

# Appendix 1

**(Ferry House)**  
26 Ferry Street  
London  
E14 3DT

**Licensable Activities authorised by the licence**

The sale by retail of alcohol  
The provision of regulated entertainment

**See the attached licence for the licence conditions**

**Signed by**

**Jacqueline Randall** \_\_\_\_\_  
**Licensing Services Manager**

**Date: 15<sup>th</sup> December 2005**

**Amended Minor Variation: 1<sup>st</sup> April 2011**



**Part A - Format of premises licence**

Premises licence number

**15782**

**Part 1 - Premises details**

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

26 Ferry Street

**Post town**

London

**Post code**

E14 3DT

**Telephone number**

**Where the licence is time limited the dates**

N/A

**Licensable activities authorised by the licence**

The sale by retail of alcohol

The provision of regulated entertainment consisting of (Indoor Sporting Events, Live Music, Recorded Music, Performance of Dance, Provision of Facilities for Making Music, Provision of Facilities for Dancing)

**The times the licence authorises the carrying out of licensable activities**

**Alcohol and Regulated Entertainment** (Indoor Sporting Events, Live Music, Recorded Music, Performance of Dance, Provision of Facilities for Making Music, Provision of Facilities for Dancing)

- Monday to Saturday 11:00 hours to 00:00 hours
- Sunday 11:00 hours to 23:00 hours

Non-standard times

12 events per annum until 02:00 hours, inclusive of Bank Holidays, with seven clear days notice given to the Police and Environmental Health.

Note: The premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.

**The opening hours of the premises**

- Monday to Saturday 11:00 hours to 00:20 hours
- Sunday 11:00 hours to 23:20 hours

Non-standard times

20 minutes after the cease of licensable activities

Note: the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.

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

On and off sales

## **Part 2**

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

Ben Abdsamad Allali

[Redacted address]

[Redacted telephone number]

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

N/a

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

Ben Abdsamad Allali

[Redacted address]

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

**Issuing Authority: London Borough Tower Hamlets  
Licence No. 14288**

## Annex 1 - Mandatory conditions

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

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

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

1.

- (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
  3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
  4.
    - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
    - (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
  5. The responsible person shall ensure that;
    - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
      - (i) beer or cider: ½ pint;
      - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
      - (iii) still wine in a glass: 125 ml; and
    - (b) customers are made aware of the availability of these measures.

## **Annex 2 - Conditions consistent with the operating Schedule**

1. No customer apparently carrying open bottles upon entry shall be admitted to the premises at any times the premises is open to the public.
2. Where CCTV is installed with recording facilities such recordings shall be retained for a period of 30 days and made available within reasonable time upon request by the Police.
3. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
4. Prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly
5. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
6. Children under the age 16 shall not be permitted to enter the premises after 21:00 hours

## **Annex 3 - Conditions attached after a hearing by the licensing authority**

7. That doors and windows be kept closed at all times during the operating of regulated entertainment, save for access and egress.
8. That no patrons be allowed to consume alcohol in the outside area of the premises after 21.00 hours;
9. That karaoke only be permitted on Friday and Saturday;
10. That there be twelve non standard timings permitted per annum until 02.00 hours, inclusive of Bank Holidays, with seven clear days notice given to the Police and Environmental Health; and
11. That operation of the new licensing hours be subject to the London Fire and Emergency Planning Authority objections being adequately addressed.

## **Annex 4 - Plans**

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

17 October 2005





**Part B - Premises licence summary**

**Premises licence number**

**15782**

**Premises details**

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

26 Ferry Street

**Post town**

London

**Post code**

E14 3DT

**Telephone number**

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol  
The provision of regulated entertainment consisting of Indoor Sporting Events, Live Music, Recorded Music, Performance of Dance, Provision of Facilities for Making Music, Provision of Facilities for Dancing

The times the licence authorises the carrying out of licensable activities

**Alcohol and Regulated Entertainment**

Monday to Saturday 11:00 hours to 00:00 hours  
Sunday 11:00 hours to 23:00 hours

The opening hours of the premises

Non-standard times

12 events per annum until 02:00 hours, inclusive of Bank Holidays, with seven clear days notice given to the Police and Environmental Health.

Note: The premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.

Monday to Saturday 11:00 hours to 00:20 hours  
Sunday 11:00 hours to 23:20 hours

Non-standard times

20 minutes after the cease of licensable activities

Note: However, The premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.

Name, (registered) address of holder of premises licence

Ben Abdsamad Allali



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

On and off sales

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

N/a

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Ben Abdsamad Allali

State whether access to the premises by children is restricted or prohibited

Children under the age 16 shall not be permitted to enter the premises after 21:00 hours

# Appendix 2



FOR OFFICE USE			
RECEIPT / INVOICE NO.	FEE REQUIRED:	Date:	Initials:

This form should be completed and forwarded to: Licensing Section, Mulberry Place (AH), PO BOX 55739, 5 Clove Crescent, London E14 1BY with a cheque for the correct fee, made payable to the London Borough of Tower Hamlets. On-Line payments can be made at: [http://www.towerhamlets.gov.uk/content\\_pages/pay\\_it.aspx](http://www.towerhamlets.gov.uk/content_pages/pay_it.aspx) Or alternatively from <http://www.towerhamlets.gov.uk/> under 'Online Services'

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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

I/We (Insert name(s) of applicant) BEN - A. ALLALI

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

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description	
<p>FIRST FLOOR 26 FERRY ST</p>	
Post town	Post code
LONDON	E14 3DT

**LBTH**  
TRADING STANDARDS  
10 JUN 2013  
**LICENSING**

Telephone number at premises (if any)

Non-domestic rateable value of premises

£ 11,250.

