

Appendix 1



* required information

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

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

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

Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Yes No

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Is the applicant:

Applying as a business or organisation, including as a sole trader

Applying as an individual

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

Applicant Business

Is the applicant's business registered in the UK with Companies House? Yes No

Registration number

Business name If the applicant's business is registered, use its registered name.

VAT number Put "none" if the applicant is not registered for VAT.

Legal status

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

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Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

District

City or town

County or administrative area

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

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PREMISES DETAILS

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

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

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NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Continued from previous page...

private limited company

Address

Building number or name

District
City or town
County or administrative area

Country

Contact Details

Telephone number
Other telephone number
* Date of birth
 dd mm yyyy
* Nationality [Documents that demonstrate entitlement to work in the UK](#)

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OPERATING SCHEDULE

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

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

Provide a general description of the premises

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

We are a co-working space by day and events space by night. We also have two rentable pop-up retail spaces at the front of the office. We are a members only club with a strict application process. We will only rent event and pop-up space to other music industry professionals.

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

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

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

[See guidance on regulated entertainment](#)

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

- Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

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.

n/a

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.

n/a

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

Name

First name

Family name

Date of birth

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text" value="████"/>
	<input type="text" value="████████████████████"/>
District	<input type="text"/>
City or town	<input type="text" value="████"/>
County or administrative area	<input type="text"/>
	<input type="text" value="████"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value="██████████"/>
Issuing licensing authority (if known)	<input type="text" value="████████████████████"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

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ADULT ENTERTAINMENT

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.

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

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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.

n/a

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.

n/a

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LICENSING OBJECTIVES

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

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

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

The premises will operate to a high standard, and will do so should this licence be granted in terms of the sale of alcohol. All staff will be fully trained in their responsibilities with regard to the sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection. The premises will close 30 minutes after the licensing activities have ceased, to allow customers to finish their drinks and leave in a quiet and orderly manner.

b) The prevention of crime and disorder

1. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the 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 including date, time and name of staff member
- h) any visit by a relevant authority or emergency service.

2. 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 shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises is open.

3. All staff members should be checked to ensure they have the right to work in the UK. These checks should be made available upon requests to all responsible authorities. All associated 'entitlement to work' documents:

- a) must be logged and kept on the premises for the duration of the employment; and
- b) must be retained for a minimum of 12 months after employment has ceased.

4. Customers shall only consume alcohol which has been purchased from the premises.

5. The premises shall maintain a comprehensive CCTV system. All entry and exit points must be covered enabling frontal identification of every person entering in a light condition. The CCTV system shall continually record whilst the premises are open. 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 of the Council.

6. A staff member from the premises who is conversant with the operation of the CCTV system shall be in the premises at all times when the premises is 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 and within a maximum of 24 hours of the initial request.

7. Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk/USB Stick for the Police or as practicable. Repair records / invoices shall be kept on site for at least 12 months and be readily available to be viewed by all authorised persons upon request.

8. Any CCTV breakdown or system failure will be notified to the Police and Local Authority immediately & remedied as soon as practicable. Repair records / invoices shall be kept on site for at least 12 months and be readily available to be viewed by all authorised persons upon request.

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9. Notices shall be prominently displayed within the premises stating that CCTV is in operation.
10. All alcohol products sold at the premises shall have the relevant UK duty paid label attached.
11. No person shall be allowed to leave the premises whilst in the possession of any drinking vessel or open glass bottle, whether empty or containing any beverage
12. Any person entering the premises who appears to be under the influence of alcohol or drugs shall in the interests of other members of the public using the premises be requested to leave the premises.
13. The premises shall operate a zero tolerance policy to the supply and use of drugs
14. Anyone who appears to be drunk or intoxicated shall not be allowed entry to the premises and those who have gained entry will be escorted from the building immediately.

c) Public safety

Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly defuse the situation without risk to customer or staff, then they are instructed to call the police. All relevant fire procedures are in place for a premises of this size.

An on -site accident book will be in operation to record any accident/ injury incurred on the premises. This document will be retained for inspection by the store for a period of three years.

d) The prevention of public nuisance

Patrons attending the premises will be reminded of their responsibilities to leave the premises quietly.

A smoking policy will be available on site for inspection as required.

Cigarette bins will be provided to encourage smokers to dispose of their cigarettes in a safe manner.

e) The protection of children from harm

The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of an authorised person' (as defined by Section 13 of the Licensing Act 2003) or the police or an authorised Trading Standards Officer of the Council.

Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.

A written register of refusals will be kept including a description of the people who have been unable to provide required Identification to prove their age. Such records shall be kept for a period of 12 months and will be collected on a daily basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of the Council on demand.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

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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.

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- 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.

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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.

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NOTES ON REGULATED ENTERTAINMENT

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

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

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

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PAYMENT DETAILS

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

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

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

Band A - No RV to £4,300 = £100.00

Band B - £4,301 to £33,000 = £190.00

Band C - £33,001 to £8700 = 315.00

Band D - £87001 to £12500 = £450.00*

Band E - £125001 and over = 635.00*

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

Band D - £7001 to £12500 = £900.00

Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 = £1,000.00

Capacity 10000 -14999 = £2,000.00

Capacity 15000-19999 = £4,000.00

Capacity 20000-29999 = £8,000.00

Capacity 30000-39000 = £16,000.00

Capacity 40000-49999 = £24,000.00

Capacity 50000-59999 = £32,000.00

Capacity 60000-69999 = £40,000.00

Capacity 70000-79999 = £48,000.00

Capacity 80000-89999 = £56,000.00

Capacity 90000 and over = £64,000.00

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

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* Fee amount (£)

635.00

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

Stewart Gibson

* Capacity

Licence Agent

* Date

02 / 05 / 2024
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.

