

Appendix 1



Tower Hamlets
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 21

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

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	Yaamuk	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

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

Applicant Details

* First name	Ziyun
* Family name	Zhang
* E-mail	[REDACTED]
Main telephone number	
Other telephone number	

Include country code.

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

Are you:

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

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

Applicant Business

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

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

Registration number	14811453	
Business name	YAAM PARTNERS LIMITED	
VAT number	GB	441586977
Legal status	Private Limited Company	

If your business is registered, use its registered name.

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

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Continued from previous page...

Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality [Documents that demonstrate entitlement to work in the UK](#)

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

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

Provide a general description of the premises

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

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors Outdoors Both

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

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

Mainly amplified using PA system. The Music would be mainly for enhancing the dining experiences. We would always
ensure that the volume is as undistruptive as reasonably possible to local residents.

State any seasonal variations for playing recorded music

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

Continued from previous page...

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

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

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Yes No

Section 13 of 21

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

[See guidance on regulated entertainment](#)

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

Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

Selling alcohol drinks during daily opening time

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

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

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Continued from previous page...

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Section 16 of 21

ADULT ENTERTAINMENT

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

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

Continued from previous page...

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

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

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

Continued from previous page...

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals book will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon request.

A Challenge 25 policy will be operated at the premise, acceptable forms of identification are a passport, photocard driving licence and PASS accredited identification card.

Spirits will be located behind the counter.

b) The prevention of crime and disorder

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.

An incident log must be kept at the premises, and made immediately available on request to an 'authorised person' or Police, which must record the following:

- a. all crimes reported to vanue
- b. all ejection of patrons
- c. any complaints received
- d. any incidents of disorder
- e. any refusal of the sale of alcohol
- f. any visit by a relevant authority or emergency service

All restaurant staff engaged in the sale of alcohol to be trained in Responsible alcohol retailing to minimum stardard of BIIAB level 1 or any other training recognised and agreed with Tower Hemlets Council Trading Standards within one month of the date that this condition appears on this licence. (Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence).Training records shall be kept on the premises.

c) Public safety

A fire risk assessment will be conducted and implemented in the premises.

d) The prevention of public nuisance

Noise or vibration shall not emanate from the premises so as to cause a nuisance.

Continued from previous page...

All Doors and windows at the premises shall be kept closed after 22:00 except during immediate access and egress.

Any speaker within the premises shall be directed away from any residential property.

Any musical amplification system/equipment located in the premises shall be turned off after 22:00.

e) The protection of children from harm

While in the restaurant all children under ages of 16 must be supervised by an adult at all times. When serving alcohol anyone who looks under the age of 18 will be asked for proof of age.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

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

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

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

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

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

Band A - No RV to £4,300 = £100.00

Band B - £4,301 to £33,000 = £190.00

Band C - £33,001 to £8700 = 315.00

Band D - £87001 to £12500 = £450.00*

Band E - £125001 and over = 635.00*

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

Band D - £7001 to £12500 = £900.00

Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 = £1,000.00

Capacity 10000 -14999 = £2,000.00

Capacity 15000-19999 = £4,000.00

Capacity 20000-29999 = £8,000.00

Capacity 30000-39000 = £16,000.00

Capacity 40000-49999 = £24,000.00

Capacity 50000-59999 = £32,000.00

Capacity 60000-69999 = £40,000.00

Capacity 70000-79999 = £48,000.00

Capacity 80000-89999 = £56,000.00

Capacity 90000 and over = £64,000.00

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

Continued from previous page...

* Fee amount (£)

315.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

DECLARATION

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

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

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

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

* Full name

* Capacity

Date (dd/mm/yyyy)

Add another signatory

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

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

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

Continued from previous page...

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

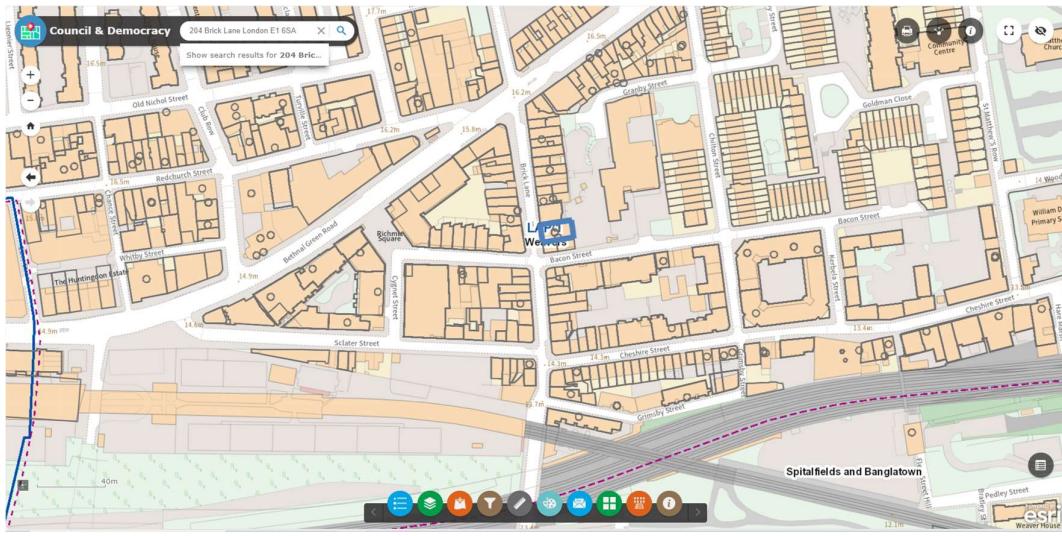
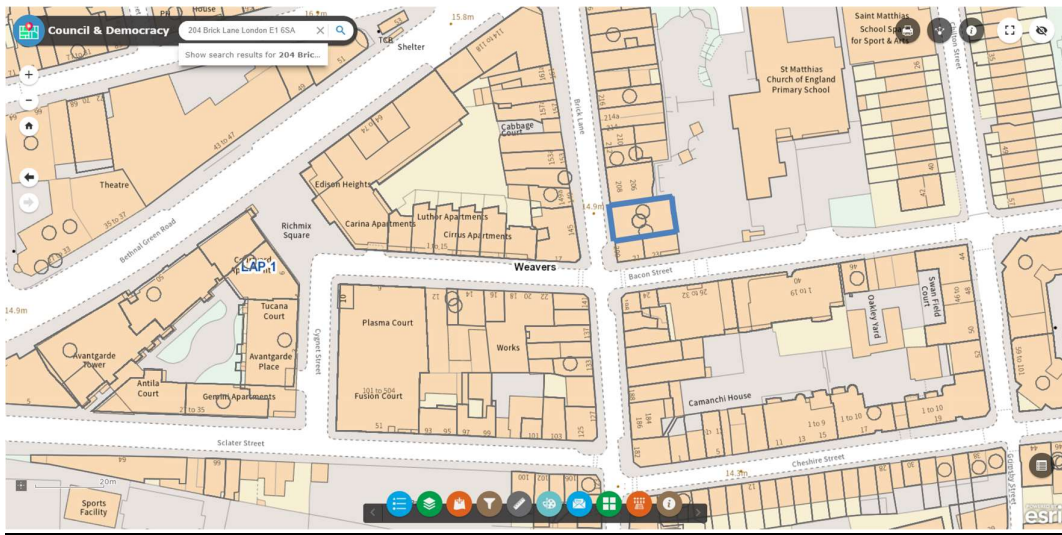
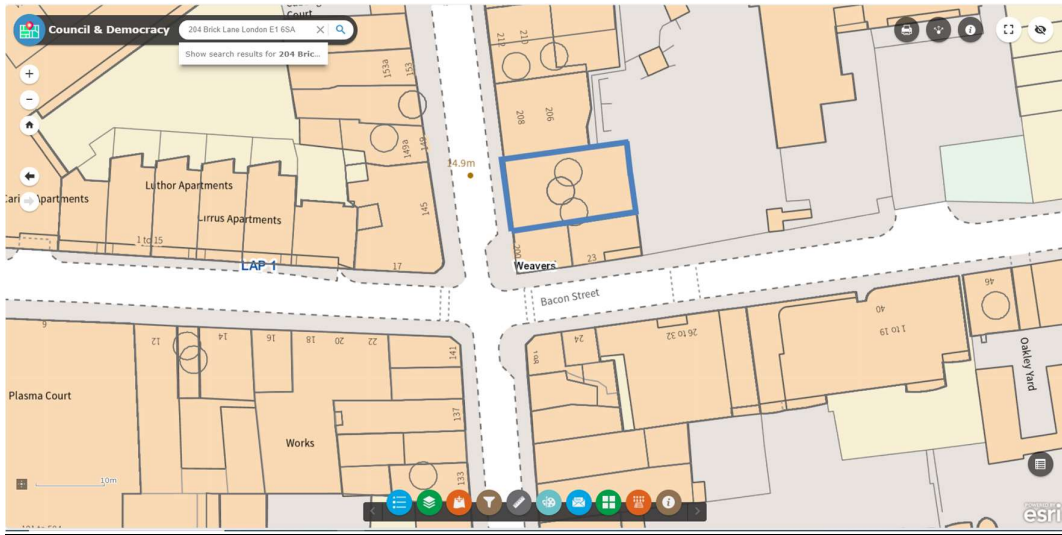
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT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

