (the following day)</li> <li>• Sunday from 09:00 hrs to 00:00 hrs (midnight)</li> </ul>	Monday to Thursday from 08:00 hrs to 00:30 hrs (the following day)  Friday from 08:00 hrs to 01:30 hrs (the following day)  Saturday from 09:00 hrs to 01:30 hrs (the following day)  Sunday from 09:00 hrs to 00:30 hrs (the following day)  <p><b><u>Non-standard Timings</u></b></p> <ul style="list-style-type: none"> <li>• 24 hours to hotel residents and their guests (limit of 4 guests per resident)</li> </ul>

	<p><b>The provision of late night refreshments (Indoors and outdoors)</b></p> <ul style="list-style-type: none"> <li>• Sunday to Thursday from 23:00 hrs to 00:00 hrs (midnight)</li> <li>• Friday and Saturday from 23:00 hrs to 01:00 hrs (the following day)</li> </ul> <p><u>Non-Standard Timings</u> 24 hours to hotel residents and their guests (limit of 4 guests per resident)</p>	
<b>Elegant Food Market</b> 430 Hackney Road	The sale by retail of alcohol (off sales) Monday - Sunday from 07:00 hours to 02:00 hours the following day  Including Christmas Day from 12:00 hours to 15:00 hours and 19:00 hours to 22:30 hours and Good Friday from 08:00 hours to 22:30 hours	Monday - Sunday from 07:00 hours to 02:00 hours the following day  Including Christmas Day from 12:00 hours to 15:00 hours and 19:00 hours to 22:30 hours and Good Friday from 08:00 hours to 22:30 hours

# **Appendix 6**

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

**Relevant, vexatious and frivolous representations**

- 9.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.
- 9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is vexatious or frivolous on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.
- 9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.
- 9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority’s corporate complaints procedure. A person may also challenge the authority’s decision by way of judicial review.
- 9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this

Guidance, an assessment should be prepared by officials for consideration by the sub- committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.

9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

9.10 Licensing authorities should consider providing advice on their websites about how any person can make representations to them.

# **Appendix 7**

## Corinne Holland

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**From:** Celia W [REDACTED]  
**Sent:** 22 June 2022 16:06  
**To:** Licensing; Streetmarkets  
**Subject:** Fwd: urgent - objection to licensing application

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

Hello

I own (and currently rent out ) [REDACTED] and I am writing to you to make an objection to the licence application made by the proprietor of the commercial premises (Flour & Flowers) located at the front of the building at 408 Hackney Road (which occupies part of the ground floor and the basement which runs directly beneath the three ground floor flats - one of which is the flat I own) - the license is for serving alcohol.

I urgently request that you don't grant the licence.

In November 2021 the same proprietor made an application for a late night music licence -and then withdrew it. The residents , owners and renters in the building were distraught about the application and voiced their concerns to the applicant and to the council - and perhaps this made the applicant withdraw their application. However, we have now been informed via the freeholder for the building that the applicant is now making this current alcohol licence application because the applicant believes that if they are granted permission for serving alcohol it will make it easier for them to apply again for the late night licence and to be successful next time.

Much of the original plea I made against the licence is very much still valid - and addresses the sale of alcohol on the property - I have copied much of it in below as I think it is still relevant . Living with alcohol being sold in your building has a huge impact on your day to day life. We have all seen people behave awfully outside pubs, that also serve food, in the daytime ! Just because alcohol is served with food and in the day doesn't mean that people don't get drunk, noisy and forget social norms.

There is a huge difference between somewhere serving pastries and coffee to someone serving alcohol.

Although the premises involved in the licence application face onto the main road ( Hackney Road) where there are other cafes and bars , the premises is a part of an entirely residential block that stretches down the side into Teesdale close which is an entirely residential road.

408 Hackney Road is a residential block with my flat being amongst numerous other flats. My tenant has already experienced terrible noise problems from loud music in the basement from the space before so we know how much what happens in that space is on the doorstep of the flats and impacts the quality of life of the residents there.

My tenant has spoken to the proprietor about the noise on numerous occasions and has not been listened to - which ultimately makes me nervous about how much the proprietor cares about the effect they have on their residential neighbours. To date they have not given the slightest consideration to residents so I would dispute the notion that they would be responsible and considerate licence holders when making sure that their noisy, drunk customers leave with no impact on the residents. And even though they say they will ask their customers to leave quietly the reality is they are a cafe so will not have anyone working on the door to ensure this will happen.

My tenant is terrified of the impact that the changes to the cafe will have on his life. If , due to drunken behaviour or even worse - due to a future late night noise licence - the flat becomes

uninhabitable for him he will be forced to leave his home of many years - and I will find it almost impossible to find a new tenant facing the same problems - making my flat almost worthless in value. This is obviously a terrifying prospect for me, with devastating financial consequences for me. This will also be the case for the other tenants and owners in the block.

Drinking on that premises has the potential for huge impacts on my tenant and everyone else living in the block - drunk people spilling out with the potential for disorderly and intimidating behaviour, urination against the building and the inevitable extra noise that the spill out of a premises full of people drinking will make - people gathering outside to smoke in the street , talking loudly because they are too drunk to care or notice potential for drunken scuffles etc

The person who has applied for this licence has not reached out to anyone in the block with regards to their previous application or their current one - which in itself I find bizarre given that the granting of this license or the previous one will turn the lives of the entire community in the block into an absolute nightmare - drunk and disorderly behaviour every night outside their flats, the all week day and nightly noise pollution from the music license, the stress and impact on tenants mental health and well being, the safety of tenants, in particular lone women trying to come home to their flats through crowds of drunk people - the flats in the block will become stressful, uninhabitable and financially devastated.

Please do not hesitate to get in touch with any questions

Many Thanks

Celia Willis [REDACTED]

# **Appendix 8**

## Corinne Holland

---

**From:** Sam Milner <[REDACTED]>  
**Sent:** 29 June 2022 13:17  
**To:** Corinne Holland  
**Cc:** Tom Lewis  
**Subject:** Re: URGENT ACTION REQUIRED: Flour & Flowers, 408 Hackney Road, London E2 7AP - REF NO. M149723 - Alcohol License Application

Dear Ms Holland and Mr Lewis,

Thank you for your email.

Our office address is ANBPM, [REDACTED]

We are the freeholder of 408 Hackney Road. We manage the leaseholders and residents within the block including Mr Malik, Ms Willis, Ms Khan, Ms Draper and Agin Limited. We are also responsible for liaising with the neighbouring residents including with the owners and leaseholders of Claremont House and 410 Hackney Road.

Please note the crime map enclosed with our previous email was specifically for E2 7AP. The junction of Hackney Road and Teesdale Close is blighted with alcohol, drug dealing and drugs use which is peddled from cars and from dealers on bicycles, hence our installing a panoramic cctv system 2 years ago and at great expense to the leaseholders. The tenants on the ground floor regularly have cans and bottles of beer left on the window ledges as well as smashed bottles of alcohol and silver nitrous oxide canisters on the pavement along Teesdale close, which again are consumed and dumped by users from their car windows.

The anti-social behaviour also extends to repeat graffiti and vandalism.

The leaseholders and residents have worked hard over the past 15 years to make this area a better place to live and to create their family homes. A text message sent by the applicant Ms Biotti to our director stated that she wanted the alcohol license so she could make even more profit; even though she is already making a healthy profit. Please see her text message which I have attached for your reference.

Please note, that just 6 months ago, the management company and our director personally helped save Ms Biotti from being kicked out of the commercial premises by her landlord (Euro 5 Star Limited [the leasehold owner]) as she had taken occupation of the property unlawfully by renting from the precision sub-tenant. Ms Giada had assured our director that she would not again apply for an alcohol license after withdrawing her previous applications some 6 months ago. No sooner had our director assisted Ms Biotti in literally avoiding financial bankruptcy, did she then renege on her promise and promptly re-applied for the alcohol license as soon as her new lease was signed. And since her occupation of the commercial premises she has constantly been in breach of the covenants of the lease for which we have now instructed solicitors. She has continued to breach the planning consents and causing nuisance and noise disturbance each day that she operates the cafe. For the sake of a new proprietor wanting to make even "more profit", we and moreover the leaseholders and residents are not prepared to allow the building to be compromised with even more noise pollution and anti-social behaviours associated with a licensed premises.

For the reasons previously highlighted and above, this alcohol license should NOT be permitted. In the event that an alcohol license is issued, then as per our previous correspondence, we are instructed to commence legal action to overturn the decision in court.

We trust that Tower Hamlets council acknowledges our reasons and grievances and will rightly REFUSE the alcohol license.

Should you require any further information then kindly get in touch.

Kind regards,

Samuel Milner

< 5



Giada - 408 Hackney Ro...



Tue 24 May

Dear Saj,

We wanted to take some time to really thank you for your support. It means a lot for our young business as it does letting you know how much we do appreciated your help since we opened the doors of our little dream. We would love to have your support one more time, for something that could really help our business further, after such a long period of uncertainty and struggles.

Although we are aware of your position in regards to the drinks license, having one will allow F&F to make a little more income to help me personally, and the Flour and Flowers people. Our application has been submitted, and we hope with all our hearts to have your support, one more time.

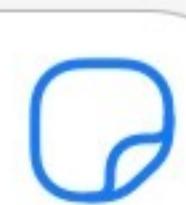
Giada

16:50

Hi Giada,

I hope you're well.

Unfortunately I personally am unable to support the application for the reasons I highlighted to you the last time. The



## Corinne Holland

---

**From:** Sam Milner <[REDACTED]>  
**Sent:** 27 June 2022 09:55  
**To:** Tom Lewis  
**Cc:** Corinne Holland  
**Subject:** Re: URGENT ACTION REQUIRED: Flour & Flowers, 408 Hackney Road, London E2  
7AP - REF NO. M149723 - Alcohol License Application  
**Attachments:** Police Crime Map Stats 2.pdf; Police Crime Map Stats 1.pdf; TH\_ASB\_Blue print FINAL.draft Resident Complaint Coffee Shop Loud Music.pdf; Yahoo Mail - [REDACTED] Termination of Tenancy.pdf; Yahoo Mail - Noise complaint.pdf

Dear Mr Lewis,

**PLEASE NOTE - RESIDENTS HAVE BEEN BLIND COPIED INTO THIS COMMUNICATION.**

I hope you are well.