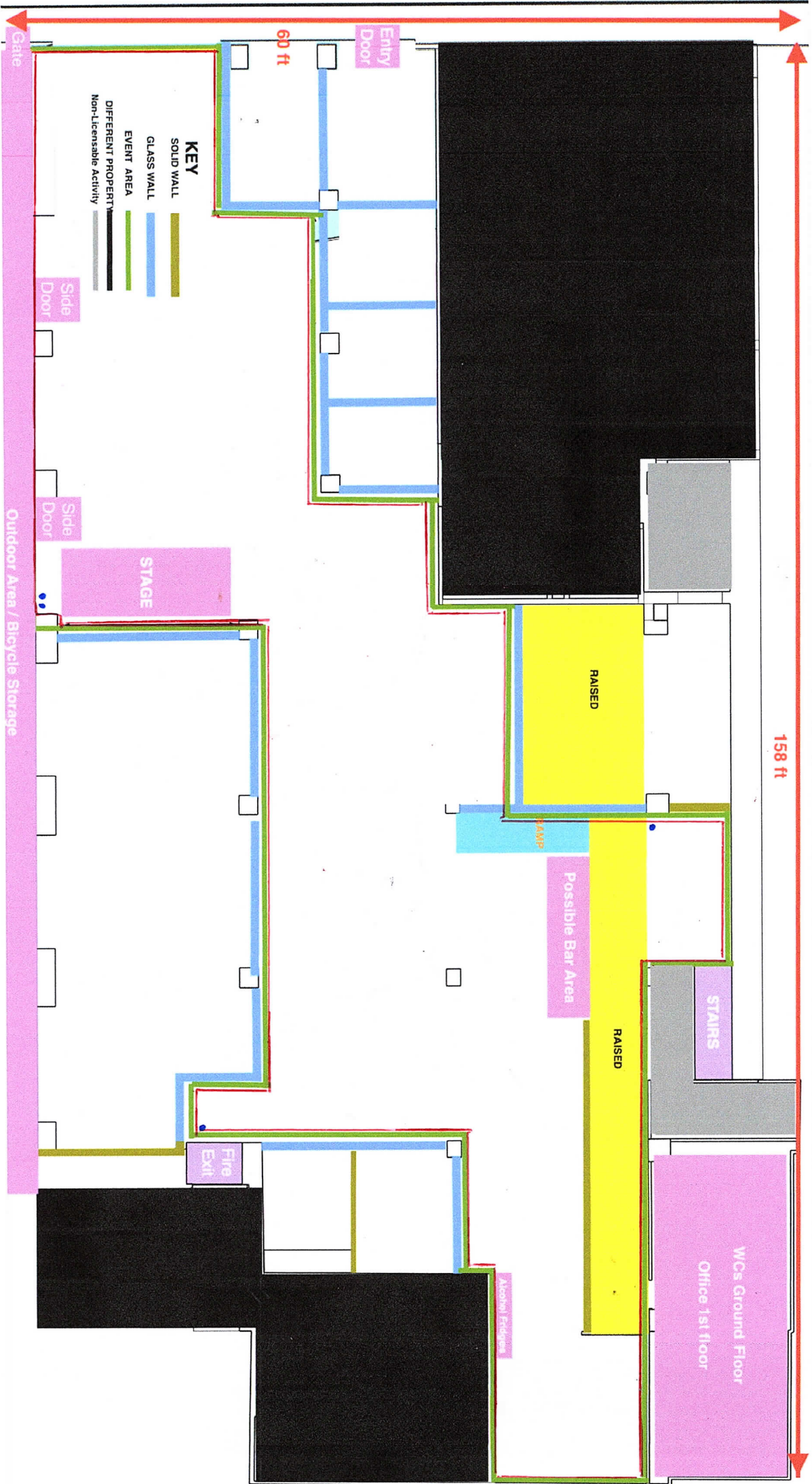
IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

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

OFFICE USE ONLY

Applicant reference number	<input type="text" value="sgl:202435"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