Appendix 2



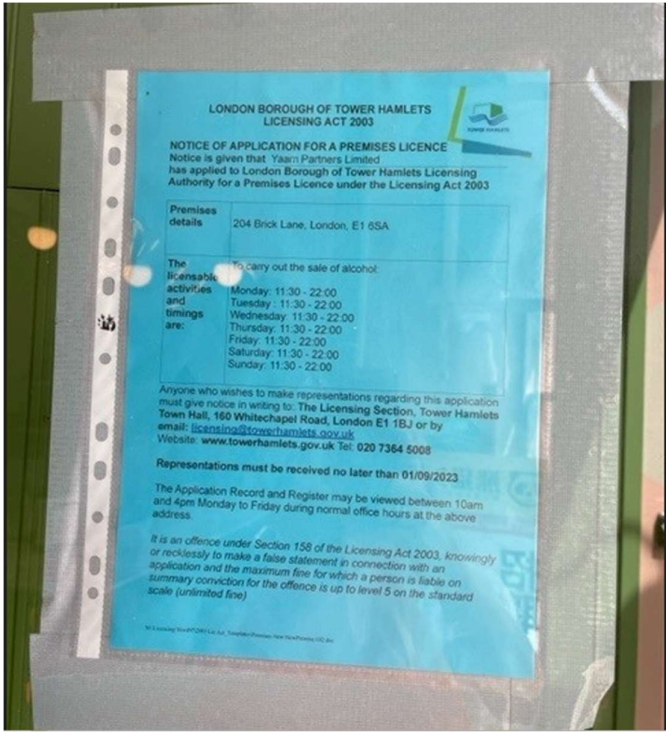
Appendix 3

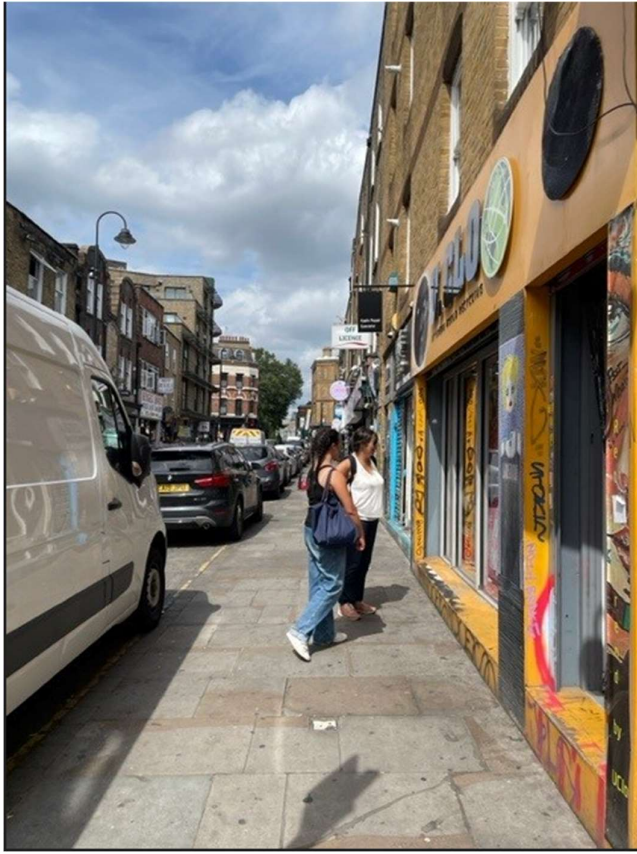
Maps – 204 Brick Lane



Appendix 4

Photos – 204 Brick Lane







Appendix 5

Address	Licensable activities/times	Opening hours
<p>(3AKE) 204 Brick Lane</p> <p>Licence currently held at the premises</p>	<p><u>Sale of Alcohol (Off Sales only)</u> Monday to Saturday from 10:00 hours to 23:00 hours Sunday 12:00 hours to 22:30 hours</p> <p><u>Sale of Alcohol (On Sales only)</u></p> <ol style="list-style-type: none"> (1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10am to midnight. (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm (3) On Christmas Day: 12 noon to 11:30pm; (4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight; (5) On New Year's Eve on a Sunday, 12 noon to 11.30 p.m. (6) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December). 	<p>No restrictions</p>
<p>(Simmons Bar) 202 Brick Lane</p>	<p><u>The sale of alcohol (on & off sales)</u></p> <ul style="list-style-type: none"> ▪ Sunday to Thursday, from 11:00 hours to 23:00 hrs ▪ Friday and Saturday, from 11:00 hours to 00:30 hrs <p><u>Provision of late night refreshment:</u></p> <ul style="list-style-type: none"> ▪ Sunday to Thursday, from 23:00 hours to 23:30 hrs ▪ Friday and Saturday, from 23:00 hours to 01:00 hrs 	<ul style="list-style-type: none"> ▪ Sunday to Thursday, from 10:00 hours to 23:30 hrs ▪ Friday and Saturday, from 10:00 hours to 01:00 hrs
<p>(AM 2 PM Convenience Store) 210 Brick Lane</p>	<p><u>Alcohol (off sales)</u></p> <ul style="list-style-type: none"> • Monday to Thursday, from 06:00 hours to 01:30 hours • Friday and Saturday, from 06:00 hours to 02:00 hours 	<p>Monday to Sunday, from 00:00 hours to 23:59 hours (24 hours)</p>