I have tried but without success to contact your colleague Ms Holland.

Your colleague Naseema kindly provided me with your email address, hence I am emailing you.

Please see below and attached.

We were shocked to receive Ms Holland's email below, where she pointed out that we should reply to her with our objections based only on:

- *the prevention of crime and disorder*
- *the prevention of public nuisance*
- *public safety*
- *the protection of children from harm*

Ms Holland, being a licensing officer, of all people should know that the first three of the four in the list above are reason enough to refuse the alcohol licence. As you are no doubt aware, Tower Hamlets by their own Mayor's admission is the worst London borough for ASB's. In page 6 of 'A Blueprint for Local Action in Tower Hamlets' Mayor Biggs writes:

*"Levels of concern about ASB problems have fallen for all the four areas monitored, continuing last year's downward trend in perception. However, Tower Hamlets receives the highest number of drugs and alcohol related ASB complaints in comparison to similar east London boroughs.*

*We can see from calls to the Police that there are strong links with ASB and the operation of drug markets in the Borough. During 2014/15, there were 2,172 drug related offences (dealing and possession) in Tower Hamlets, an average of 181 offences per month. In comparison to other London boroughs, Tower Hamlets has the fifth highest rate, a reflection of a combination of factors including the Police commitment to tackling drug related offending, provision of additional resources for enforcement, targeted police action and Tower Hamlets increasingly popular night time economy around such areas as Brick Lane."*

Further to this, the applicant has, as demonstrated just 6 months ago and by her continuous flagrant breaches of the current planning consent, the intention of operating late into

the evening beyond 11pm, playing loud music and hosting lice music events. The situation as it currently stands is that residents of 408 Hackney Road and neighbouring properties are being rudely awoken ever morning by the loud music and the various noises emanating from the cafe premises which does not have any form of partition or sound insulation. The anti-social behaviour is already a major problem within this locality and having more people leaving empty cans and bottles on the window ledges of residents, having patrons urinating against walls and making noise and being unruly has already impacted the residents. I have attached a few examples of the complaints that we have had from residents.

You can not fix an already significantly exasperating problem of anti-social behaviour by issuing further alcohol licenses. Tower Hamlets and the local police currently, can not even manage to police, regulate and reduce let alone neutralise the anti-social problem as it stands.

The residents and neighbours of Hackney Road do NOT welcome another alcohol license being issued by Tower Hamlets Council. If in the event, and contrary to your own stated ASB policies, you do grant this alcohol license then we will be taking this matter to court to have the decision reversed.

We hope and trust common sense will prevail.

We look forward to hearing from you.

Kind regards,

Samuel Milner

On 23 Jun 2022, at 13:48, Corinne Holland <[REDACTED]> wrote:

Dear Mr Milner

Please be advised that under the Licensing Act 2003, the criteria for your representation to be valid is that you must make it clear how granting this particular application will have an impact on you/residents only in relation to one or more of the following licensing objectives:

- *the prevention of crime and disorder*
- *the prevention of public nuisance*
- *public safety*
- *the protection of children from harm*

Although I note you have many areas of concern the issue of planning, breach of a lease, other licensed premises in the area, the devaluing of peoples property are not valid reasons to object under the criteria set by the Licensing Act 2003.

I have highlighted below the only sentences within your representation which would fall under the licensing objectives. You need to state further how, by having this licence granted, it will lead to these issues.

The licence applied for is for the sale of alcohol (on and off sales) Monday – Sunday 11:30 – 17:00 hours.

You will need to respond before midnight tonight as this is the cut off time/date for representations to be considered.

Kind regards

**Corinne Holland**

Licensing Officer

Environmental Health and Trading Standards

Place Directorate

London Borough of Tower Hamlets

2<sup>nd</sup> Floor, Mulberry Place

5 Clove Crescent

London

E14 2BG



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**From:** Sam Milner [REDACTED]  
**Sent:** 23 June 2022 11:07  
**To:** Licensing <Licensin @towerhamlets.gov.uk>; Mohshin Ali <Mohshin.Ali [REDACTED]>  
**Cc:** [REDACTED]  
**Subject:** URGENT ACTION REQUIRED: Flour & Flowers, 408 Hackney Road, London E2 7AP - REF NO. M149723 - Alcohol License Application

Dear Tower Hamlets Council/ Mr Ali,

Please note - the tenants, leaseholders, residents and neighbours are being bcc'd into this communication.

We are writing to you again on behalf of the Freehold Owner of 408 Hackney Road which comprises 1x commercial premises and 9x residential flats. The latter have been rebranded and re-banded from 408 Hackney Road, London, E2 7AP to (12A, 14 & 12 Teesdale Close (Flats 1-7), London, E2 6GU on account of their entrances being located on Teesdale Close.

We have been made aware that the proprietor of the commercial premises (**Flour & Flowers**) located to the front of your building at 408 Hackney Road (which occupies part of the ground floor and the basement which runs directly beneath the three ground floor flats) has recently once again applied to the Tower Hamlets council for an alcohol licence despite her repeated assurances to us, the landlord and the residents that she would never again apply for an alcohol licence, (or late night opening license and or late night music/ live events license - as she did the 6 months ago).

Please see below the three licenses that Ms Giada had applied for just 6 months ago - all 3 applications were subsequently withdrawn after the freeholder, residents and neighbours protested en masse in writing to the council.

- 1. A 7 DAYS A WEEK (MONDAY TO SUNDAY) LATE NIGHT ALCOHOL LICENCE from 11.30am to 11pm.**
- 2. A 5 DAYS A WEEK (WEDNESDAY TO SUNDAY) LATE NIGHT LIVE MUSIC LICENCE from 6pm to 11.30pm.**
- 3. LATE NIGHT TEMPORARY EVENTS - which would allow them to hold concerts and one-off events.**

Please note that the tenant has continued to be in breach of her lease terms and the current planning consents on the property. Despite repeated assurances to the contrary, Ms Giada has again continuously played loud music at the premises from 7am until the evening time causing the residents to be rudely awoken at 7am and disrupting their legal right to quiet enjoyment of their homes. This has caused 3 separate tenants to lodge formal complaints against Ms Giada once again. Ms Giada's managing agents and landlord have also been informed. Please note - the commercial premises does not have the

**planning consent to play music let alone loud Music. Further, Ms Giada's coffee shop premises (walls and ceilings) is devoid of sound-proofing.**

In addition to the above breach of lease, the premises continues to further breach its lease and planning consents by placing tables and chairs outside of the property (please see attached) both fronting onto Hackney Road and Teesdale close which has resulted in limited pavement space for pedestrians, mothers with prams and wheelchair and mobility scooter users who have to be navigate around customers who are dining outside on the street sat at the outdoor tables and chairs.

Additionally, 408 Hackney Road, since 2009, falls in a conservation area, which would require planning to as well as conservation and highways agency consent for the use of the public street as dining and seating space for customers. A further breach of the conditions contained within the lease and of planning and conservation consents are Ms Giada's use of the outside of the building to put up a flower installations (please see attached) across the front and side facade of the building - neither of which has she ever sought approval from the freeholder or the council and neither of which currently has consent from the freeholder or council. Ms Giada's landlord (the long leaseholder) will be written to separately regarding the above breaches of the lease.

We, as the managers and owners of the building are formally writing to you to make representations to the council to **REFUSE** the new attempt by the tenant to acquire an alcohol license on the grounds that it will make the quality of life for each of the tenants of the flats and nearby residents unbearable and doubtless will lead to **increased anti-social behaviour**. There are already several alcohol-selling establishments within the vicinity (literally across the road) and the freeholder, the neighbours, tenants and leaseholders do not want another alcohol-selling premises quite literally on their doorstep.

There are NINE residential flats directly behind and above the subject commercial premises which are occupied by mainly working professionals and Post graduate University students, some of whom, (since the pandemic) work from home. The granting of an alcohol licence will have a significant and detrimental impact on the quality of their lives especially in light of Ms Giada's ambitions where she just 6 months ago simultaneously applied for all 3 licenses. Now Ms Giada is applying for licences in increments despite her honest assurance that she would not apply for an alcohol or late night licence again - so rightly so, the freeholder, the neighbours, tenants, leaseholders all feel deceived and aggrieved that she is once again just 6 months on, is applying for yet another alcohol license.

As a result of Ms Giada's previous application, three of our managed tenants immediately handed in notice to terminate their tenancies early and they made their upset clear directly with Ms Giada. These tenants have since left; this can be fact checked with your council tax department. Should you require names of tenants and dates upon which they vacated then please advise and we will furnish this to you under separate cover.

The immediate area and surrounding buildings are principally residential which include a parade of houses on the opposite side of Hackney Road, hundreds of residential flats as well as a large student Halls of Residence all of which will be impacted negatively by the granting of an alcohol licence.

Further, the alcohol licence will, not only set a precedent, but will also attract to the **property, anti-social behaviour, loud noise, large gatherings of people, public**

**urination, littering, loitering, alcohol associated violence and behaviours**, etc the net effect of which, we as managers and owners of the building can **NOT** support. Ms Giada's intention to obtain a late night licence and late night alcohol and live music licenses just 6 months ago are well documented as you are aware.

The flat owners and occupiers who have, over the years, made the flats in which they live, into their homes have invested not only their time and energy in doing so but have also invested their entire life savings into owning and living in these flats and houses. Needless to say, that the granting of an alcohol license will lead to an immediate detriment to the value of their homes and for those who have purchased their homes recently, will likely lead to negative equity as well as making their ability to remortgage their homes much more difficult and costly as the majority of high street lenders do NOT lend on properties next to alcohol licensed premises. And of those niche lenders that will lend against such properties, they do so at a much higher mortgage rate and with significantly lower loan to value, meaning financial bankruptcy for some home owners with negative equity.

This is compounded by the current economic climate where mortgage interest rates are increasing month-on-month, this would make the cost of their mortgage repayments literally unaffordable.