Appendix 2

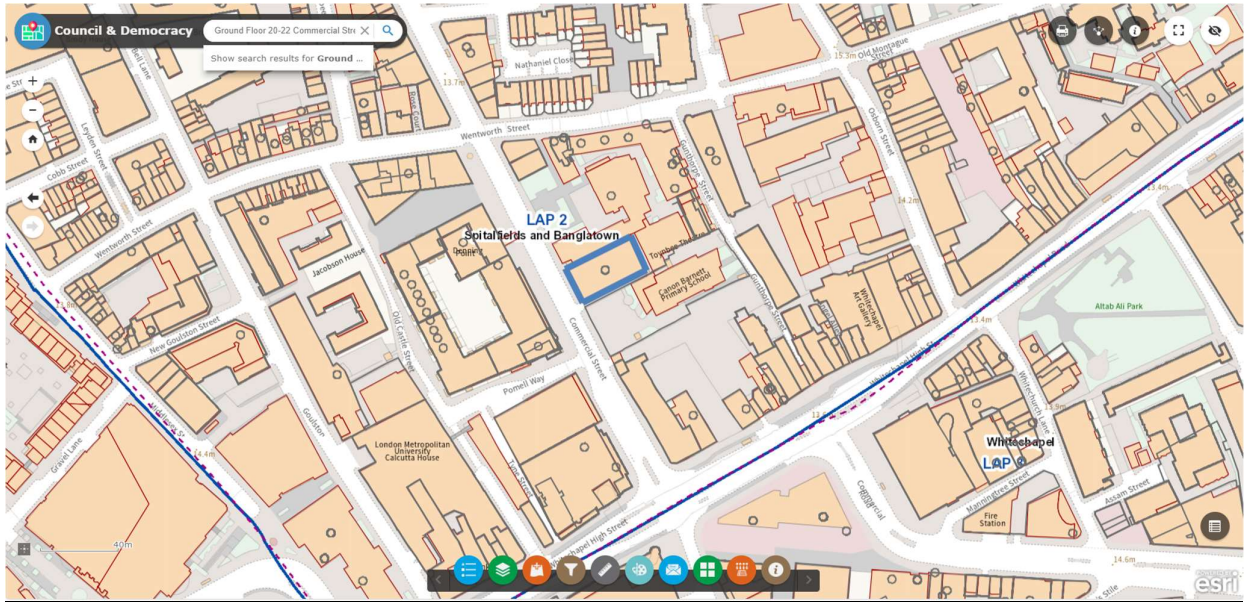
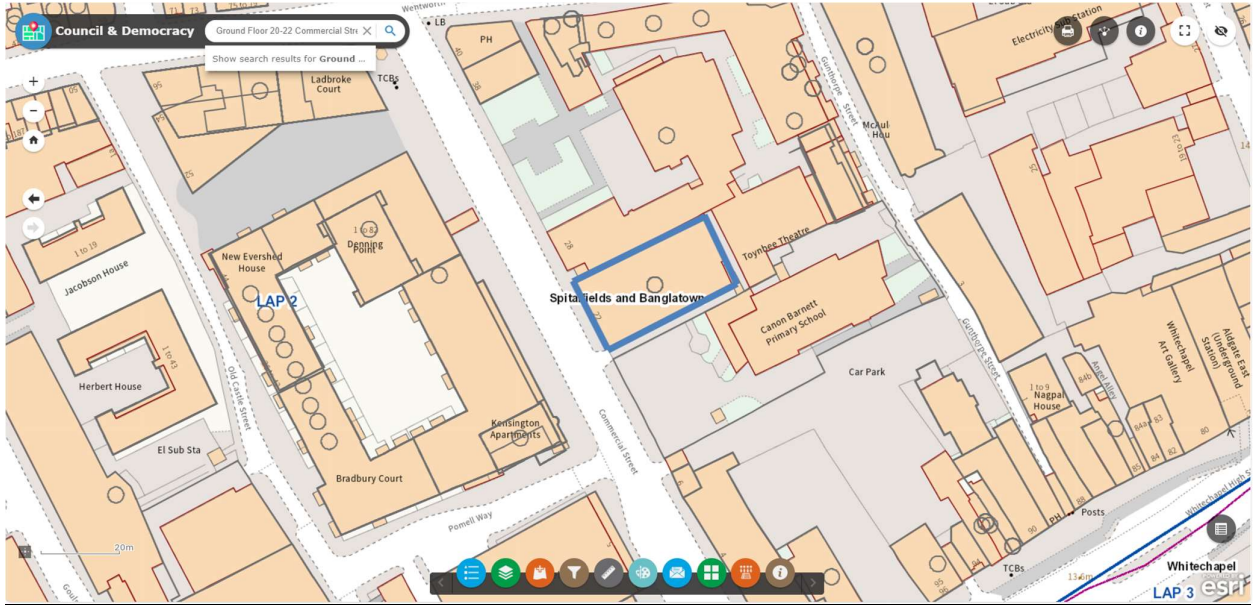


HOUSE OF MUSIC AND ENTERTAINMENT.