	<ul style="list-style-type: none"> • Sunday, from 06:00 hours to 01:00 hours 	
(Hoko) 224 Brick Lane	<p><u>Alcohol (on & off sales)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday, from 12:00 hours to 23:00 • Friday and Saturday, from 12:00 hours to 12midnight <p><u>Late Night Refreshment</u></p> <ul style="list-style-type: none"> • Sunday to Thursday, from 23:00 hours to 12midnight • Friday and Saturday, from 23:00 hours to 01:00 hours the following day 	<ul style="list-style-type: none"> • Sunday to Thursday, from 09:00 hours to 12midnight • Friday and Saturday, from 09:00 hours to 01:00 hours the following day
(Beigal Bake) 159 Brick Lane	<p><u>The provision of late night refreshment</u></p> Monday – Sunday 23:00 – 05:00 hours	No restrictions
Montys 149 Brick Lane	<p><u>Supply of Alcohol (on sales)</u></p> Sunday to Thursday 11:00 to 23:30 hrs Friday and Saturday 11:00 to 02:00 hrs	Sunday to Thursday 11:00 to Midnight Friday and Saturday 11:00 to 02:30
Katsute 147 Brick Lane	<p><u>Sale of alcohol (On and Off Sales)</u></p> Monday to Sunday from 11:00 hours to 22:30 hours	Monday to Sunday from 08:00 hours to 23:00 hours
(Yumchaa) 137 Brick Lane	<p><u>Sale by retail of alcohol (on sales only)</u></p> <ul style="list-style-type: none"> • Monday to Sunday from 12:00 hrs to 23:30 hrs <p><u>Provision of late night refreshment</u></p> <ul style="list-style-type: none"> • Monday to Sunday from 23:00 hrs to 23:30 hrs 	<ul style="list-style-type: none"> • Monday to Sunday from 08:00 hrs to 00:00 hrs (midnight)
(Kahaila) 135 Brick Lane	<p><u>The sale by retail of alcohol (on sales only)</u></p> <ul style="list-style-type: none"> • Monday to Sunday from 09:00 hours to 18:30 hours 	<ul style="list-style-type: none"> • Monday to Sunday from 09:00 hours to 19:00 hours
(Hookah Lounge) 133 Brick Lane	<p><u>Alcohol (on sales)</u></p> <ul style="list-style-type: none"> • Monday to Thursday, 11:00 hrs to 12 midnight 	<ul style="list-style-type: none"> • Monday to Thursday, 11:00

	<ul style="list-style-type: none"> • Friday and Saturday, 11:00 hrs to 01:40 hrs • Sunday, 11:00 hrs to midnight <p><u>Late Night Refreshment</u></p> <ul style="list-style-type: none"> • Monday to Thursday, 23:00 hrs to 12 midnight • Friday and Saturday, 23:00 hrs to 01:40 hrs • Sunday, 23:00 hrs to midnight 	<p>hrs to 12 midnight</p> <ul style="list-style-type: none"> • Friday and Saturday, 11:00 hrs to 02:00 hrs • Sunday, 11:00 hrs to midnight
<p>(Glass House) Unit A 114-118 Bethnal Green Road</p>	<p><u>Sale of Alcohol (on sales)</u> Monday – Sunday 11:00 hours – 01:00 hours</p> <p><u>Provision of Late-Night Refreshments (indoors)</u> Monday – Sunday 23:00 hours – 01:00 hours</p> <p><u>Provision of Regulated Entertainment (indoors)</u> Live and recorded music, performance of dance Monday – Sunday 11:00 – 01:00 hours</p>	<p>Monday – Sunday 11:00 hours – 01:30 hours</p>
<p>(Casa Blue) 120 Bethnal Green Road</p>	<p><u>The sale by retail of alcohol:</u></p> <ul style="list-style-type: none"> ▪ Sunday, Monday, Tuesday, Wednesday and Thursday from 13:00 hours to 00:30 hours the following day ▪ Friday and Saturday from 13:00 hours to 02:30 hours the following day. <p><u>Late night refreshment</u></p> <ul style="list-style-type: none"> ▪ Sunday, Monday, Tuesday, Wednesday and Thursday until 00:30 hours the following day ▪ Friday and Saturday until 02:30 hours the following day. 	<ul style="list-style-type: none"> ▪ Sunday, Monday, Tuesday, Wednesday and Thursday from 11:00 hours to 01:00 hours the following day ▪ Friday and Saturday from 11:00 hours to 03:00 hours the following day.

**Regulated entertainment
(recorded music – unamplified
ambient background music):**

- Sunday, Monday, Tuesday, Wednesday and Thursday from 11:00 hours to 00:30 hours the following day
- Friday and Saturday from 11:00 hours to 02:30 hours the following day.

Appendix 6



Place Directorate
Public Realm

Environmental Health & Trading Standards

Head Of Service **David Tolley**

Licensing Officer - Licensing and Safety
Environmental Health and Trading Standards
Place Directorate
Tower Hamlets Town Hall
160 Whitechapel Road
London
E1 1BJ

Tel [REDACTED]
Enquiries to Ibrahim Hussain
Email [REDACTED]

www.towerhamlets.gov.uk

By Email:
Licensing Authority:
Licensing@towerhamlets.gov.uk

CC: Ziyun Zhang
[REDACTED]

1st September 2023

Your reference
Our reference LIC/161861/IH

Licensing Act 2003

New premises licence application: (Yun), 204 Brick Lane, London, E1 6SA

The Licensing Authority (acting a Responsible Authority) is making a representation against the above application.

Special Cumulative Impact Policy for the Bethnal Green area

This special policy creates a rebuttable presumption that applications for the grant or variation of premises licences or club premises certificates which are likely to add to the existing cumulative impact will normally be refused following the receipt of representations, unless the applicant can demonstrate in the operation schedule that there will be no negative cumulative impacts with one or more of the licensing objectives.

The Council reviewed the Special Cumulative Impact Policy in 2021 and, following consultation, decided it was still of the opinion that the concentration of licensed premises within Brick Lane area was having a cumulative impact on the licensing objectives of crime and disorder and prevention of public nuisance.

The Licensing Authority is of the view that the number, type and density of premises selling/supplying alcohol for consumption on and off the premises and/or the provision of late night refreshment in the Brick Lane is having a cumulative impact on the licensing objectives. Therefore, it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives. Thus, it has declared a cumulative impact assessment within these areas.

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

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

Where representations have been received in respect to applications within the CIA zones the onus is on the applicant to adequately rebut the presumption.

This special policy is not absolute, and the Licensing Authority recognises that it has to balance the needs of businesses with local residents. The circumstances of each application will be considered on its merits and the Licensing Authority shall grant applications when representations are not received. The applicant should demonstrate that the operation of the premises will not add to the cumulative impact on one or more of the following licensing objectives:

- *Prevention of Crime and Disorder;*
- *Prevention of Public Nuisance.*

Therefore, applicants will be expected to comprehensively demonstrate why a new or varied licence will not add to the cumulative impact. They are strongly advised to give consideration to mitigating potential cumulative impact issues when setting out steps they will take to promote the licensing objectives in their operating schedule.