It is grossly unfair, for residents who have lived at this address and in neighbouring properties to bear the huge financial cost of loss to their family homes because of Ms Giada's new alcohol licence application.

We have previously spoke with a gentleman called Tariq at Tower Hamlets Council and he asked that the property owners, managing agents, leaseholders and tenants all write to the council directly to contest the applications and to request that they reject the above licence application.

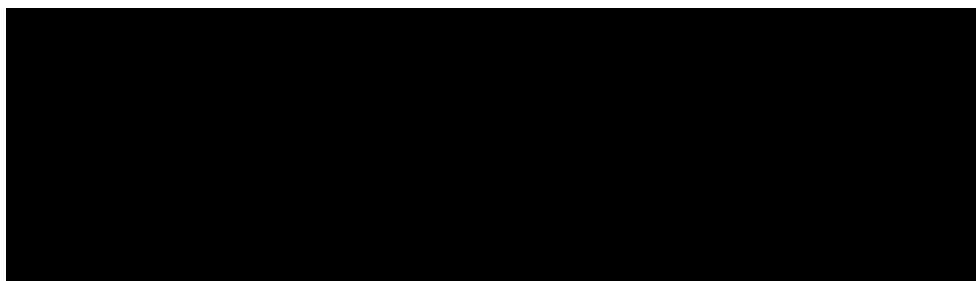
Therefore, we respectfully request, that tower hamlets council refuse the alcohol license.

For the reasons highlighted above, and in the event that an alcohol license is permitted by Tower Hamlets Council, then we are instructed to legally challenge this decision via judicial review and through the courts.

If you have any queries then please feel free to get in contact.

Kind regards,

Samuel Milner  
For and on behalf of ANB Management







---

**From:** Sam Milner [REDACTED]  
**Sent:** 24 June 2022 13:12  
**To:** Corinne Holland <[REDACTED]>  
**Subject:** Re: URGENT ACTION REQUIRED: Flour & Flowers, 408 Hackney Road, London E2 7AP - REF NO. M149723 - Alcohol License Application

Dear Ms Corrine,

Thank you for your email.

Kindly provide a working telephone number for yourself as the number included at the bottom of your email does not work.

The local area is historically beset with issues pertaining to drugs use, drug dealing and prostitution as well as crime and anti-social behaviour of which you and moreover tower hamlets council will be aware.

The area does not need a new alcohol licensed premises as there are several in the immediate area serving it already.

Our priority and responsibility is to the freeholder, the leaseholders, the residents and neighbours all of whom have and wish to enjoy quiet enjoyment free from increased crime and anti-social behaviour as they have done so over the past 15 years.

Please be advised under no circumstances will the freeholder, leaseholders, neighbours and residents be allowing this licence to be granted. If it is granted then as per our previous email we will be looking to oppose this licence in court.

We look forward to your urgent reply.

Kind regards,

Samuel Milner

On 23 Jun 2022, at 13:48, Corinne Holland <[REDACTED]> wrote:

Dear Mr Milner

Please be advised that under the Licensing Act 2003, the criteria for your representation to be valid is that you must make it clear how granting this particular application will have an impact on you/residents only in relation to one or more of the following licensing objectives:

- *the prevention of crime and disorder*
- *the prevention of public nuisance*
- *public safety*
- *the protection of children from harm*

Although I note you have many areas of concern the issue of planning, breach of a lease, other licensed premises in the area, the devaluing of peoples property are not valid reasons to object under the criteria set by the Licensing Act 2003.

On 28 Jun 2022, at 12:29, Corinne Holland <[REDACTED]> wrote:

Dear Mr Milner

My telephone number works I have been off work for two days hence my phone was not turned on.  
If you require the general licensing team phone number it is 0207 364 5008.

In response to your email to my boss (who is currently off sick) regarding the below.

We were shocked to receive Ms Holland's email below, where she pointed out that we should reply to her with our objections based only on:

- *the prevention of crime and disorder*
- *the prevention of public nuisance*
- *public safety*
- *the protection of children from harm*

Ms Holland, being a licensing officer, of all people should know that the first three of the four in the list above are reason enough to refuse the alcohol licence

This is the law under the Licensing Act 2003. I do not make the rules I just need to ensure people representations show how the granting of this licence will undermine at least one of these objectives. I was asking you to be more specific to this premises rather than a generalisation of the area.

Are you able to provide a full correspondence address please.

Can you also provide information to show that you act on behalf of the freeholder and tenants.

Thank you

Kind regards

**Corinne Holland**  
Licensing Officer  
Environmental Health and Trading Standards  
Place Directorate  
London Borough of Tower Hamlets  
2<sup>nd</sup> Floor, Mulberry Place  
5 Clove Crescent  
London  
E14 2BG

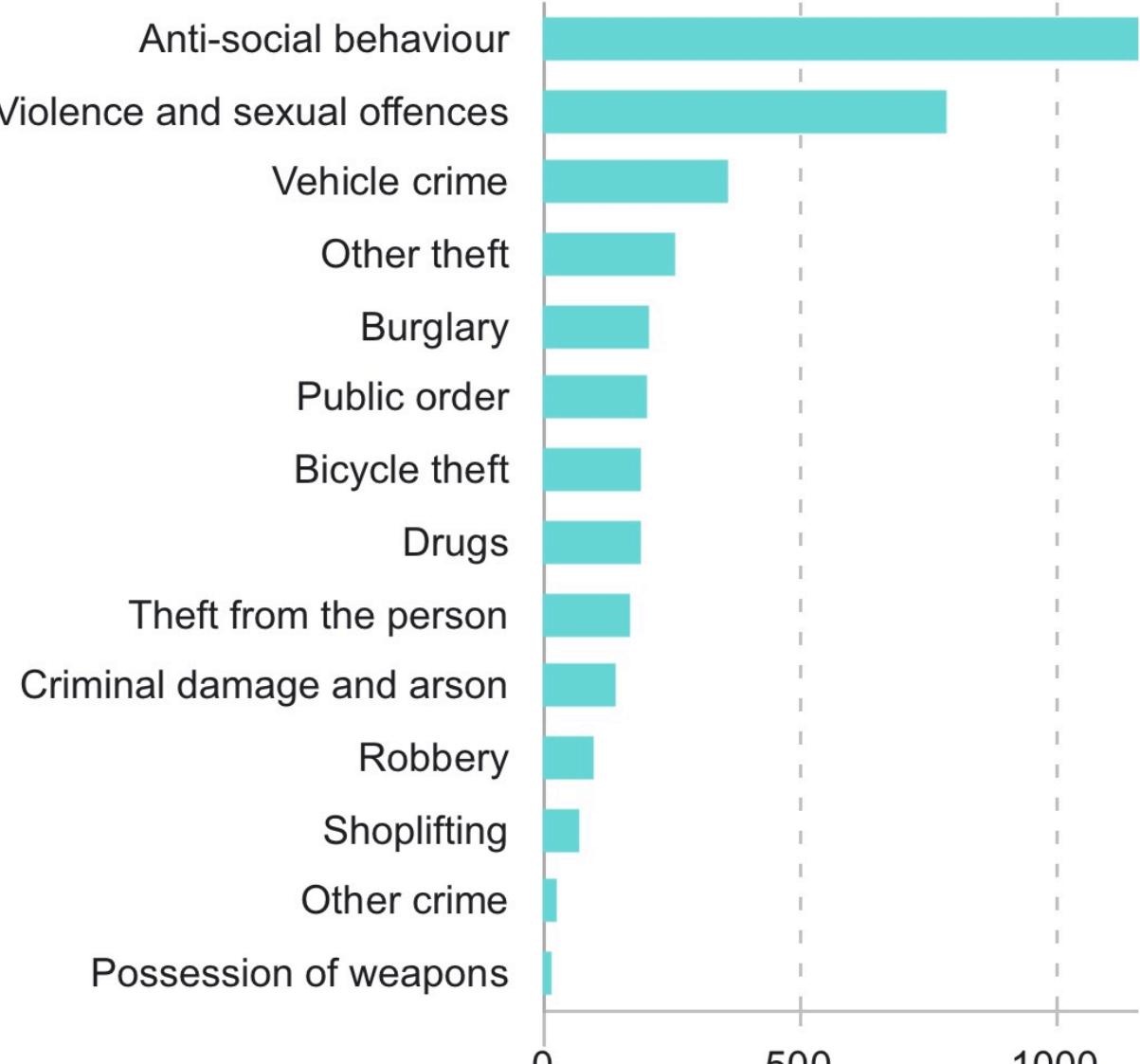
[REDACTED]  
[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

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## Crime types description

for the last 12 months (from May 2021 to Apr 2022)

Last 12 months



[View as a list](#)





# St Peter's

Overview

▼

## Top reported crimes

Most commonly reported crimes during Apr 2022

Anti-social behaviour 88

Violence and sexual offences 67

Vehicle crime 31

Other theft 22

18:26



< 5



12 Teesdale



I am sure it is her playing the music I can hear because I sat in her basement when we were discussing the water issue and she was playing loud, bassy music of the type I can hear during the day. I have also ordered from the cafe on a separate occasion and they were playing music loudly.

18:47

Thu 9 Jun

Good morning Chris,

I hope you're okay.

Just a heads up to let you know the telephone intercom installation has been rescheduled for Monday 13th June between 9am-6pm.

Access into all flats will be required for the installation of new intercom handsets.

Thanks

08:05 ✓

Fri 10 Jun

OK. can I switch off the bell at my end? I would prefer not to have people pranking me late at night. Also will you leave the old phone there? I would prefer if it were removed and replaced.  
Also can you send me the



## 14 Teesdale Close | Termination of Tenancy

From: Amy [REDACTED]

To: [REDACTED]

Date: Tuesday, 23 November 2021, 21:47 GMT

Dear Saj,  
cc. Ghiles

Thank you for your time on the phone yesterday and for a productive and mutually understanding conversation. During our call, we set out to you the severe disturbance that has recently occurred to our living situation, due to the commercial unit next to us converting into a cafe/bar. During our call, we explained to you that this has already significantly impacted our quality of life and that, given the new licenses that this unit is now applying for, there is the prospect of our living situation becoming truly untenable. As you requested us to do, we are informing you in writing of these circumstances (set out in further detail below). On our call last night, we mutually agreed, as Landlord and Tenant to terminate our tenancy of 14 Teesdale Close early.