- LICENSABLE AREA
- FIRE EXITS/CUSTOMERS

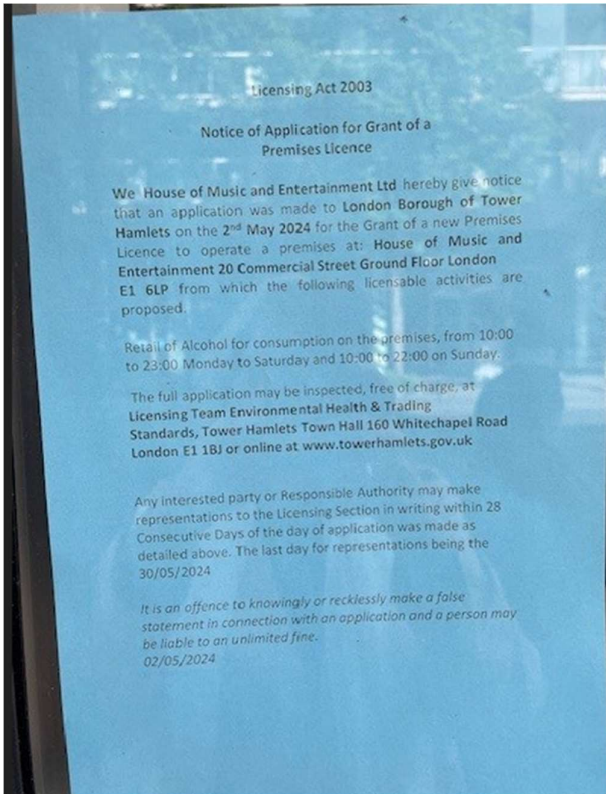
Appendix 3

Maps – 20 Commercial Street



Appendix 4

Photos – 20 Commercial Street







Appendix 5

Nearby Licensed Premises – 20 Commercial Street

<u>Name & address</u>	<u>Licensable activities</u>	<u>Opening Hours</u>
Tesco Metro 3 Commercial Street	<u>Sale of alcohol (off sales)</u> Monday to Sunday from 06:00hrs to 00:00hrs (midnight)	Monday to Sunday from 06:00hrs to 00:00hrs (midnight)
Taesun Ltd 4 Commercial Street	<u>The sale of alcohol (on sales)</u> Monday to Sunday, 11.00am to 23.00pm.	Monday to Sunday, 07.30am to 23.00pm
Wang Wang 4a Commercial Street	<u>Alcohol (off sales)</u> Monday to Saturday from 08:00 hours to 21:00 hours	Monday to Saturday from 08:00 hours to 21:00 hours
Ibis London City Hotel 5 Commercial Street	<u>Alcohol (on & off sales)</u> <ul style="list-style-type: none"> On Monday to Sunday, 09:00 hrs to midnight <u>Non-standard timings</u> New Year's Eve until 03:00 hours the following day For hotel residents and private friends of hotel residents the sale (and supply) of alcohol will not be restricted i.e. 24 hours on each day of the year. <u>Late night refreshment</u> <ul style="list-style-type: none"> On Monday to Sunday, 23:00 hrs to 05:00 hrs 	<ul style="list-style-type: none"> On Monday to Sunday, 00:00 hrs to 24:00 hrs (24 hours)
Classic Football Shirts 17 Commercial Street	<u>Sale of alcohol (On sales)</u> Monday to Saturday from 11:00 hours to 23:00 hours Sunday from 11:00 hours to 22:30 hours	Monday to Saturday from 09:00 hours to 23:30 hours Sunday from 09:00 hours to 23:00 hours
The Culpeper	<u>Supply of Alcohol (on & off sales) and Regulated Entertainment (plays, films,</u>	<ul style="list-style-type: none"> Monday to Wednesday, from 07:00hrs to 00:30hrs

<p>40 Commercial Street</p>	<p>indoor sporting events, recorded music, performance of dance, provision of facilities for making music and provision of facilities for dancing)</p> <ul style="list-style-type: none"> ▪ Monday to Wednesday, from 07:00hrs to 00:00hrs (midnight) ▪ Thursday to Saturday, from 07:00hrs to 03:00hrs ▪ Sunday, from 10:00hrs to 23:00hrs <p>Live music</p> <ul style="list-style-type: none"> ▪ Monday to Saturday, from 07:00hrs to 23:30hrs ▪ Sunday, from 10:00hrs to 23:00hrs <p>Late Night Refreshment</p> <ul style="list-style-type: none"> ▪ Monday to Wednesday, from 23:00hrs to 00:30hrs ▪ Thursday to Saturday, from 23:00hrs to 04:00hrs ▪ Sunday, from 23:00hrs to 23:30hrs <p><u>Non-standard timings</u> Supply of Alcohol and Regulated Entertainment (plays, films, indoor sporting events, recorded music, performance of dance, provision of facilities for making music and provision of facilities for dancing)</p> <ul style="list-style-type: none"> ▪ Sundays immediately preceding a bank holiday, from 07:00hrs to 03:00hrs ▪ Bank Holiday Mondays, from 07:00hrs to 01:00hrs ▪ St. Valentines Day, St. Patrick's Day, St. Georges Day, Halloween, Christmas Eve and Boxing Day, from 07:00hrs to 03:00hrs ▪ New Year's Eve, from 07:00hrs to 03:00hrs 2nd January 	<ul style="list-style-type: none"> ▪ Thursday to Saturday, from 07:00hrs to 04:00hrs ▪ Sunday, from 10:00 hours to 23:30hrs <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> ▪ Sundays immediately preceding a bank holiday, from 07:00hrs to 04:00hrs ▪ Bank Holiday Mondays, from 07:00hrs to 01:30hrs ▪ St. Valentines Day, St. Patrick's Day, St. Georges Day, Halloween, Christmas Eve and Boxing Day, from 07:00hrs to 04:00hrs <p>New Year's Eve, from 07:00hrs to 03:00hrs 2nd January</p>
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	<p>Late Night Refreshment</p> <ul style="list-style-type: none"> ▪ Sundays immediately preceding a bank holiday, from 23:00hrs to 04:00hrs ▪ Bank Holiday Mondays, from 23:00hrs to 01:30hrs ▪ St. Valentines Day, St. Patrick's Day, St. Georges Day, Halloween, Christmas Eve and Boxing Day, from 23:00hrs to 04:00hrs ▪ New Year's Eve, from 23:00hrs to 04:00hrs 2nd January 	
<p>Xian Biang Biang 62 Wentworth Street</p>	<p><u>The sale of alcohol (on sales only)</u> Monday to Sunday from 11:00 hours to 22:30 hours</p>	Monday to Sunday from 11:00 hours to 23:00 hours
<p>Artsadmin Toynbee Studios 28 Commercial Street</p>	<p><u>The sale of alcohol (on sales only)</u> Alcohol</p> <ul style="list-style-type: none"> ▪ Monday to Sunday, from 11:30 hours to 12midnight <p>Regulated entertainment <u>(Plays and films. Live music, recorded music, performance of dance and anything of a similar description. Provision of facilities for making music and provision of facilities for dancing)</u></p> <ul style="list-style-type: none"> ▪ Monday to Sunday, from 10:00 hours to 12midnight 	Monday to Sunday, from 08:30 hours to 12midnight
<p>YUU Kitchen Lt 29 Commercial Street</p>	<p><u>The supply by retail of alcohol (on & off)</u></p> <p>Monday – Thursday 12:00 hours – 23:00 hours Friday – Saturday 12:00 hours – 23:30 hours Sunday 12:00 hours - 22:30 hours Supply of Alcohol in external areas and off sales until 21:30 hours only.</p>	<p>Monday - Thursday 12:00 hours - 23:30 hours Friday – Saturday 12:00 hours - 00:00 hours Sunday 12:00 hours - 23:00 hours Christmas Eve 12:00 hours - 00:00 hours New Year's Eve 12:00 hours - 02:00 hours</p>