Possible exceptions to the Brick Lane and Bethnal Green Cumulative Impact Assessments

- *Applications for licences for small premises with a capacity of fifty persons or less who only intend to operate within framework hours, and that;*
 - *Only have consumption of food (late night refreshment) and drink (alcohol) on the premises only,*
 - *Only provide Off sales of food (late night refreshment) and drink (alcohol) for delivery (i.e. not for take away),*
 - *and,*
 - *Have arrangements to prevent vertical drinking, for example fully seated venues;*

Licensing Authority will *not* consider the following as possible exceptions:

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

The Home Office guidance

under Section 182 of the Licensing Act 2003 (8.42) says:

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

- *the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;*
- *any risk posed to the local area by the applicants' proposed licensable activities; and*
- *any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks."*

The following issues also need addressing:

1. *There are no arrangements to prevent vertical drinking, for example fully seated venues.*
2. *Do not support the consumption of alcohol off the premises.*
3. *Existing premises licence held by individual that may have been transferred instead of a new premises licence.*

On a balance of probability, this Authority is concerned by the addition of another premises selling alcohol, potentially adding to the existing anti-social issues in the area, particularly through access and egress. The addition of alcohol to the existing premises could change the dynamic of customers in high spirits and therefore potentially undermining the licensing objectives.

If the applicant is unable to prove to the Licensing Sub-Committee, through the implementation of appropriate conditions within the Operating Schedule, that the granting of the application will not undermine the licensing objectives; then the application should be rejected. However, if the Sub-Committee is minded to grant a licence then I would ask that the following additional conditions are attached:

1. *The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team.*
 - (a) *All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.*
 - (b) *The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.*
 - (c) *All recordings shall be stored for a minimum period of 31 days with date and time stamping.*
 - (d) *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 record all incidents of crime and disorder associated with the premises. The incident log shall be made available on request to an authorised officer of the Council or the Police.*
4. *Signs shall be prominently displayed both inside and outside the premises asking customers to respect local residents and be quiet when leaving the premises.*
5. *When the designated premise supervisor is not on the premises any or all persons authorised to sell alcohol will be authorised by the designated premises supervisor in writing. This shall be available on request by the Police or any authorised officer.*
6. *Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.*
7. *The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.*
8. *There shall be no “vertical drinking” of alcohol at the premises.*

Yours faithfully



Ibrahim Hussain
Licensing Officer

Appendix 7

Please recognise this document as a formal representation regarding Yaam Partners Limited application to London Borough of Tower Hamlets Licensing Authority for a premises licence under the Licensing Act 2003.

Licence Application 161861, for the restaurant Yun at 204 Brick Lane, London, E1 6SA.

1 – Summary

Yun have applied for a premises licence under the company Yaam Partners Ltd.

Company No: 14811453

Directors: Lin Zhang and Ziyun Zhang

Registered office address: 204 Brick Lane, London, E1 6SA

Incorporated on: 18th April 2023

Manager: Maay You

There have already been several complaints regarding noise and smell of fried/cooked food emanating from Yun's establishment - specifically from Yun's rooftop fan units, located at the rear of the business premises and which directly face several occupied flats at 202-204 Brick Lane and 206 Brick Lane.

There is an ongoing investigation by Tower Hamlets Council's Environmental Protection department – Case reference 357016.

The fan units can be independently viewed from the corner of Bacon Street and Brick Lane, or accessed via Brick Lane School, Bacon Street, London, E2 6DY.

2 – Comments re Yun's premises licence application 161861

The following sections are quoted from the formal application for a premises licence, ref 161861, (located in the Appendix in this document):

Section 11 (Provision of recorded music)

Yun states: "*We would always ensure that the volume if [sic] as undisruptive as reasonably possible to local residents.*"

Section 11 refers to the effects of music from the establishment, however, Yun's statement indicates that they will be considerate towards their neighbours. Unfortunately, this is not the lived experience of residents, which is described further, below.

Section 17 (Hours premises are open to the public)

Opening times are stated as 11:30 – 22:00, seven days a week.

This correlates with the noise pollution from Yun's external fans, which are turned on at approximately 10:30 and cease just after 22:00 – every day of the week.

Section 18b (Licensing Objectives - the prevention of crime & disorder)

Yun state: "*An incident log must be kept at the premises", and that it will include, "any complaints received".*

There have already been several complaints made to Yun, due to the repeated and daily noise pollution and smell from their external fans. If Yun's incident log is kept up to date, it will include these complaints.

Section 18d (Licensing Objectives - the prevention of crime & disorder)

Yun explicitly states: "*Noise or vibration shall not emanate from the premises so as to cause a nuisance*".

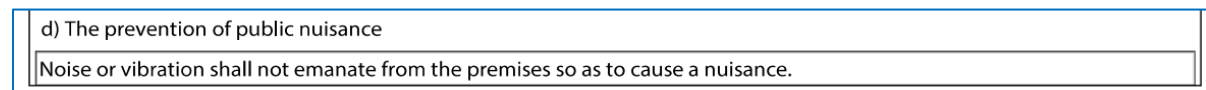


Figure 1 - Extract from Section 18d (Licensing Objectives - the prevention of crime & disorder) of premises licence application 161861

This is completely contrary to the lived experience of residents.

In Section 18d, Yun also state: "*Any speaker within the premises shall be directed away from any residential property*".

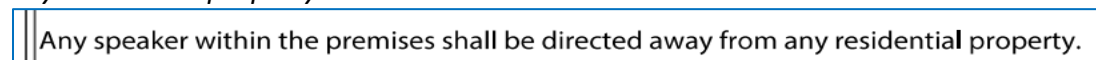


Figure 2 - Extract from Section 18d (Licensing Objectives - the prevention of crime & disorder) of premises licence application 161861

This same principle and consideration towards residential properties can easily be applied to Yun's external fan units.

Regrettably, whenever noise complaints have been passed to Yun, they have been ignored and/or dismissed. (Only on 22.08.23 was a message received from Yun, stating that Yun, "*...will do our best to work on this*". However, nothing is seen to be done, and the noise from their fans, and the smell of frying food, persists all day for residents.)

On 03.06.23, a representative of Yun was aggressive in his behaviour and initially dismissive of the noise complaints, although he did acknowledge the existence of the noise impact. Whenever Yun have been phoned to request that the fans are turned down, the phone has been disconnected each time, so that no dialogue can take place – this shows a lack of cooperation by Yun in dealing with the impact of noise from its business.

Unfortunately, Yun's actions demonstrate a lack of consideration for residents and is dismissive of our valid concerns.

3 – Precedent

A working solution for all concerned parties has been proposed to Yun, which has so far been ignored.

Simmons Bar is at 202 Brick Lane and is next door to Yun at 204 Brick Lane, E1 6SA.



Figure 3 - Image showing Yun and Simmons Bar on Brick Lane, E1 6SA

The same issue of noise pollution impacting residents was exhibited by Simmons Bar's external fans when they moved into the establishment in July 2021.

Simmons Bar took a responsible and considerate approach towards complaints from residents and immediately relocated their fans to the outside wall, rather than leaving them on the rooftop facing several occupied flats.

Yun are fully aware that a similar course of action by their establishment would minimise the noise impact on residents, but have so far chosen to ignore this route, despite having several complaints directed towards them.



Figure 4 - Image showing initial location of Simmons Bar's fans, facing occupied flats.



Figure 5 - Image showing new location of Simmons Bar's fans, to help with reduction of noise impacting residents.