Ghiles - thank you for your time on the phone earlier today. Saj, we have informed Ghiles of our conversation last night to help and so that everybody is in the loop.

As discussed last night, the following circumstances have made our tenancy unfeasible:

1. There is a new cafe commercial unit next to our flat that we did not know would be there before we moved in. If we had known, we would not have chosen this flat. The cafe is only separated by a minimal partition wall, every single minute noise and action from the cafe is heard vividly through the bigger bedroom - it is as if we are situated inside of the cafe, there is no difference. The early opening hours mean that we are woken up at 7.30 am every morning, weekends included. This is by no means at all a decent quality of life. To illustrate this point, we attach voice recordings taken from

inside the bigger bedroom on the cafe's opening night - you will hear that it sounds as if we are inside the premises itself - and this is without live music and a basement full of people. During the day, the coffee machine (which is placed against the bedroom wall) rattles the wall. Their bar is directly against the bedroom wall.

2. The cafe runs along the ground floor and basement level which is directly underneath our flat. We can hear anything that happens in the basement - every slight movement, let alone vacuuming, drilling, and any other minor construction or cleaning work.
3. The cafe has applied for permission to situate outdoor chairs and tables extended from the cafe which is located directly outside of our bedroom windows - which are ground level and single glazed. The noise of the indoor activities is bad enough to cause sleepless nights and endless frustration, we cannot imagine what it would be with the outdoor seating as well. They have applied for this from 0800-2200 Monday to Sunday.
4. If the cafe is granted alcohol and live music license, this will mean that we are subjected to phenomenal noise levels until late into the night, completely out of our control. As it is, our schedules are now dictated by the cafe's early morning opening. When this extends into late night (because of the outside seating) and possibly because of the late night music and alcohol license, it will become totally impossible for us to have healthy and mentally sound living.

We truly appreciate you for giving us agency about this issue and agreeing to early tenancy termination. During our phone call, we mutually agreed that you would put the property back on the market. You requested that we tell you our earliest feasible move out date. We spent the rest of last night and today calling our contacts and have been made aware that there is a flat for us to move into, which would be available on 29th January 2022. Please would you advise us if this works from your perspective? If not then we are willing to liaise. We will of course be paying all the rent that you are owed for the remainder of our tenancy, which we agreed would now terminate when a new tenant is found to take our place, and that this will be no earlier than the date which we will now mutually agree, and which we suggest above for your consideration. When a new tenant is successfully found, we will carry out all of the necessary contractual exit procedures.

We would request that all of the above is considered conditional on a) mutually agreeing our earliest exit date and b) confirmation that the return of our deposit will be carried out as set out in our contract and that this isn't detrimented in any way by early contractual termination.

Many thanks indeed for working with us so positively on this. We will do all we can to facilitate this going smoothly for both sides.

## Andrea and Amy

 WhatsApp Audio 2021-11-18 at 9.00.07 PM (4).mp4  
212.7kB

 WhatsApp Audio 2021-11-18 at 9.09.07 PM (3).mp4  
295kB

 WhatsApp Audio 2021-11-18 at 9.14.28 PM (1).mp4  
351.8kB

## Noise complaint

From: Mariam [REDACTED]

To: saj [REDACTED]

Date: Monday, 13 June 2022, 12:23 BST

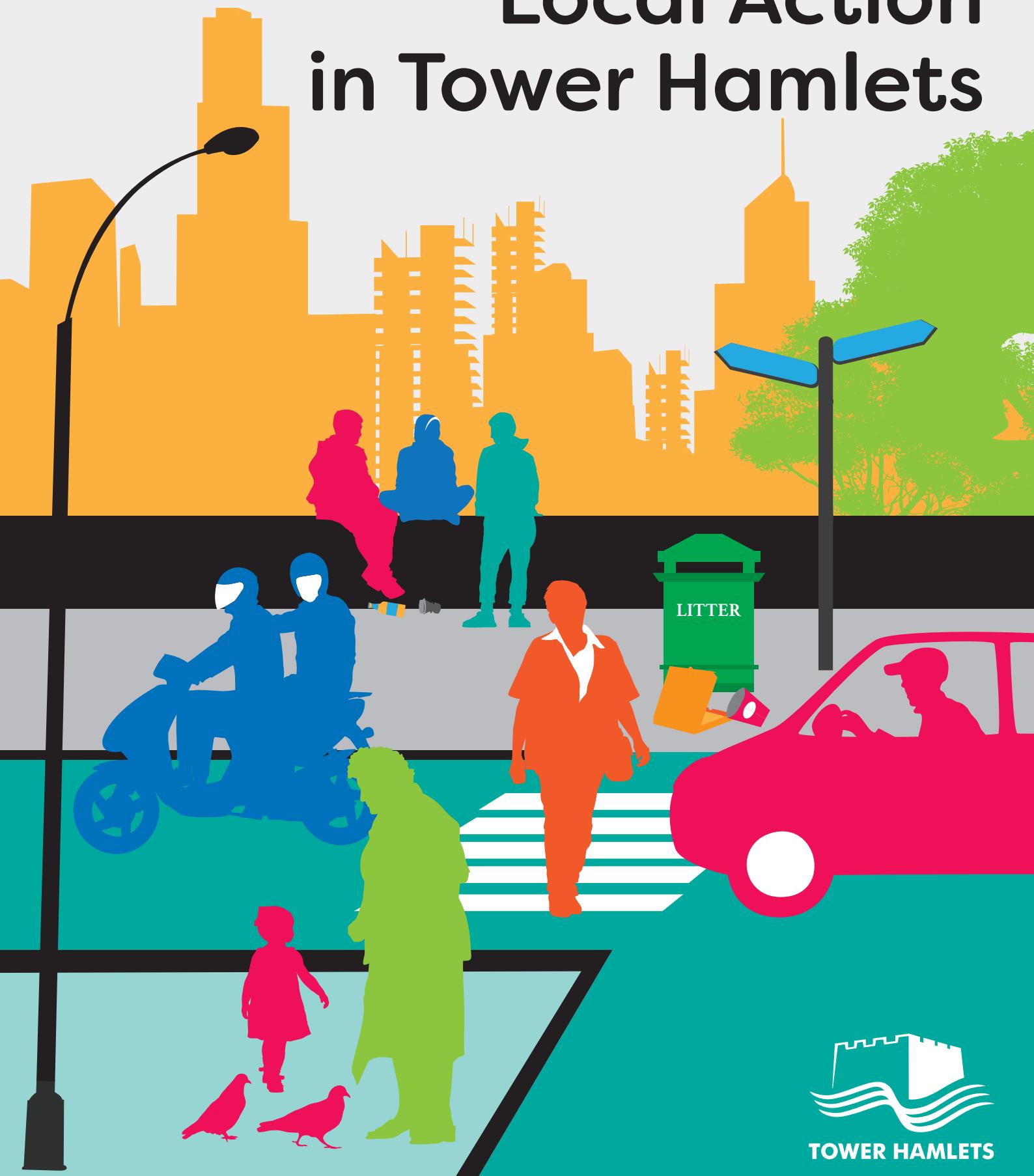
Hi Sajaid ,

I am emailing regarding noise from the cafe next door. They play music often at an unacceptably loud volume and it has woken me up many times over the last few months. This began as soon as we moved in (February 23rd) and has persisted to today. It is incredibly annoying and is affecting our time in the property as myself and Olivia both have days where we work from home.

Regards,

Mariam [REDACTED]

# Anti-Social Behaviour (ASB): A Blueprint for Local Action in Tower Hamlets



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# Foreword



**John Biggs**  
**Mayor of**  
**Tower Hamlets**

Tackling anti-social behaviour is one of the biggest challenges we face in Tower Hamlets. Our borough is a vibrant, diverse and exciting place to live, work and visit and we want everyone to feel and be safe and enjoy everything that it has to offer.

We face significant challenges and residents tell us that crime and anti-social behaviour are among their biggest concerns. The borough is fast growing and ever changing with residents in different parts of the borough experiencing different types and levels of anti-social behaviour. Rowdy or drunken behaviour, vandalism and noise can all have a huge impact on quality of life.

Our aim is clear – to tackle anti-social behaviour and reduce the harm that it causes. Everyone has the right to feel safe in their homes and the community, including businesses and visitors to the borough, which is why reducing anti-social behaviour is a priority for the Council, the Police and for other members of the Tower Hamlets Community Safety Partnership (the Partnership).

This ‘Blueprint for action’ defines what anti-social behaviour is and is not. Some activities which are reported as anti-social behaviour, such as drug dealing on streets and estates, are clearly criminal acts and should always be reported to the Police. In contrast, some anti-social behaviour is often wrongly dismissed as trivial when compared to more serious crime, however we know – and tragic case studies have shown – that anti-social behaviour is often targeted at the most vulnerable people in our communities who are least able to protect themselves.



**Asma Begum**  
**Cabinet Member**  
**for Community**  
**Safety**

Our approach includes a clear and robust focus on enforcement where appropriate and we will make full use of the range of tools and powers available to us to tackle persistent behaviours and repeat offenders. With young people, enforcement should be where possible a last resort. It is therefore very important to identify young people as early as possible who are at risk of being involved in ASB and ensure that they are signposted to the correct support agencies. We believe that a strong focus on prevention, particularly as it relates to children and young people who might be involved or at risk of involvement in anti-social behaviour, will help us tackle issues in the longer-term, addressing the underlying causes of anti-social behaviour and preventing it from escalating or happening in the first place.

Tackling the full range of behaviours that constitute anti-social behaviour requires effective partnership working with the Schools, Children's Centres, the Youth Service, the Youth Offending Service, Drug and Alcohol Action Team, Substance Misuse Treatment, Outreach Providers, Mental Health Service Providers, the Police, Hostels, Housing Providers, the NHS, Fire Brigade and the voluntary and community sector. Together, our aim is to reduce the levels of anti-social behaviour in Tower Hamlets, improve community resilience, support vulnerable victims and challenge the perpetrators.