The provision of late night refreshment (indoors)

Friday – Saturday 23:00
hours - 23:30 hours

Non- Standard Hours:

Christmas Eve – Supply of alcohol and provision of late night refreshment to 00:00 hours (midnight)

On New Year's Eve supply by retail of alcohol and provision of late night refreshment to 01:30 hours

Appendix 6



TOWER HAMLETS

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

CC:
Agent - [REDACTED]

Communities Directorate
Public Realm

Head of Regulatory Services
(Commercial): Tom Lewis

Enquiries to: Mohshin Ali

Tel: [REDACTED]

Email: [REDACTED]

www.towerhamlets.gov.uk

23rd May 2024

My reference: LIC/L1U:168769/MA

Dear Sir/Madam,

Licensing Act 2003

New premises licence application: House of Music and Entertainment, 20 Commercial Street Ground Floor, London E1 6LP

The Licensing Authority (acting a Responsible Authority) is making a representation in relation to the above application.

Special Cumulative Impact Policy for the Brick Lane

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



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Tower Hamlets Council
Tower Hamlets Town Hall
160 Whitechapel Road
London
E1 1BJ

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;
- 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.

Licensable activities and times

The Licensing Authority has had regard to the Guidance to the Act when determining this policy. The end times set out in the policy are not (and should not be regarded as) the 'usual' or 'normal' terminal hour for licensable activities in the Borough. Instead, the 'framework hours' serve to identify cases

where the Licensing Authority will pay particular regard to the likely effect on the local neighbourhood of carrying out the proposed licensable activities during the hours applied for. Applications for hours up to the end of the Framework Hours will not automatically be granted. This policy will be applied only where relevant representations are made. Each case will be considered on its merits.

- Sunday – 06:00 hours to 22:30 hours
- Monday to Thursday – 06:00 hours to 23:30 hours
- Friday and Saturday – 06:00 hours to 00:00 hours (midnight)

Applications in respect of premises licences and club premises certificates to authorise licensable activities outside the framework hours, and in respect of which relevant representations are made, will be decided on their own merits and with particular regard to the following.

- a) The location of the premises and the general character of the area in which the premises are situated. (i.e. does the area include residential or business premises likely to be adversely affected).
- b) The proposed hours during which licensable activities will be take place and the proposed hours during which customers will be permitted to remain on the premises.
- c) The adequacy of the applicant's proposals to address the issues of the prevention of crime and disorder and the prevention of public nuisance.
- d) Where the premises have been previously licensed, the past operation of the premises.
- e) Whether customers have access to public transport when arriving at or leaving the premises at night time and in the early hours of the morning.
- f) The proximity of the premises to other licensed premises in the vicinity and the hours of those other premises.

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:

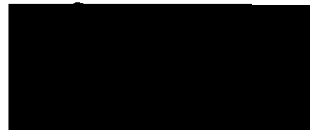
- *the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;*
- *any risk posed to the local area by the applicants' proposed licensable activities; and*
- *any local initiatives (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.”*

There is no explicit reference in the application to the premises being within the CIA. 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 through and access and egress. It is also not clear what the capacity of the premises will be. The addition of alcohol could change the dynamic of customers in high spirits on the already saturated area and therefore potentially undermining the licensing objectives.