4 – Texts (in *italic*) and other contact between residents and Yun

Date	To Yun	From Yun
03/06/2023, 17:00	Face-to-face discussion with Yun staff, asking for reduction in noise levels from restaurant. Staff also shown fans on rooftop behind premises and solution proposed.	Verbally acknowledged
03/06/2023, 18:16	<i>I've just had a chat with your chef and have shown him the extractor fans at the back of the building. He has agreed to keep the fans on a low setting.</i>	Ignored by Yun
04/08/2023, 15:08	<i>Your fan is vibrating and noisy again. Started at 15:05. Please turn it down.</i>	Ignored by Yun
04/08/2023, 15:36	Attempt to phone Yun.	Yun immediately disconnects phone
04/08/2023, 16:59	<i>Your chef has turned the fan up since 15:05. He has left it running at a high setting since that time. Please ask him to turn it down. It's noisy for all nearby residents. (Video also shared showing noise.)</i>	Ignored by Yun
06/08/2023, 11:58	<i>Ask your chef to turn down the fan please.</i>	Ignored by Yun
06/08/2023, 11:59	Attempt to phone Yun.	Yun immediately disconnects phone
16/08/2023, 10:41	<i>Turn your fan down please. It's vibrating and making noise for all nearby residents. Started at 10:37 today, as usual. (Video also shared showing noise.)</i>	Ignored by Yun
16/08/2023, 10:48	Attempt to phone Yun.	Yun immediately disconnects phone
17/08/2023, 10:41	<i>Turn it down please. Do u not have any consideration for your neighbours? Started from 10:35 today. (Video also shared showing noise.)</i>	Ignored by Yun
17/08/2023, 10:50	Attempt to phone Yun.	Yun immediately disconnects phone
17/08/2023, 10:56	Attempt to phone Yun.	Yun immediately disconnects phone
20/08/2023, 18:35	<i>Turn the fan down please. Do your staff not have any consideration for your neighbours? It happens every single day. (Video also shared showing noise.)</i>	Maay You texts RM: Hi there, thank you for your message, the fan is already at the lowest level of 3 which is the legal requirement for the safety purpose.

Date	To Yun	From Yun
20/08/2023, 19:33	<p><i>Thanks for finally responding.</i></p> <p><i>There are also legal requirements regarding excessive noise from business premises, including that of unreasonable noise from air handling or refrigeration units, which can be regarded as a statutory noise nuisance.</i></p> <p><i>It was suggested to you and your staff on 03.06.23, that your neighbours, Simmons Bar, relocated their external fans from the rooftop to the outside wall facing the school playground, so that the noise impacting local residents was reduced.</i></p> <p><i>A similar course of action by your establishment would reduce the noise from your business, impacting local residents.</i></p> <p><i>If the fan is on setting 3, but still affects local residents, the fan is not fit for purpose and should be replaced.</i></p> <p><i>Unfortunately, noise from your business affects local residents on a daily basis, as it continues to do right now.</i></p> <p><i>If your fans are moved as described above, this would help.</i></p> <p><i>Please also find the photo below, showing Simmons Bar's fan which was moved to the external wall, compared to Yun's, which currently remains on the rooftop and which is directly opposite several flats.</i></p> <p><i>Thanks.</i></p> <p><i>(Photo also shared, showing location of Simmons Bar fans and Yun's fans.)</i></p>	<p>Maay You texts RM two days later on 22.08.23 at 09:55:</p> <p><i>Good morning, thank you for your information, we will do our best to work on this.</i></p> <p>However, nothing is seen to be done, and the noise and smell of frying food persists all day.</p>
23/08/2023, 10:45	<p><i>Starting your fans earlier and louder, doesn't help.</i></p> <p><i>It started at 10:36 today.</i></p> <p><i>Please turn it down immediately. We have to put up with the noise, the vibrations and the smell all day.</i></p> <p><i>Please confirm when will u b moving your fans.</i></p> <p><i>(Video also shared showing noise.)</i></p>	Ignored by Yun
23/08/2023, 10:58	Attempt to phone Yun.	Yun immediately disconnects phone
24/08/2023, 11:15	<p><i>And today started from 10:50 on a loud setting.</i></p> <p><i>Please turn it down.</i></p> <p><i>(Video also shared showing noise.)</i></p>	Ignored by Yun
28/08/2023, 10:31	<p><i>Started at 1021 today.</i></p> <p><i>Please turn it down immediately.</i></p> <p><i>(Video also shared showing noise.)</i></p>	Ignored by Yun
29/08/2023, 11:36	<p><i>No consideration continues to be shown for your neighbours, despite stating on 22.08.23, "we will do our best to work on this".</i></p> <p><i>Turn your fans down please.</i></p> <p><i>Started at 1052 today. (Video also shared showing noise.)</i></p>	Ignored by Yun

5 – Proposal

It would be welcome if Tower Hamlets Council considered that a licence may be granted, only once certain conditions are met.

I.e., The external fan units are:

- Properly serviced and maintained.
- Relocated from the rooftop to the east-facing wall, (similar to those for Simmons Bar).
- Kept to an already agreed setting, that minimises any noise nuisance for residents.

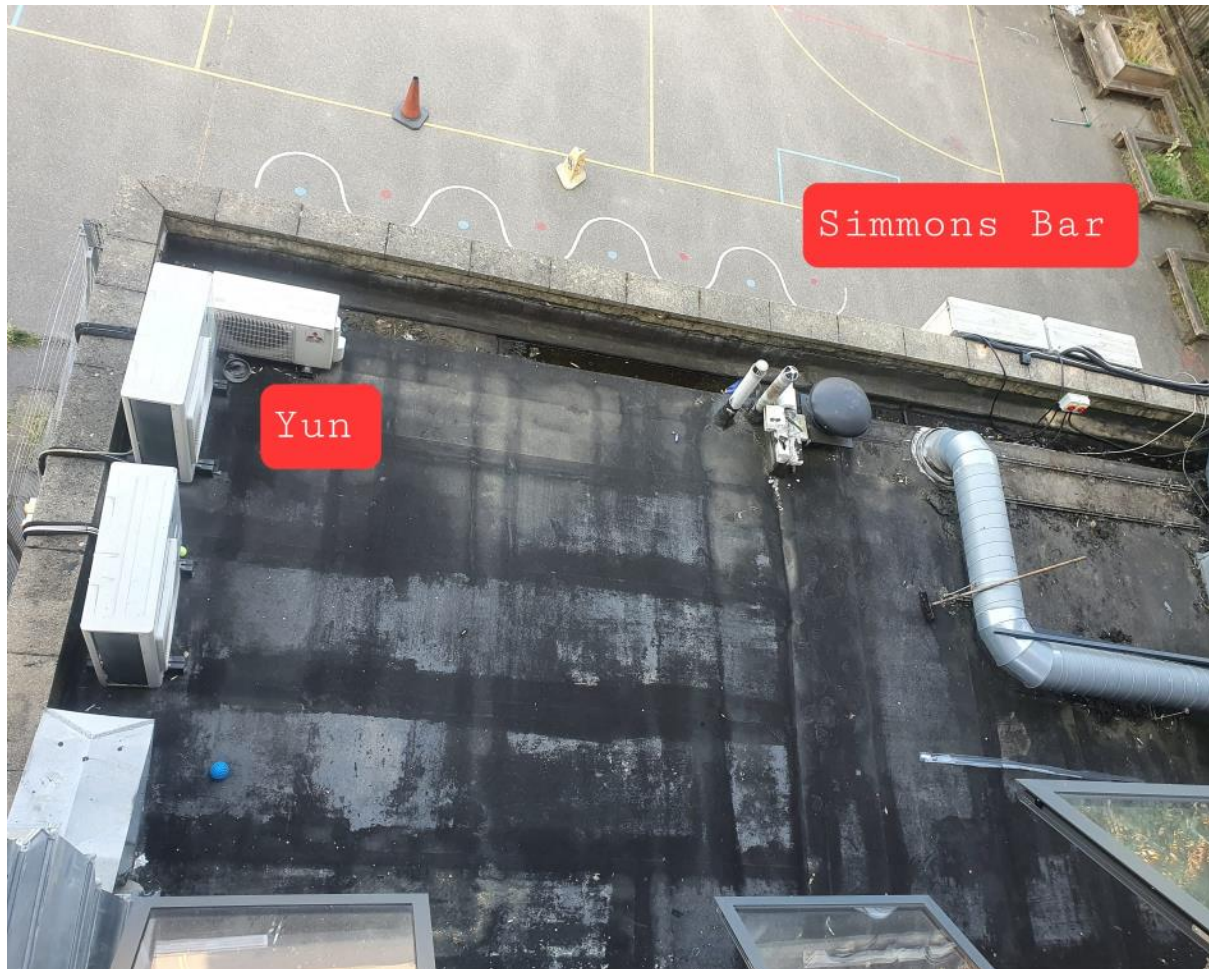


Figure 6 - Image showing current location of Yun's fans compared with Simmons Bar's fans.