The Council, Police and Partnership cannot solve the problem of anti-social behaviour alone but we will do all we can to work with the whole community to help change negative behaviour and create a safer borough.

# Introduction

**The Anti-Social Behaviour (ASB): A Blueprint for Local Action sets out three Priorities and a targeted approach that the Council and the Tower Hamlets Community Safety Partnership (the Partnership) will take to address the issues of Anti-Social behaviour (ASB) in the borough over the next year.**

## Why do we need a blueprint?

The impact of ASB can be devastating on residents and communities. For victims and the wider community, it can be a cumulative, corrosive issue which undermines their ability to live in peace. If it is not dealt with, ASB can severely damage the residents' quality of life and destroy community cohesion.

The government recently placed more focus on victims. For example, the Anti-social Behaviour, Crime and Policing Act 2014 includes a specific measure, 'the Community Trigger' which gives victims and communities the right to request a review of their ASB Case and bring agencies together to take a joined up, problem solving approach to find solutions. Long running problems of ASB can destroy a victim's quality of life and impact on the community's trust in the Police, the Council and other agencies. Details of how to request a Community Trigger response can be found at: [http://www.towerhamlets.gov.uk/lgnl/community\\_and\\_living/community\\_safety\\_crime\\_preve/anti-socialBehaviour/asb\\_community\\_trigger.aspx](http://www.towerhamlets.gov.uk/lgnl/community_and_living/community_safety_crime_preve/anti-socialBehaviour/asb_community_trigger.aspx)

The approach stated in this Blueprint aims to ensure that victims and communities will be placed at the centre of the re-designed ASB service delivery in Tower Hamlets.

## How have we written the blueprint?

Experts have been working with partners across the borough to undertake a detailed six-month review into how the borough deals with ASB, including:

- Tower Hamlets Council: Community Safety Team, Drugs and Alcohol Action Team, Youth Offending Service, Community Engagement, Communications, Youth Service, Public health and Public Realm, Town Centre Team (Brick lane)
- The Metropolitan Police
- Tower Hamlet Homes
- Tower Hamlets Clinical Commissioning Group
- Safer Neighbourhood Board
- West Ham United Foundation
- Voluntary sector: Victim Support Services
- Community and Faith Representatives

The Review identified six specific work streams and made recommendations for improvements.

- Early Intervention and Prevention
- Community Engagement
- Communication
- Tools and Powers
- Operations
- Resources

This Blueprint answers the following questions:

- Why do we need to address ASB?
- What is ASB?
- What are our long-term aims?
- Why have we chosen these priorities?
- What is our immediate work?
- How will we know if our work is successful?

# What is ASB?

ASB is ‘any aggressive, intimidating or destructive activity that damages or destroys another person’s quality of life’. (Home Office)

**Issues that can be considered to be ASB include:**

Rowdy, noisy behaviour in otherwise quiet neighbourhoods



Night time noise (houses/gardens), especially 11pm- 7am



Threatening, drunken or intimidating behaviour



Vandalism, graffiti and fly-posting



Litter and fly-tipping rubbish



Aggressive begging



Drinking in the street



Setting off fireworks late at night



Speeding and abandoned cars and vehicles



Prostitution and kerb-crawling



Rubbish in front gardens



Alcohol, tobacco, nitrous oxide being sold to children



**Issues that are not considered to be ASB include:**

Children playing in the street or communal areas - unless they are causing damage to property



Children and young people gathering socially - unless they are rowdy, inconsiderate and being intimidating individuals



Being unable to park outside your own home



DIY and off road car repairs- unless these are taking place late at night or early in the morning.



## Personal tolerance

Reporting ASB is a subjective and not completely reliable process due to personal tolerance and perceptions as to what constitutes acceptable behaviour. It can also be difficult to accurately analyse and resolve given its lack of categorisation and procedural rigours of crime recording.

1

## Cumulative

Research shows that ASB tends to be a cumulative, corrosive issue that undermines health and wellbeing of its victims. Experience varies in terms of level of harm but in most cases, repeat victims experience far higher levels of impact, especially those who define themselves as disabled and/or suffer ill-health.

2

## Tackling ASB

Working with communities and businesses to tackle ASB, from persistent noise nuisance to low-level offences linked to the harms associated with drug related offending, is a top priority for the Council and partners

3

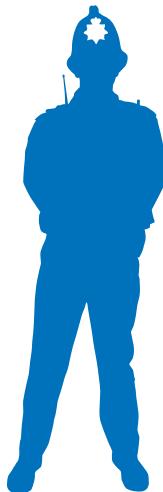
# What do the residents want?

The 2016 Tower Hamlets Annual Residents Survey (ARS) shows a downward trend in the levels of concern about ASB problems. However, the Council is aware that despite the downward trend in perception and concern, ASB remains the top priority for the residents. Following a scrutiny review by the Overview and Scrutiny Committee in 2014/15, an action plan and a subsequent report in 2017 were produced and a dedicated residents consultation meeting took place in March 2017. Residents told us:

- They want to play a part in finding solutions to tackle ASB working with partners.
- They want communications to improve with
  - Better feedback
  - Better outcomes
- They want a single person to contact in the Council and one telephone number.
- They want better information sharing across the Partnership
- They want a zero tolerance approach to drugs misuse and supply in local areas through high visibility and robust enforcement
- They want clarity on advice and promotional materials, how to report, who to report to and feedback on the outcome of their complaint.

**The residents are also aware that some issues they face are criminal activities, which is beyond ASB. Criminal activities should be reported to the Police, but boundaries between criminal activities and ASB can be unclear.**

**Better communications with the residents, between the Council and the partners will help tackle under-reporting of crime and ASB as well as tackle the local issues.**



# The local picture

The Annual Residents Survey 2016 shows trends in resident perceptions around the following four different types of ASB:

- Drunk and rowdy behaviour in public places
- People using or dealing drugs
- Rubbish and litter lying around
- Vandalism, graffiti and other deliberate damage to property or vehicles.

Levels of concern about ASB problems have fallen for all the four areas monitored, continuing last year's downward trend in perception. However, Tower Hamlets receives the highest number of drugs and alcohol related ASB complaints in comparison to similar east London boroughs.

We can see from calls to the Police that there are strong links with ASB and the operation of drug markets in the Borough. During 2014/15, there were 2,172 drug related offences (dealing and possession) in Tower Hamlets, an average of 181 offences per month. In comparison to other London boroughs, Tower Hamlets has the fifth highest rate, a reflection of a combination of factors including the Police commitment to tackling drug related offending, provision of additional resources for enforcement, targeted police action and Tower Hamlets increasingly popular night time economy around such areas as Brick Lane. The most recent estimate (2011/12) suggests that there are around 3,561 people using Opiates and/or Crack Cocaine in Tower Hamlets. Of this number, 1,674 (47%) are estimated to have

not yet engaged with treatment. Two thirds of people in treatment during 2014/15 were in treatment for opiate drug use. One in five was in treatment for alcohol use and the remaining were in treatment for non-opiate drug use (including Crack Cocaine).

There is also emergence of the wider use of New Psychoactive Substances (NPS) or 'legal highs', nitrous oxide which is a serious concern for the Council and residents in the borough.

There has been an upward trend of the reported ASB incidents in the borough over the last five years. The exact causes leading to the increase in ASB incidents are unknown, but several factors and conditions, including high population density, may play a part. The borough is set to have the highest population density in the country by 2025. If population density is one of factors that impacts on the number of ASB incidents, this demographic change, along with others, may have implications for future demand in terms of ASB services. In order to 'future proof' our approach, we will need to consider demand management solutions and activity moving forward as part of the service re-design.

A full equality analysis has been developed as part of this approach and we will continue to review the impact of actions on those with protected characteristics in this borough.

# What we intend to do

## Our approach

We will make Tower Hamlets a safer place to live, work and visit by:

- **Working together in partnership to prevent ASB**
- **Listening to victims and witnesses and providing them with support**
- **Intervening early robust use of enforcement powers where appropriate**
- **Keeping the community updated with clear messages and information about ASB action and how to report it**
- **Taking robust enforcement action against offenders and ensuring they are brought to justice.**

ASB is multifaceted and highly localised in nature and therefore requires a multi-agency and holistic local approach. The Partnership, including the Council, the Police and housing providers, will work together to reduce the harmful effects of ASB.

A key focus of our approach is to provide effective support to ASB victims in a neighbourhood setting. We will ensure that we better understand the impact ASB has on their lives and ensure safeguarding processes are in place to protect those most vulnerable from further harm.

Therefore, our top priority is the identification and protection of high risk or vulnerable victims of ASB, as the impact of it on them is likely to be greater than on others, by reason of their vulnerability.

## Current initiatives

The Council has already committed to a number of significant projects and increased resources to tackle ASB, including:

- Investing in additional enforcement on housing estates of Tower Hamlets Homes (THH)
- Supporting the Metropolitan Police ASB warning system which is now seen as good practice with the potential to become a new London-wide approach
- Providing funding for a dedicated Police Task Force focusing on the most concerning issues in the borough: ASB; Drugs and Prostitution
- Additional monies to support CCTV deployment in the borough
- Additional Legal service's capacity to support the expected increase in enforcement activity
- Standardising and implementing tools and powers from the Anti-social Behaviour, Crime and Policing Act 2014 – providing training for enforcement agencies
- THH offer and promote a range of methods to report ASB
- THH and RPs (registered providers), working with the Police, are making proactive use of the Civil Injunction Powers to target perpetrators

# Priority 1

## Improved, victim focused, response to ASB in Tower Hamlets

The impact of ASB can be devastating on both residents and their wider communities.

A key focus of this blueprint will be how we can provide effective support to victims of ASB, ensuring that together we better understand the impact ASB can have on their lives, promote health and wellbeing and ensure safeguarding processes are in place to protect them from further harm.

Our first priority is the identification and protection of high risk or vulnerable victims of ASB. A vulnerable person is one whose experience of ASB, and resulting harm, is likely to be more significant because of their individual personal circumstances.

In cases where perpetrators of ASB have certain vulnerabilities, we will ensure that they have access to appropriate support to help modify their behaviour. This may include liaising with relevant professional organisations or support being provided in-house by a dedicated professional. We will work closely with partner agencies to ensure that relevant support is available.