The onus is on the applicant to show there are exceptional circumstances as to why their application should be granted and that it will not have a negative cumulative effect on the area. It is their responsibility to rebut the presumption otherwise the licence should be refused. However, if the Sub-Committee is minded to grant a licence then the Licensing Authority ask that the following additional condition are attached:

- 1. Signs shall be prominently displayed both inside and outside the premises asking customers to respect local residents and be quiet when leaving the premises.*
- 2. 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.*
- 3. 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.*
- 4. There shall be no "vertical drinking" of alcohol at 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.*

Yours faithfully,



**Mohshin Ali - Senior Licensing Officer
Trading Standards & Licensing**

Appendix 7

Corinne Holland

From: Licensing
Sent: 08 May 2024 14:59
To: Corinne Holland
Subject: FW: Premises License Application - House of Music & Entertainment, 20 Commercial Street, London MAU168769

From: Tim Hung <[REDACTED]>
Sent: Wednesday, May 8, 2024 2:17 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Premises License Application - House of Music & Entertainment, 20 Commercial Street, London MAU168769

Dear Licensing,

Hope you are well.

2. Having considered the premises license application for House of Music & Entertainment, 20 Commercial Street, London (MAU168769), I have to consider the impact of the licensing objectives, particular for Environmental Protection the prevention of public nuisance and the prevention of noise generated from within the premises or outside to be causing disturbance to people in the vicinity. Consideration also has to be given to the fact that the premises is within Brick Lane Cumulative Impact Zone.

3. There is insufficient information in the operating schedule of the licence application to show how the applicant will promote the licensing objective for the prevention of public nuisance. There is no consideration of an impact on public nuisance from increase footfall from persons accessing and egressing the premises, patrons outside the premise leaving to smoke etc, particularly when considering the premises is in Brick Lane Cumulative Impact Zone.

4. Noise Sensitive premises: residential premises in close proximity.

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

- Noise breakout from the venue affecting neighbouring residents,
- Access & egress to and from the venue including patrons outside the premises to smoke, whilst the premises is in operation

CONCLUSION

5. Environmental Protection does not support the application for House of Music & Entertainment, 20 Commercial Street, London for the following reasons:

- (1) There is great likelihood of disturbance to residential premises from the impact of additional footfall
- (2) The applicant have not provided sufficient information to show how they will promote the licensing objective for the prevention of public nuisance
- (3) The premises is in Brick Lane Cumulative Impact Zone.

6. If the committee are minded to grant this application I would ask that the following conditions be considered:

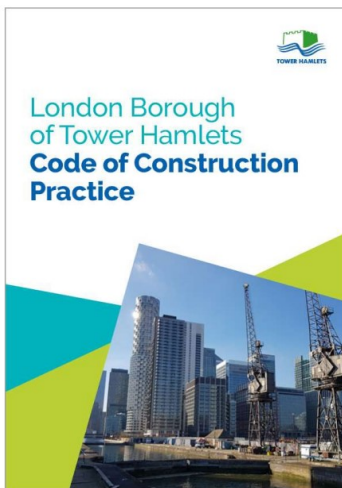
- 1 Loudspeakers shall not be located in the entrance lobby or outside the premises building.
2. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 5 persons at any one time.
3. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a public nuisance.

Thanks and best regards,

Name: Tim Hung
Position: Environmental Protection Officer
Noise Team
Communities Directorate
Environmental Health and Trading Standards
4 th Floor Tower Hamlets Town Hall
160 Whitechapel Road
London E1 1BJ


www.towerhamlets.gov.uk

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Construction Code of Practice 2023

- Development with Planning Permission granted and subject to Planning Conditions issued prior to the adoption of the new Code will continue to operate under the conditions for working hours of **Code of Construction Practice 2006**.
Permitted to work Saturdays without s61 Agreement (8am to 1pm only)
- Development granted Planning Approval **after the 26th April 2023** and subject to Planning Conditions required to adhere to working hours as set out above and in the **Code of Construction Practice 2023**. s61 Agreement required for works on Saturdays, Sundays, Bank Holidays, or Public Holidays
- Developments seeking amendments to Planning Approvals issued prior to 26th April 2023 Working Hours imposed if relevant to the details being amended.
- For more information, please click on the cover page of the Code of Construction Practice 2023

To apply for all Control of Pollution Act 1974 Section 61 consents, dispensations and variations please apply [here](#).

To check the application status email environmental.protection@towerhamlets.gov.uk and use the FS reference number generated by your application.