The proposal was shared with Yun on 03.06.23 and 20.08.23, yet has so far been ignored by the business.

It would allow Yun to continue their business operations, and for residents to live without the daily negative noise and smell impact from the establishment.

Kind regards,
R Mahtey (resident)

[REDACTED]
[REDACTED]

Corinne Holland

From: Reyaaz . <[REDACTED]>
Sent: 01 September 2023 19:18
To: Corinne Holland
Subject: Re: URGENT: 161861 - Representations regarding Yaam Partners Ltd premises licence application - 204 Brick Lane, E1 6SA

Hello, Corinne (if I may).

The ongoing noise and smell issues from the business, which are detailed in the representations submitted yesterday, would reasonably be categorised as undermining the prevention of public nuisance licensing objective.

The granting of a premises licence by our local council, prior to the business acting upon the current public nuisance issues, would only serve to consolidate Yun's position in continuing to negatively impact neighbouring residents.

The representations that have been submitted yesterday go into further detail regarding the above.

Kind regards,
R. Mahtey

From: Corinne Holland <[REDACTED]>
Sent: Friday, September 1, 2023 5:18:28 pm
To: 'Reyaaz .' <[REDACTED]>
Subject: RE: URGENT: 161861 - Representation regarding Yaam Partners Ltd premises licence application - 204 Brick Lane, E1 6SA

Dear Sir/Madam

I note that you have ongoing noise/smell issues with this premises but can you show how the granting of this licence will further impact on you and how it will undermine one of the four licensing objectives listed below:

1. Preventions of Crime & Disorder
2. Prevention of public nuisance
3. Public Safety
4. Protection of children from harm

The last date for representations is midnight today.

Kind regards

Corinne Holland
Licensing Officer
Environmental Health and Trading Standards
Licensing & Safety Team
4th Floor Tower Hamlets Town Hall
160 Whitechapel Road
London
E1 1BJ

[REDACTED]
www.towerhamlets.gov.uk

Follow us on:

[Facebook](#) | [Twitter](#) | [LinkedIn](#) | [Instagram](#)

Please Note : We have moved offices. We are now at:

Tower Hamlets Town Hall

160 Whitechapel Road

London

E1 1BJ

Hearings will also be held here.

From: Reyaaz . <[REDACTED]>
Sent: Thursday, August 31, 2023 9:58 AM
To: Licensing <[REDACTED]>
Subject: URGENT: 161861 - Representation regarding Yaam Partners Ltd premises licence application - 204 Brick Lane, E1 6SA
Importance: High

Hello.

Please find the attached document as a formal representation regarding Yaam Partners Limited application to London Borough of Tower Hamlets Licensing Authority for a premises licence under the Licensing Act 2003.

Licence Application 161861, for the restaurant Yun at 204 Brick Lane, London, E1 6SA.

Please acknowledge receipt of this email.
Please only respond by return email to [REDACTED] to ensure its prompt delivery.

Kind regards,
R Mahtey (resident)

[REDACTED]
[REDACTED]
[REDACTED]

Appendix 8

Corinne Holland

From: Kieran.Wells2 [REDACTED]
CEMailbox-[REDACTED]
Sent: 10 August 2023 09:47
To: [REDACTED]
Cc: Licensing
Subject: FW: New Premises Licence - Yaam Partners Limited - 204 Brick Lane London E1 6AS M/A 161268
Attachments: BrickLane204-Consent form.pdf; BrickLane204.Plan.png; Front view.JPG; Left side of the premises.JPG; Opposite the Premises.JPG; Right side of the premises-1.JPG; Blue Notice-1.JPG; BrickLane204-application.pdf
Follow Up Flag: Follow up
Flag Status: Completed

Hello,

Following on from a previous conversation this morning, having studied your license application, we feel that the following license conditions as a minimum standard in keeping with the Tower Hamlets Licensing Policy 2018 – 2023 and the Licensing Act 2003 will be needed in order to achieve the four licensing objectives:

Crime and Disorder

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. *When the designated premise supervisor is not on the premises any or all persons authorised to sell alcohol will be authorised by the designated premises supervisor in writing. This shall be available on request by the Police or any authorised officer.*
4. *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.*
5. *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.*

Public Nuisance

6. *All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.*
7. *Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.*
8. *During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.*
9. *The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.*
10. *All deliveries to the premises will take place during standard business hours. All waste will be correctly presented for collection on stipulated collection days in designated areas*
11. *SIGNAGE; Prominent signage will inform patrons of the following: Usage of CCTV Hours of operation*
12. *Recorded music played will be done so at a sociable volume so as to provide ambience to the venue. Music will only be played inside and during the specified hours.*
13. *The premises license holder shall ensure that a monthly risk assessment will take place with regards to the need for security at the premises. This will be available upon request to Police or authorised officers to view.*
14. *Health and Safety requirements will be adhered to along with fire safety requirements. Staff will be regularly trained on these procedures.*
15. *A fire risk assessment will be carried out to ensure that there are safe means of escape and this will be done in accordance with the fire safety regulations.*
16. *Noise or vibration shall not emanate from the premises so as to cause a nuisance & any speaker within the premises shall be directed away from any residential property.*

Protection of Children from Harm

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

18. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record must show the outcome of the person who was intoxicated. The record shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.

General

19. All staff whose responsibilities include the retail sale of alcohol shall receive training about the prevention of underage sales on induction and then every 12 months thereafter/01 times a year. This training shall be recorded and the records to be available on request to the Police or any authorised officer. The training to include:

- a) the operation of the challenge 25 scheme;
- b) types of acceptable ID;
- c) the method of recording challenges;
- d) the likely consequences of making an underage sale;
- e) refusing sales to persons who appear to be drunk;
- f) proxy sales.
- g) Welfare and Vulnerability Engagement (WAVE training)
- h) Ask Angela scheme

20. The outdoor area shall not be used by patrons after 22:00 hours

Online delivery

21. A standard age verification check shall be undertaken on entering the website. A signature at the point of delivery must be obtained. No delivery shall be left without a signature. Every third party courier delivery box shall be labelled with the words "Age Restricted Product".

22. Alcohol shall only be delivered to a residential or business address and not to a public place.

Adding to this we also would request that your last sale of alcohol is at 21:30 hours every day where your closing time is 22:00 in order to allow 30 minutes for drinking up/last orders, in order to facilitate the safe travel of patrons home and to prevent anti-social behaviour outside of the premises after closing.

If you have no objections to these changes then please email back stating that otherwise please email me if you wish to discuss any of the conditions or times.