If perpetrators of ASB with certain vulnerabilities refuse support, we will use powers available to the partner agencies to address this anti-social behaviour, these could include the use of positive conditions on Civil Injunctions, to ensure that they engage with appropriate support.

Feedback from resident meetings and analysis of complaints tell us that residents would like to have:

- more support for ASB victims
- preventative activity to address the underlying causes of ASB
- intensive support to children and young people, to prevent them from becoming victims and perpetrators.

### What are we already doing?

- Commissioning Victim Support to assist caseworkers to prioritise the needs of victims through a vulnerable victims MARAC
- Promoting the borough's Community Trigger process which allows members of the community to invoke the Partnership to review their responses to complaints of ASB.

### What will we do in the next 12 months?

- Improve the quality of service to the community and the customer experience in reporting ASB
- Protect victims of ASB by taking action against perpetrators and bringing them to justice
- Providing specialist training for staff and partners involved in addressing ASB

- Improve safeguarding of victims by introducing a Vulnerable Victims Multi-agency Risk Assessment Conference (MARAC) to address cases of complex need involving vulnerabilities such as mental health, safeguarding and high risk concerns
- Enhance information sharing across the Partnership and implement a problem-solving approach to ASB
- Work in partnership to ensure we intervene early where there are risks that children and young people may be victims or perpetrators of ASB
- Develop and deliver an annual programme of summer activities for children and young people.
- Victim satisfaction.
- Number of perpetrators brought to justice and active use of the Council's enforcement powers.
- Number of Community triggers invoked and satisfactory outcomes (to date 5 Community Triggers activated).

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## How will we know if it's working?

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- The Council and the Partnership will provide oversight through robust critical enquiry and scrutiny of a set of Key Performance Indicators (KPIs)
- ASB Demand (Computer Aided Despatch calls (999 and 101) to the Police to report incidents of ASB
- Number of ASB vulnerable repeat callers to the Police (999 and 101)
- Number of individuals causing drug / alcohol related crime or ASB required to engage in structured treatment programmes via criminal or civil orders

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## Outcomes

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- Local people will feel safer
- Vulnerable victims will be safeguarded
- Perpetrators will be held to account for their actions
- Local people will be clearer about how to report incidents, and who to report them to
- Local people will understand the tools and powers available to tackle ASB, and will be working collaboratively with frontline teams to use these appropriately and effectively
- Individuals committing drug / alcohol related crime and/or ASB will be required to address their substance misuse issues via positive requirements on criminal or civil orders.

# Priority 2

## Improved understanding of the impact of ASB on local communities and associated harm

The Council and partners will work together with our communities, with those who are suffering ASB as well as with those who cause it, to learn what works best to reduce ASB in the longer term and co-produce solutions.

We recognise that long term and sustainable solutions to ASB will require us to tackle its root causes, which can include alcohol and drug dependency, troubled families, domestic abuse, mental health needs and poverty. We will ensure that links are made with existing policies and procedures and services to achieve the best outcomes.

As data shows, the borough has ASB hotspots and the residents' experience of ASB varies widely. Better understanding of ASB in the communities will help protect the victims from further harm by improving the service we offer and our partnership response.

### What are we already doing?

- Improving the way we map and prioritise operations and communications in local ASB hotspot areas
- Improving the Partnership response to ASB by more effective information sharing and co-ordination of resources:
  - Developing an ASB communications campaign for 2017/18, to improve feelings of safety and to highlight the work being done across the borough by the Council, police and housing partners
  - Re-designing our council service offer and introducing a more localised problem-solving approach to tackling ASB
  - Implementing a neighbourhood management model pilot, which aims to deliver localised and responsive operations, engagement and accountability from a range of key partners under the co-ordination of a single area manager.

## **What will we do in the next 12 months**

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- Develop a Neighbourhood Agreement setting out the minimum standards and the services communities can expect from partners to tackle ASB
- Work with the community in order to identify their role and responsibility in promoting behaviour change
- Improve communication at both local and borough level to ensure that there is a clear reporting and operational response to concerns
- Undertake community engagement that identifies community concern, priorities and harm at the community level and involves communities in resolutions where appropriate.

## **What will we do in the next 12 months**

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- The Council and the Partnership will provide oversight through robust critical enquiry and scrutiny of a set of Key Performance Indicators (KPIs)
- Measure the community perception of ASB through the Annual Residents' Survey (ARS) questions on the four ASB related areas:
  - Drunk and rowdy behaviour in public places
  - People using or dealing drugs

- Rubbish and litter lying around
- Vandalism, graffiti and other deliberate damage to property or vehicles.
- ASB Demand (Computer Aided Despatch calls (999 and 101) to the Police to report incidents of ASB
- Number of ASB repeat callers to the Police (999 and 101)
- Number of individuals causing drug / alcohol related crime or ASB required to engage in structured treatment programmes via criminal or civil orders.

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## **Outcomes**

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- Local people will feel safer and harm will be minimised.
- Concerns about crime and ASB will have reduced in the residents surveys
- The % of residents telling us that drunk and rowdy behaviour in their area is a big problem will have decreased
- The % of residents telling us that people using or dealing drugs in their area is a big problem will have decreased.

# Priority 3

Reduce the damaging effects of ASB by active engagement, working with communities, businesses and co-producing solutions to problems

## Why is this important?

The Council and the Partnership cannot solve the issues of ASB alone. To tackle these effectively, we need to work with the whole community, which will assist behaviour change and create a safer borough.

Everybody has the right to feel safe and protected, no matter where they are or who they are with. Intimidating and nuisance behaviour caused by individuals or groups has the power to blight the quality of life for individuals, families and communities. We recognise that alone, the Council and partners cannot solve all of the issues all of the time. This is pertinent now more than ever in a climate of austerity and shrinking public resources. We will need to work even closer with our communities to identify and prioritise the services that have the greatest benefit in reducing ASB. Therefore securing the support of residents and communities in tackling the problems of ASB is key to the success of our new approach. This is particularly important in:

- Giving communities the confidence to report ASB to the relevant agency
- Letting communities have a say in setting priorities, promoting Safer Neighbourhood Ward Panels, and the borough's safer neighbourhood board and working together to find solutions

- Providing support for victims and witnesses to come forward
- Recognising good work by individuals and groups across communities, promoting "champions" and role models.

## What are we already doing?

Ensuring that council and police are visible by promoting Community Safety Ward Walkabouts with residents and businesses, to identify issues that matter and find solutions.

A rolling programme of partnership activity is targeting irresponsible business practice and those who are contributing to the blight of ASB in our communities for example, the supply of nitrous oxide.

- Introducing a more effective operations by focusing the right resources on priority hotspots and emerging areas of concern
- Developing a night-time economy charter to create a safe, vibrant and well balanced evening and night-time offer for those that reside in and visit the Brick Lane area.
- Introducing Public Spaces Protection Orders (PSPOs) in those areas most impacted by crime and ASB.

## What will we do in the next 12 months?

- Deliver effective education and engagement activities to reduce ASB and victimisation in the long term
- Introduce a new Town Centre Strategy 2017-22
- Deliver new opportunities to make Tower Hamlets night-time economy more safer
- Consider the findings of the Night Time Levy Consultation and implement if appropriate.

## How will we know if it's working?

The Partnership will measure its priority performance indicators on a quarterly basis via its quarterly performance dashboard and reports from the respective CSP Subgroups and CSP Priority Leads. These reports will measure current performance against the same period of the previous financial year, provide commentary and reasons for current performance as well as identify any strategic risks to this priority and the Partnership as a whole.

- Number of education and engagement activities delivered
- Number of businesses signed up to the Night Time Economy Charter

- ASB Demand (Computer Aided Despatch calls (999 and 101) to the Police to report incidents of ASB
- Number of individuals causing drug / alcohol related crime or ASB required to engage in structured treatment programmes via criminal or civil orders.

## Outcomes

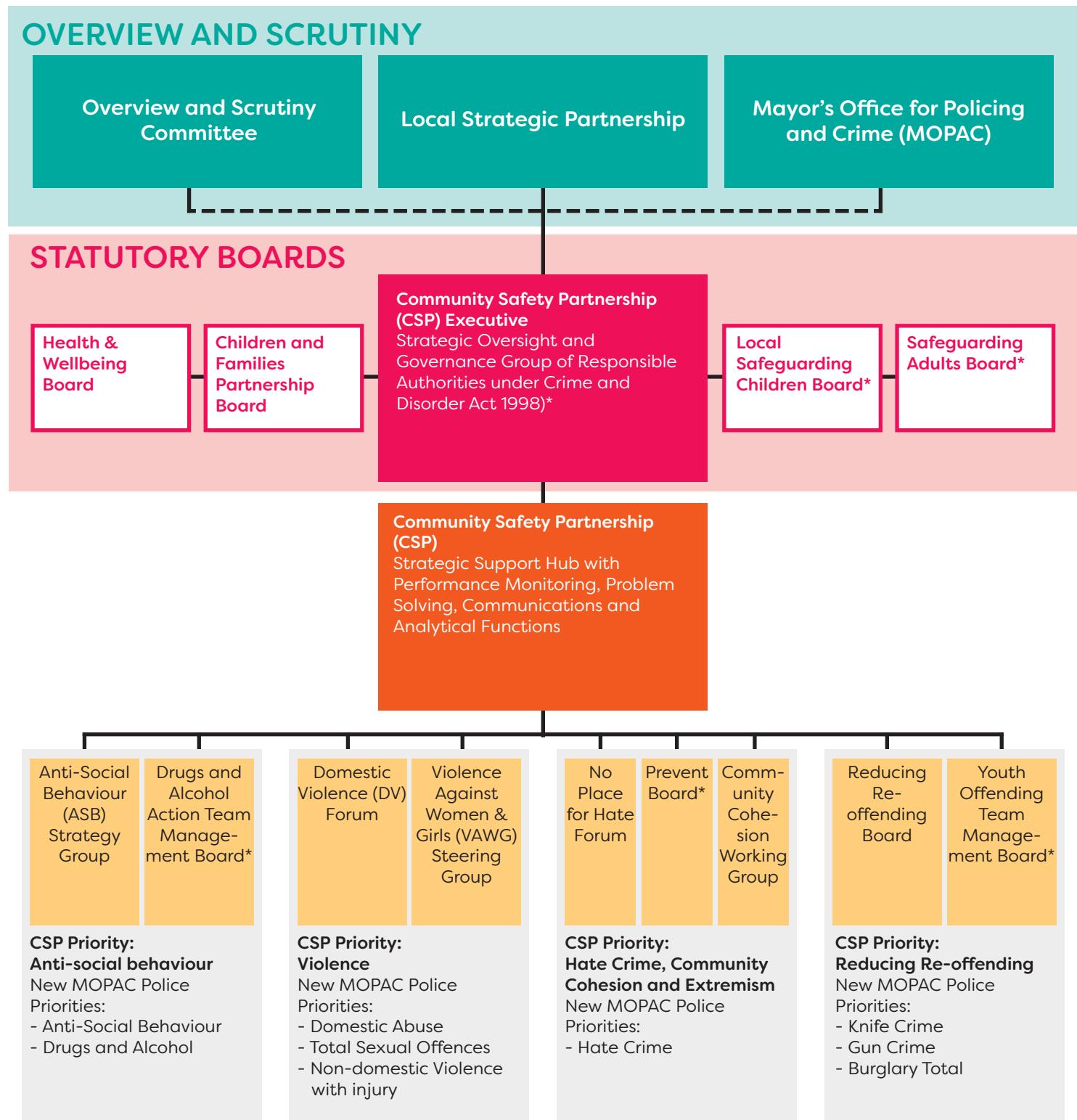
- A vibrant and well balanced evening and night-time offer for those that reside in and visit the Brick Lane area
- Effective operations that deliver positive outcomes for residents
- A safer night-time economy – minimising the impact of ASB
- Cohesive community working with partners to find solutions.