Appendix 8

Section 182 Advice by the Home Office Updated on August 2023

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 9

Licensing Policy Section 11

Prevention of Public Nuisance

- 11.1 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.
- 11.2 Like many London boroughs, Tower Hamlets has many areas of the borough where businesses and residents are “cheek by jowl” with each other. Thus, the correct balance needs to be adopted ensuring residents are not unduly disturbed by licensed premises, whilst ensuring this does not stifle growth in the licence trade.
- 11.3 Though all licensed premises must promote the licensing objectives, and thus actively try to prevent public nuisance being caused by their licensable activities, there are some factors that this Licensing Authority would expect to applicants to consider and where appropriate address in their operating schedule. These are:
- a) Music/performances
Measures to reduce impact of noise on residents
 - b) Queue management
Measure to prevent obstruct access to properties, pavements. Measure to reduce the impact of people noise on residents
 - c) Ingress and Egress
Measure to prevent people noise during ingress and egress
 - d) Use of outside areas (see 11.7 below)
 - e) Deliveries, particularly pick-ups by vehicles
Measures to prevent noise/fumes from engines, drivers (including smoking),
 - f) Bottle disposal
Done at reasonable time to prevent impact on residents e.g. between 8am and 8pm
 - g) Litter
Measures to prevent littering around the venue from patrons
- 11.4 The Licensing Authority appreciates that it would not be necessary or appropriate for all applications to have measures to prevent the above issues. Nevertheless, we will take a strong view on applications for licences that are in close proximity to residential premises, and whose intended use has a higher likelihood of causing public nuisance. This also includes those applications in areas covered by a Cumulative Impact Assessment (CIA). Especially where the applications falls outside the scope of any exceptions to such CIAs.
- 11.5 The Licensing Authority, where its discretion is engaged, will consider, where appropriate, attaching conditions to licences and permissions to prevent the

problems identified listed above, or any other conditions it considered appropriate and proportionate to promote the licensing condition of prevention of public nuisance.

- 11.6 **Street Furniture** – placing of street furniture, which includes advertising boards, on the highway can cause a public nuisance by way of obstruction or encourage consumption of alcohol on an unlicensed area. The Licensing Authority expects applicants to have ensured that they fully comply with the Councils rules relating to authorisation of obstructions on the highway, and that the required authorisations are obtained prior to submitting a licence application. Where proportionate and appropriate, and its discretion is engaged, the Licensing Authority will impose conditions in relation to street furniture, including on private land.
- 11.7 **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.
- 11.8 **Beer Gardens and outside areas** – since the ending of the restrictions imposed during the Coronavirus pandemic, we have seen an increase the use of outside areas. This has also been encouraged by Government under the Business and Planning Act 2020. We want to strike the right balance between allowing businesses to thrive whilst still protecting residents of the borough being unduly disturbed by the night time economy. Hence, we would encourage applicants address this concern in their operating schedule by detailing what mitigating measures they intend adopt to reduce any disturbance the use of the outside area is likely to have on neighbouring residents. Such measures could include:
- limiting the amount of patrons permitted in the outside area, and/or,
 - restricting the use of areas after a certain time,
 - ceasing its use after a certain time.

Where disturbance of residents from outside areas is likely, and where its discretion is engaged, this Licensing Authority may add conditions limiting the numbers of person permitted to use any outside areas, and/or seek to cease the use of any outside areas after 21:00 hours.

- 11.9 **Party Boats** – An increasing number of complaints have been received in London Boroughs that boarder the River Thames in relation to "Party Boats", which use the River. In respect of this we would encourage applicants for Party Boats to consider adopting the "Boat" conditions, listed in our Model Conditions in Appendix 3, where appropriate to promote the Licensing Objective of Prevention of Public Nuisance. Furthermore, where disturbance of residence from these party boats is likely, and where its discretion is engaged, this Licensing Authority may add one or more of the boat conditions from our Model Conditions.

Appendix 10

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 11

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

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

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

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

Licensing Policy

The policy recognises that other legislation or measures may be more appropriate but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy” (**see Section 5.14 and 5.15 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Sections 9.2 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and may be draw from the Model Conditions in **Appendix 3 of the Licensing Policy**. In particular Members may wish to consider (this list is not exhaustive):

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

Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However, the process for this involves wide consultation and cannot come from representations about a particular application. **(See Section 20 of the Licensing Policy).**

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

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

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

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

Licence conditions should not duplicate other legislation (1.16).

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

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

Other Legislation

Crime and Disorder Act 1998

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

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

- Anti-Social Behaviour Orders

- Child Curfew Schemes
- Truancy
- Parenting Orders
- Reparation Orders
- Tackling Racism

Appendix 12

Licensing Policy – Sections 20, 21 and 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:

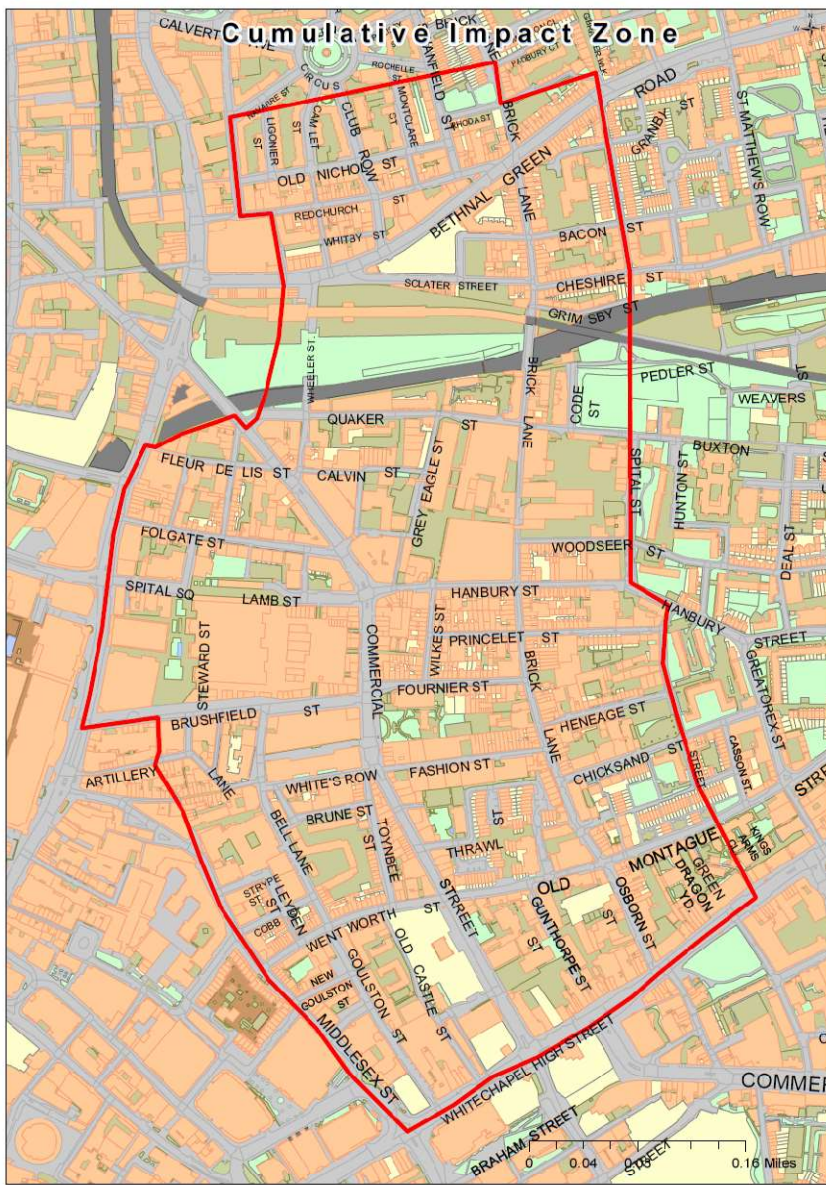
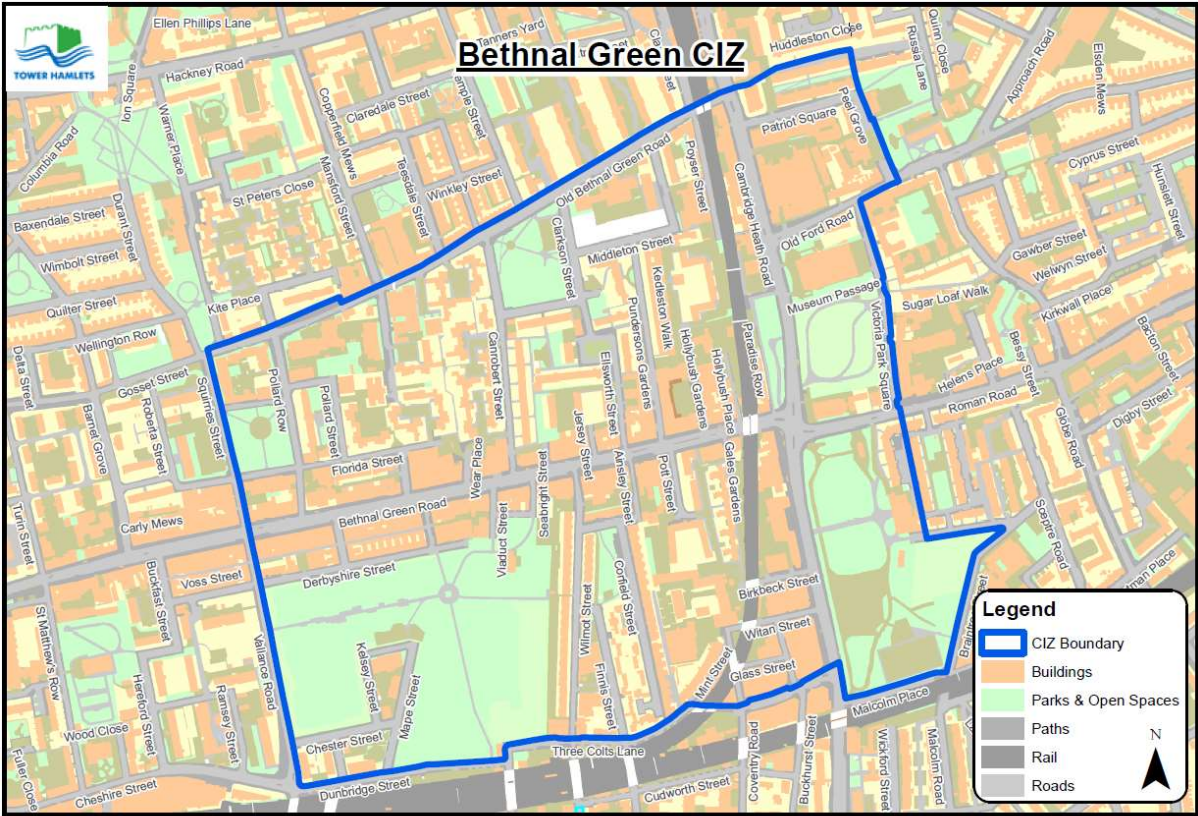


Figure Two:

Bethnal Green Area



Appendix 13

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 16.8 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 16.9 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 14

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.