Kind Regards,

Kieran.



PC Kieran Wells
P244838
CE Licensing Team: Tower Hamlets
Central East BCU (*Hackney & Tower Hamlets*)
Metropolitan Police Service
a: Stoke Newington Police Station, N16 8DS
w: www.met.police.uk e: [REDACTED]



Unless otherwise stated this email is

MORE TRUST | LESS CRIME | HIGH STANDARDS

ASK FOR ANGELA

From: Maay You <[REDACTED]>

Sent: 04 August 2023 13:32

To: licensing@[REDACTED]

Cc: Lavine Miller-Johnson <[REDACTED]>

Subject: New Premises Licence - Yaam Partners Limited - 204 Brick Lane London E1 6AS M/A 161268

Dear Officers,

Please find the new application and required photos below.

Let me know if any further actions I should take.

Thank you so much.

Best regards,

Z. Zhang



NOTICE - This email and any attachments are solely for the intended recipient and may be confidential. If you have received this email in error, please notify the sender and delete it from your system. Do not use, copy or disclose the information contained in this email or in any attachment without the permission of the sender. Metropolitan Police Service (MPS) communication systems are monitored to the extent permitted by law and any email and/or attachments may be read by monitoring staff. Only specified personnel are authorised to conclude binding agreements on behalf of the MPS by email and no responsibility is accepted for unauthorised agreements reached with other personnel. While reasonable precautions have been taken to ensure no viruses are present in this email, its security and that of any attachments cannot be guaranteed.

Corinne Holland

From: Maay You <[REDACTED]>
Sent: 11 October 2023 12:04
To: Corinne Holland
Subject: RE: FW: New Premises Licence - Yaam Partners Limited - 204 Brick Lane London E1 6AS M/A 161268

Morning Corinne,

I agree the police reduction in hours to 21:30 hours for the sale of alcohol.

Many thanks.

Best regards,

Z. Zhang



On 10 Oct 2023 at 17:22 +0100, Corinne Holland <[REDACTED]>, wrote:

Dear Kieran / Ziyun

I am just writing the committee Report for this application.

In the police initial email a reduction in hours was requested by 30 minute to allow for drinking up time therefore reducing the sale of alcohol to 9.30pm with closing at 10:00pm.

Ziyun, I have just noticed that an amended application was attached to your response to the police increasing the hours for the sale of alcohol. Unfortunately this cannot be done mid application and as well your public notices/newspaper advertise the lesser hours.

Ziyun are you agreeable to the police reduction in hours to 21:30 hours for the sale of alcohol. If not I will have to show the police email as a representation as an agreement hasn't been reached.

Please advise as soon as possible as this report needs to be submitted tomorrow.

Kind regards

Corinne Holland

Licensing Officer

Environmental Health and Trading Standards

Licensing & Safety Team

4th Floor Tower Hamlets Town Hall

Appendix 9

Section 182 Advice by the Home Office Updated on December 2022

Relevant, vexatious and frivolous representations

9.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.

9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.

9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority’s corporate complaints procedure. A person may also challenge the authority’s decision by way of judicial review.

9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this

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

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

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

Appendix 10

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 Council's 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 11

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

Updated December 2022

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 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 12

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 13

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

Updated December 2022

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 cooperate 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 evidence of a right to work check, either physical or digital (e.g. a copy of any document checked as part of a right to work check or a clear copy of the online right to work check) are retained at the licensed premises.

Appendix 14

Licensing Policy - Appendix 5

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

1. The Licensing Authority has adopted a special policy relating to cumulative impact in areas of:
 - Brick Lane
 - Bethnal Green

This special policy creates a rebuttable presumption that applications for the grant or variation of premises licences or club premises certificates which are likely to add to the existing cumulative impact will normally be refused following the receipt of representations, unless the applicant can demonstrate in the operation schedule that there will be no negative cumulative impacts with one or more of the licensing objectives.

2. The Council reviewed the Special Cumulative Impact Policy in 2021 and, following consultation, decided it was still of the opinion that the concentration of licensed premises within Brick Lane area was having a cumulative impact on the licensing objectives of crime and disorder and prevention of public nuisance. As part of the review in 2021, the Council also decided that the concentration of licensed premises within the Bethnal Green area was also having a cumulative impact on the licensing objectives of crime and disorder and prevention of public nuisance.

Review of Cumulative Impact Assessment - Supporting Evidence

3. In determining the Councils CIAs for the area of Brick Lane and Bethnal Green (Figures One and Two Below) the Council considered the following evidence:
 - Hot spot maps of incidents of crime and disorder and ASB linked to Licence premises in the defined areas for 2017 to 2020.
 - Complaint data from Environmental Health and Trading Standards relating to Noise and Licensing.
 - Licence Application data for the defined areas for 2017 to 2020
 - Results of the Consultation, that included Survey data and comments and written responses.

This evidence is published on our website:

<http://democracy.towerhamlets.gov.uk/ieListDocuments.aspx?CId=309&MId=12361>.

Cumulative Impact Assessments (Brick Lane and Bethnal Green)

4. The Licensing Authority is of the view that the number, type and density of premises selling/supplying alcohol for consumption on and off the premises and/or the provision of late night refreshment in the Brick Lane and Bethnal Green Areas (highlighted in Figures One and Two below) is having a cumulative impact on the licensing objectives. Therefore, it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives. Thus, it has declared a cumulative impact assessment within these areas.
 5. The Brick Lane and Bethnal Green CIAs aim to manage the negative cumulative impact of the concentration of licensed premises in these areas and the stresses that the saturation of licensed premises has had on the local amenity, environmental degradation and emergency and regulatory services in managing this impact.
 6. The effect of this Special Cumulative Assessment Policy will apply to the following types of applications:
 - New Premises Licences applications,
 - New Club Premises Certificates applications
 - Provisional Statements,
 - Variation of Premises Licences and Club Premises Certificate applications (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity).
- However, it will only apply where the application seeks to permit the Licensable activities of:
- the sale or supply of alcohol for consumption on or off the premises, and/or,
 - the provision of late night refreshment.
7. **This Policy will be strictly applied and where relevant representations are received and it is the view of the Council that the application will be refused. Applicants will need to demonstrate that there are exceptional circumstances and that granting their application will not negatively add to the cumulative effect on the Licensing Objectives within the Brick Lane and Bethnal Green CIAs if they wish to rebut this presumption.**
 8. The Special Cumulative Impact policy creates a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons against applications (Councillors, Members of the Public) within the CIA zones the application will be refused.
 9. Where representations have been received in respect to applications within the CIA zones the onus is on the applicant to adequately rebut the presumption.

10. It must be stressed that the presumption created by this special policy does not relieve responsible authorities or other persons of the need to make a representation. If there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted in line with their delegated authority.

11. This special policy is not absolute and the Licensing Authority recognises that it has to balance the needs of businesses with local residents. The circumstances of each application will be considered on its merits and the Licensing Authority shall grant applications, when representations are not received. The applicant should demonstrate that the operation of the premises will not add to the cumulative impact on one or more of the following licensing objectives:
 - Prevention of Crime and Disorder;
 - Prevention of Public Nuisance.

Therefore, applicants will be expected to comprehensively demonstrate why a new or varied licence will not add to the cumulative impact. They are strongly advised to give consideration to mitigating potential cumulative impact issues when setting out steps they will take to promote the licensing objectives in their operating schedule.