# Implementation and monitoring arrangements

This Blueprint has a one year timeframe.

The Community Safety Partnership (CSP) will be responsible for the implementation of this blueprint and will be held to account by the CSP Board, which is co-chaired by the Police and Council.

## CSP Governance Structure 2017/18



# References

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3. LBTH (2015) 'Scrutiny Report - How the Council, Police and Social Landlords promote the reporting of incidents of drug dealing, drug taking and related ASB in communal spaces and communicate the outcome of this reporting'.
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5. LBTH (2017) 'Scrutiny Report Update - How the Council, Police and Social Landlords promote the reporting of incidents of drug dealing, drug taking and related ASB in communal spaces and communicate the outcome of this reporting', 1 March 2017.
6. LBTH (n.d.) 'Tower Hamlets Annual Residents Survey results 2016' [Online]. Accessible at: [http://www.towerhamlets.gov.uk/Documents/Borough\\_statistics/2016\\_AnnualResidents\\_Survey\\_results.pdf](http://www.towerhamlets.gov.uk/Documents/Borough_statistics/2016_AnnualResidents_Survey_results.pdf)
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8. Williams, S. (2016) 'Tower Hamlets Overview & Scrutiny Committee: Metropolitan Police Service Update', Crime and Disorder Spotlight – presentation, Overview & Scrutiny Committee, Tower Hamlets Council [Online]. Accessible at: <http://democracy.towerhamlets.gov.uk/documents/b19751/Item%2011.1%20Crime%20and%20Disorder%20Spotlight%20-%20Presentation%2001st-Sep-2016%2018.00%20Overview%20Scrutiny%20Comm.pdf?T=9>
9. Uhrig, N. (2016) 'Black, Asian and Minority Ethnic disproportionality in the Criminal Justice System in England and Wales', Ministry of Justice Analytical Services

# Appendix A:

## Regional and local strategies that have contributed to the reduction of ASB in Tower Hamlets

<b>Mayor of London Police and Crime Plan 2017-2021</b>	The London Mayor has pledged to continue addressing ASB as a priority across all of London by increasing the number of dedicated police officers in each of the Wards, especially targeting the ones that have most ASB and Crime concerns. His Plan sets out that police will concentrate on a number of areas which will affect the boroughs approach to ASB. Those include prioritising Hate Crime, tackling repeat offenders and increasing protection for victims and vulnerable people.
<b>Tower Hamlets Community Safety Partnership (CSP) Plan 2017-21</b>	The CSP Plan is based on a strategic assessment of partnership performance in relation to crime, disorder, substance misuse and reducing re-offending, as well as a wide reaching public consultation on residents' top three concerns.  The CSP Plan 2017-21 sets out the Partnership's four main priorities for the borough to address, one of those being ASB including Drugs and Alcohol.
<b>Tower Hamlets' Violence Against Women and Girls (VAWG) Strategy 2016-2019</b>	The VAWG Strategy looks at ASB in relation to gender based violence. In particular, it lays out our approach to tackling prostitution and our commitment to supporting sex workers to leave prostitution.
<b>Community Engagement Strategy 2016-2017, Tower Hamlets Council</b>	This strategy sets out how we strive through active community involvement to shape the borough, build community capacity and resilience and enhance our digital presence to engage more effectively with our community.

**Tower Hamlets Homes  
Business Plan  
2016/17-2018/19**

Tower Hamlets Homes (THH) working in partnership with the Council and key partners aim to use our combined resources to tackle drug dealing and drug use in our communities. In the following year THH will:

- Place new emphasis on using intelligence gained about ASB hotspots so that resources can be more effectively harnessed
- By giving front line officers clearer responsibilities, ensure that the landlord service has a more comprehensive and broad based approach towards tackling ASB which involves staff from both the Council and across Tower Hamlets Homes.

**Ending Groups, Gangs and  
Serious Youth Violence  
(GGSYV) Strategy  
April 2015 – 2018,  
Tower Hamlets Council**

This strategy sets our position that we will not tolerate groups, gangs and serious youth violence and its associated abuse in Tower Hamlets. It outlines how work will be underpinned by a safeguarding approach towards young people (and families) who are at risk of involvement in groups, gangs and serious youth violence and the associated forms of abuse. Young people and families will be offered targeted interventions at the earliest point to discourage involvement with support from the appropriate partners. If young people (or families) continue to engage in GGSYV the partnership will use all enforcement options available and also continue to offer support with appropriate interventions.

**Hate Crime Strategy**

This strategy is underpinned by a commitment to provide equality of access to services and support to every member of our communities; regardless of – age, disability, marital status, gender assignment, pregnancy and maternity, race, religion or belief, sex or sexual orientation. It is widely understood that those most vulnerable in our society or those from diverse backgrounds are proportionally more likely to become victims of ASB or hate crime. Incidents of hate crime often manifest themselves in low level forms of ASB, which on the surface may appear minor but the impact on the victim and their family can be devastating if not dealt with quickly and effectively.

# **Appendix 9**

## Corinne Holland

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**From:** Licensing  
**Sent:** 30 May 2022 14:04  
**To:** Corinne Holland  
**Subject:** FW: Premises License Application 408 Hackney Road

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**From:** MARK.J.Perry [REDACTED]  
**Sent:** 30 May 2022 13:47  
**To:** giada [REDACTED] <Licensing@towerhamlets.gov.uk>  
**Subject:** RE: Premises License Application 408 Hackney Road

Dear Tower Hamlets Council Licensing,

Please see below conditions agreed with the applicant.

Kind Regards

Mark



PC Mark Perry  
Central East Licensing Unit  
Metropolitan Police Service (MPS)  
Email [REDACTED]  
A: Licensing Office, 1<sup>st</sup> Floor Stoke Newington Police Station



**From:** giada botti [REDACTED]  
**Sent:** 26 November 2021 11:39  
**To:** Perry Mark J - CE-CU <[REDACTED]>  
**Subject:** Re: Premises License Application

Thanks for your email,

Agreed on all the above condition

On Fri, 26 Nov 2021 at 11:36, <[REDACTED]> wrote:

Hi,

Good to speak to you today, following our conversation please below the conditions we discussed. Please can you confirm that you agree to them and I will inform Tower Hamlets Council Licensing that we have agreed terms.

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. 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;
  - 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.
4. 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.

5. 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

Kind Regards

Mark



PC Mark Perry

Central East Licensing Unit

Metropolitan Police Service (MPS)

Email [REDACTED]

A: Licensing Office, 1<sup>st</sup> Floor Stoke Newington Police Station



# **Appendix 10**

## Corinne Holland

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**From:** Nicola Cadzow  
**Sent:** 30 May 2022 12:44  
**To:** Licensing  
**Cc:** MARK.J.Perry [REDACTED]; Michael.Rice@[REDACTED] giada botti  
**Subject:** 149723 New premises license application for Flour & Flowers 408 Hackney Road

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

Good afternoon Licensing,

I have no objections to the new premises license application for Flour & Flowers 408 Hackney Road, ref 149723, following agreement by the applicant to the additional noise conditions (see also email trail) as below:

1. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a public nuisance.

Kind regards

Nicola Cadzow  
Environmental Protection Team  
Place Directorate  
London Borough of Tower Hamlets  
Mulberry Place Town Hall  
5 Clove Crescent  
London E14 2BG

[REDACTED]  
[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

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**From:** giada botti <[REDACTED]>  
**Sent:** Monday, May 30, 2022 12:20 PM  
**To:** Nicola Cadzow <[REDACTED]>  
**Cc:** MARK.J.Perry [REDACTED]; Michael.Rice [REDACTED]  
**Subject:** Re: 149723 New premises license application for Flour & Flowers 408 Hackney Road

Good morning Mr Cadzow,

Point 1 :

Our speaker will remain the same, with no changes in same position as two Sonos speakers, 1 upstairs and 1 downstairs. Chill music reproduced everyday as background. From 8:30 am to 17:00.

Nothing at the entrance lobby or outside.

AGREED

POINT 2:

AGREED

thank you

On Mon, 30 May 2022 at 12:12, Nicola Cadzow <[REDACTED]> wrote:

Dear Ms Botti,

I am reviewing your new premises license application for Flour & Flowers 408 Hackney Road, ref 149723, with particular attention to the licensing objective for the prevention of public nuisance, and wish for the following noise conditions to apply as below:

1. Loudspeakers shall not be located in the entrance lobby or outside the premise building.

2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a public nuisance.

Await your confirmation to the above conditions

Kind regards

Nicola Cadzow

# **Appendix 11**

## Prevention of Public Nuisance

- 9.1 Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises.
- 9.2 The concerns mainly relate to noise nuisance both from the premises and customer egress, light pollution, noxious smells and disruption from parked vehicles and due regard will be taken of the impact these may have in considering a licence. The Licensing Authority will expect Operating Schedules to satisfactorily address these issues. Applicants are advised to seek advice from the Council's Environmental Health Officers before preparing their plans and Schedules.
- 9.3 The Licensing Authority, where its discretion is engaged, will consider, where appropriate, attaching conditions to licences and permissions to prevent the problems identified in Section 18 of this Policy (Special Cumulative Impact Policy for the Brick Lane and Bethnal Green Area), and these may include conditions drawn from the Model Pool of Conditions found in the Secretary of States Guidance.
- 9.4 **Street Furniture** – placing of street furniture, which includes advertising boards, on the highway can cause a public nuisance by way of obstruction, or encourage consumption of alcohol on an unlicensed area. The Licensing Authority expects applicants to have ensured that they fully comply with the Councils rules relating to authorisation of obstructions on the highway, and that the required authorisations are obtained prior to submitting a licence application. Where proportionate and appropriate, and its discretion is engaged, the Licensing Authority will impose conditions in relation to street furniture, including on private land.
- 9.5 **Fly Posting** – The Council has experienced problems with "fly posting" in relation to venues that offer entertainment. Fly posting is the unauthorised posting of posters / advertisements etc. Where it considers it proportionate and appropriate, and its discretion is engaged, the Licensing Authority will attach conditions relating to the control of fly posting to ensure that venues clearly prohibit all fly posting in their contract terms with others and they effectively enforce this control.

# **Appendix 12**

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

Updated April 2018

## **Public nuisance**

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

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

# **Appendix 13**

## Licensing Policy, updated November 2018

### Crime and Disorder

- 7.1 Licensed premises, especially those offering late night / early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems and to store prescribed information.
- 7.2 When addressing crime and disorder the applicant should initially identify any particular issues (having regard to their particular type of premises and / or activities) which are likely to adversely affect the promotion of the crime and disorder licensing objective. Such steps as are required to deal with these identified issues should be included within the applications operating schedule. Where the Metropolitan Police, acting as a responsible authority, makes recommendations in respect of an application relating to the licensing objectives the Licensing Authority would expect the applicant to incorporate these into their operating schedule.
- 7.3 Applicants are recommended to seek advice from Council Officers and the Police as well as taking into account, as appropriate, local planning and transport policies, with tourism, cultural and crime prevention strategies, when preparing their plans and Schedules.
- 7.4 In addition to the requirements for the Licensing Authority to promote the licensing objectives, it also has duties under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough and to share prescribed information.
- 7.5 The Licensing Authority, if its discretion is engaged, will consider attaching Conditions to licences and permissions to deter and prevent crime and disorder both inside and immediately outside the premises and these may include Conditions drawn from the Model Pool of Conditions relating to Crime and Disorder given in the Secretary of State's Guidance.
- 7.6 **CCTV** - The Licensing Authority, if its discretion is engaged, will attach conditions to licences, as appropriate where the conditions reflect local crime prevention strategies, for example the provision of closed circuit television cameras.

7.7 **Touting** – This is soliciting for custom. There has been a historic problem with Touting in the borough, mainly in relation to restaurants, and as such in 2006 the Council introduced a byelaw under Section 235 of the Local Government Act 1972 for the good rule and government of the London Borough of Tower Hamlets and for the prevention and suppression of nuisances.

As a result, in relation to premises where there is intelligence that touting is, or has been carried out, the Licensing Authority, where its discretion is engaged will insert a standard condition that prohibits 'touting' as follows:-

- 1) No person shall be employed to solicit for custom or be permitted to solicit for custom for business for the premises in any public place within a 500 meters radius of the premises as shown edged red on the attached plan.( marked as Appendix -)
- 2) Clear Signage to be placed in the restaurant windows stating that the premises supports the Council's 'No Touting' policy.

7.8 **Responsible Drinking** - The Licensing Authority expects alcohol to be promoted in a responsible way in the Borough. This should incorporate relevant industry standards, such as the Portman Group Code of Practice. Where appropriate and proportionate, if its discretion is engaged, the Licensing Authority will apply conditions to ensure responsible drinking. The Licensing Authority also recognises the positive contribution to best practice that "Pubwatch" and other similar schemes can make in promoting the licensing objectives and is committed to working with them.

Model Pool Conditions can be found in the Secretary of State's Guidance.

7.9 **Criminal Activity** - There is certain criminal activity that may arise in connection with licensed premises which the Licensing Authority will treat particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;

- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for employing a person who is disqualified from that work by reason of their immigration status in the UK;
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

The Secretary State's Guidance states that it is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and this Licensing Authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence, even in the first instance, should be seriously considered.

- 7.10 In particular the Licensing Authority is mindful of the Secretary of State's Guidance "Reviews arising in connection with crime".
- 7.11 From 1 April 2017, businesses which sell alcohol (for example, retailers of alcohol and trade buyers) will need to ensure that the UK wholesalers that they buy alcohol from have been approved by HMRC under the Alcohol Wholesaler Registration Scheme (AWRS). They will need to check their wholesalers Unique Registration Number (URN) against the HMRC online database which will be available from April 2017. This is an ongoing obligation and if a business is found to have bought alcohol from an unapproved wholesaler, they may be liable to a penalty or could even face criminal prosecution and their alcohol stock may be seized. Any trader who buys alcohol from a wholesaler for onward sale to the general public (known as a 'trade buyer') does not need to register unless they sell alcohol to other businesses. Examples of trade buyers would be pubs, clubs, restaurants, cafes, retailers and hotels. However, they will need to check that the wholesaler they purchase alcohol from is registered with HMRC. Further information may be found at: <https://www.gov.uk/guidance/the-alcohol-wholesaler-registration-scheme-awrs>.

## **Smuggled goods**

- 7.12 The Licensing Authority will exercise its discretion to add a standard condition as follows:-
- 1) The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers other than from established traders who provide full receipts at the time of delivery to provide traceability.
  - 2) The premises licence holder shall ensure that all receipts for goods bought include the following details:
    - i. Seller's name and address
    - ii. Seller's company details, if applicable
    - iii. Seller's VAT details, if applicable
    - iv. Vehicle registration detail, if applicable
  - 3) Legible copies of the documents referred to in 2) shall be retained on the premises and made available to officers on request.
  - 4) The trader shall obtain and use a UV detection device to verify that duty stamps are valid.
  - 5) Where the trader becomes aware that any alcohol may be not duty paid they shall inform the Police of this immediately.

## **Olympic Park – Football Ground**

- 7.13 Premises where Police intelligence shows that football supporters congregate within the borough should consider in their application form the following conditions:
- 1) On Match Days for premises licensed for the supply of alcohol for consumption on the premises:
    - a) Drinks shall only be supplied in polypropylene or similar plastic and all bottled drinks shall be poured into such drinking vessels before being handed to the customer. These should be made of recyclable materials.
    - b) Registered door staff shall be employed to control the entry and exits to the premises and to manage any licensed outside area(s).

# **Appendix 14**

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

Updated April 2018

## **Crime and disorder**

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

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

# **Appendix 15**

## **Anti-Social Behaviour from Patrons Leaving the Premises**

### General Advice

Members need to bear in mind that once patrons have left a premises they are no longer under direct control. Members will need to be satisfied that there is a link between the way the premises is operating and the behaviour that is complained of. An example of this would be that irresponsible drinking is being encouraged. Before deciding that any particular licensing conditions are proportionate, Members will also need to be satisfied that other legislation is not a more effective route. For example, if the problem is drinking in the street it may be that the Council should designate the area as a place where alcohol cannot be consumed in public.

Members may also wish to consider whether the hours of opening relate to any problems of anti-social behaviour.

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

### Licensing Policy

The policy recognises that other legislation or measures may be more appropriate but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy” (**see Section 4.15 and 4.16 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Sections 6.2 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 3 of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- Bottle Bans
- Plastic containers
- CCTV (outside the premises)
- Restrictions on open containers for “off sales”
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage

## Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However, the process for this involves wide consultation and cannot come from representations about a particular application. (**See Section 8 of the Licensing Policy**).

## Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public.

## Guidance Issued under Section 182 of the Licensing Act 2003

The key role of the Police is acknowledged (2.1).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, but can relate to the immediate vicinity of the premises as they seek entry or leave (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) CCTV inside & out, communication, police liaison, no glasses are all relevant

There is also guidance issued around public nuisance (2.15 – 2.21).

The pool of conditions, adopted by the Council is recommended (see Appendix 3 of the Licensing Policy). Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder (2.18/2.21).

Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned (14.13).

## Other Legislation

### Crime and Disorder Act 1998

The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.

The Act also introduced a wide range of measures designed to address anti-social behaviour committed by adults and young people. These include:

- Anti-Social Behaviour Orders
- Child Curfew Schemes
- Truancy
- Parenting Orders
- Reparation Orders
- Tackling Racism

# **Appendix 16**

## **Licensing Policy Relating to Hours of Trading**

All applications have to be considered on their own merits.

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

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

### (see 14.8 of the Licensing Policy)

In considering the applicability of frame work hours to any particular application regard should be had to the following

- Location
- Proposed hours of regulated activities, and the proposed hours the premises are open to the public
- The adequacy of the applicant's proposals to deal with issues of crime and disorder and public nuisance
- Previous history
- Access to public transport
- Proximity to other licensed premises, and their hours

### (See 14.9 of the licensing policy)

Subject to any representations to the contrary in individual cases the following premises are not generally considered to contribute to late night anti-social behaviour and will therefore generally have greater freedom

- Theatres
- Cinemas
- Premises with club premises certificates

# **Appendix 17**

## **Planning**

An application for a Premises Licence can be made in respect of a premises even where the premises does not have relevant Planning Permission. That application has to be considered and Members can only refuse the application where the application itself does not promote one 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.