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

Possible exceptions to the Brick Lane and Bethnal Green Cumulative Impact Assessments

- Applications for licences for small premises with a capacity of fifty persons or less who only intend to operate within framework hours, and that;
 - Only have consumption of food (late night refreshment) and drink (alcohol) on the premises only,
 - Only provide Off sales of food (late night refreshment) and drink (alcohol) for delivery (i.e. not for take away),and,
 - Have arrangements to prevent vertical drinking, for example fully seated venues;

- Applications for licences that are not alcohol led (e.g. Hairdressers wanting to provide alcohol to clients during their hair cut/treatments), .

- Applications for licences where the applicant has recently surrendered a licence for another premises of a similar size and providing similar licensable activities in the same CIA Area.

Licensing Authority will **not** consider the following as possible exceptions:

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

The Cumulative Impact Assessment Areas for the Brick Lane and Bethnal Green

13. The Cumulative Impact Assessment Areas are detailed in the maps below.

Figure One

Brick Lane area:

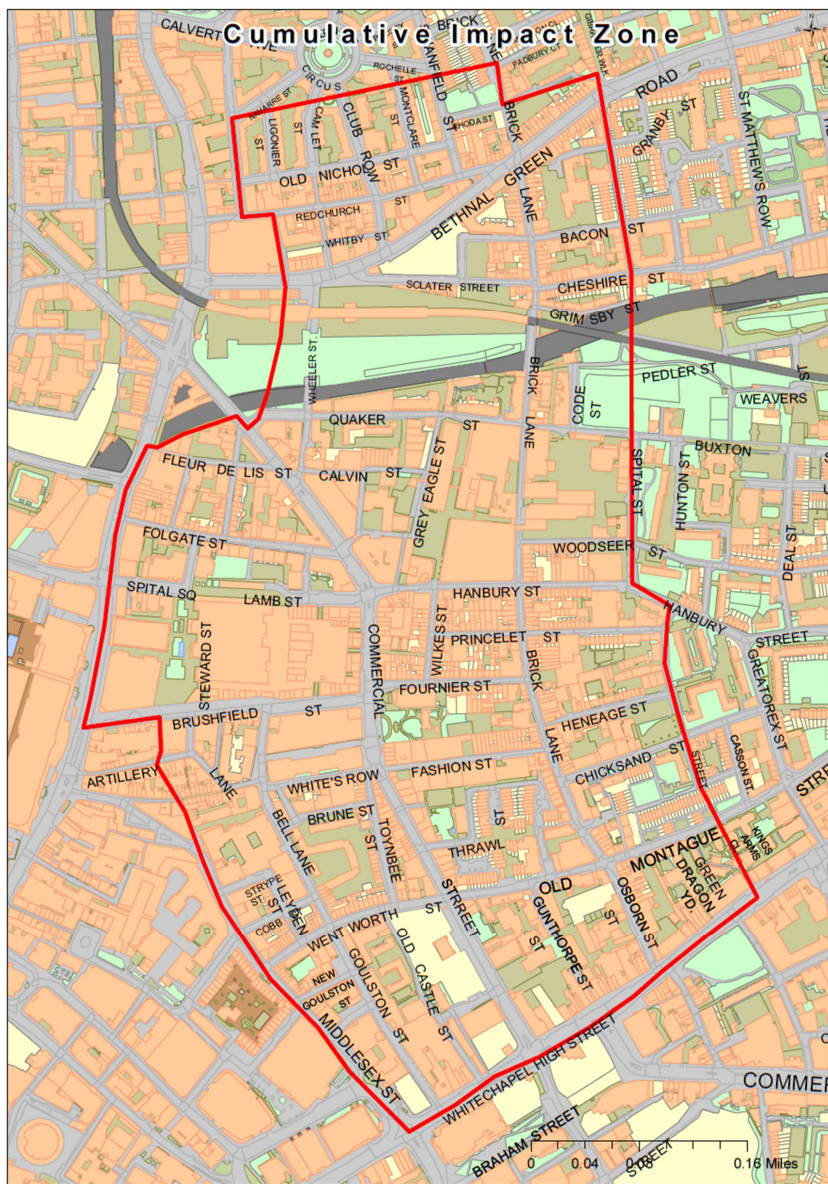
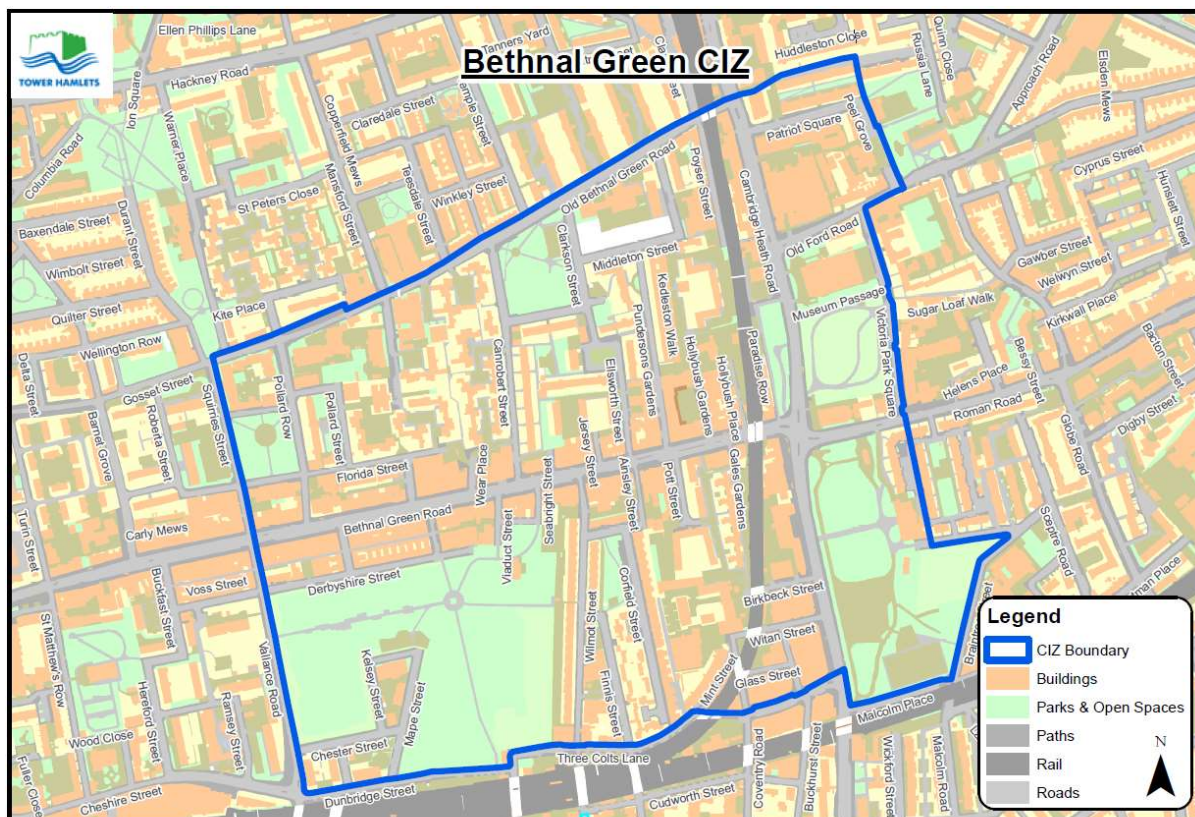


Figure Two:

Bethnal Green Area



Appendix 15

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 framework 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 16

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.