## Part 2 - Applicant details

Please state whether you are applying for a premises licence as

- Please tick  yes  no
- a) an individual or individuals\*  Please complete section (A)
- b) a person other than an individual \*
- i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) an individual who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

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

- Please tick  yes  no
- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
  - I am making the application pursuant to a
    - statutory function or
    - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr  Mrs  Miss  Ms  Other title   
(for example, Rev)

Surname

ALLALI

First names

BEN

I am 18 years old or over

Please tick  yes

Current postal  
address if different  
from premises  
address

[Redacted]

Post Town

[Redacted]

Postcode

[Redacted]

Daytime contact telephone number

[Redacted]

E-mail address  
(optional)

[Redacted]

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr  Mrs  Miss  Ms  Other title   
(for example, Rev)

Surname

[Empty]

First names

[Empty]

I am 18 years old or over

Please tick  yes

Current postal  
address if different  
from premises  
address

[Empty]

Post Town

[Empty]

Postcode

[Empty]

Daytime contact telephone number

[Empty]

E-mail address  
(optional)

[Empty]

## B) OTHER APPLICANTS

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

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

## Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
01	07	2013

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

Day	Month	Year

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

--

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

1<sup>st</sup> FLOOR OF PUBLIC HOUSE

What licensable activities do you intend to carry on from the premises?  
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment**

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

**Provision of entertainment facilities for:**

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

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

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

**In all cases complete boxes N, O and P**



**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both - please tick (please read guidance note 2)</u>	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<u>Will the exhibition of a film take place indoors or outdoors or both - please tick (please read guidance note 2)</u>	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

**C**

Indoor sporting events Standard days and timings (please read guidance note 6)			<p>Please give further details here (please read guidance note 3)</p> <p><u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)</p> <p><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

**D**

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			<p>Will the Boxing or wrestling entertainment take place indoors or outdoors or both - please tick (please read guidance note 2)</p> <p>Indoors <input type="checkbox"/></p> <p>Outdoors <input type="checkbox"/></p> <p>Both <input type="checkbox"/></p>
Day	Start	Finish	
Mon			<p>Please give further details here (please read guidance note 3)</p> <p><u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)</p> <p><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors Outdoors Both
Day	Start	Finish		
Mon			Please give further details here (please read guidance note 3)	
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				
			State any seasonal variations for the performance of live music (please read guidance note 4)	
			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)	

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors Outdoors Both
Day	Start	Finish		
Mon	11.00	23.00	Please give further details here (please read guidance note 3) BACKGROUND MUSIC I.E RADIO / CD PLAYER.	
Tue	11.00	23.00		
Wed	11.00	23.00		
Thur	11.00	23.00		
Fri	11.00	23.00		
Sat	11.00	23.00		
Sun	11.00	23.00		
			State any seasonal variations for playing recorded music (please read guidance note 4)	
			Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	

**G**

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick [Y]</u> (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			<p><u>Please give further details here</u> (please read guidance note 3)</p> <p><u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)</p> <p><u>Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5) 5)</p>	Both	
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

**H**

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

<b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing							
			<u>Will the facilities for making music be indoors or outdoors or both – please tick [Y]</u> (please read guidance note 2)	<table border="1"> <tr> <td>Indoor</td> <td></td> </tr> <tr> <td>Outdoor</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoor		Outdoor		Both	
Indoor										
Outdoor										
Both										
Day	Start	Finish	<p>Please give further details here (please read guidance note 3)</p> <p>State any seasonal variations for the facilities for making music (please read guidance note 4)</p> <p>Non standard timings. Where you intend to use the premises for the facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</p>							
Mon										
Tue										
Wed										
Thur										
Fri										
Sat										
Sun										

**J**

<b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the facilities for dancing you will be providing</b>			
			<b>Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (please read guidance note 2)</b>		Indoor	
					Outdoor	
					Both	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here (please read guidance</b>			
Mon						
Tue						
Wed						
Thur						
Fri						
			<b>State any seasonal variations for the facilities for dancing (please read guidance note 4)</b>			
			<b>Non standard timings. Where you intend to use the premises for the facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</b>			
Sat						
Sun						

**K**

<p><b>Provision of facilities for entertainment of a similar description to that falling within I or J</b>  <b>Standard days and timings</b> (please read guidance note 6)</p>			<p><b>Please give a description of the type of entertainment facility you will be providing</b></p>								
			<p><b>Will the entertainment facility be indoors or outdoors or both – please tick [Y] (please read guidance note 2)</b></p>		<table border="1"> <tr> <td>Indoor</td> <td></td> </tr> <tr> <td>Outdoor</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoor		Outdoor		Both	
Indoor											
Outdoor											
Both											
Day	Start	Finish	<p><b>Please give further details here</b> (please read guidance</p>								
Mon			<p><b>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or k</b> (please read guidance note 4)</p>								
Tue											
Wed			<p><b>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list</b> (please read guidance note 5)</p>								
Thur											
Fri											
Sat											
Sun											

**L**

<u>Late night refreshment</u> Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)</u>	Indoors		
Day	Start	Finish		Outdoors		
Mon			<del>Please give further details here (please read guidance note 2)</del>	Both		
Tue						
Wed				<u>State any seasonal variations for the provision of late night refreshment (please read guidance note 4)</u>		
Thur						
Fri				<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please read guidance note 5)</u>		
Sat						
Sun						

**M**

<u>Supply of alcohol</u> Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption – please tick [Y] (please read guidance note 7)</u>	On the premises		
Day	Start	Finish		Off the premises		
Mon	11.00	23.00	Please give further details here (please read guidance note 7)	Both	✓	
Tue	11.00	23.00				
Wed	11.00	23.00		<u>State any seasonal variations for the supply of alcohol (please read guidance note 4)</u>		
Thur	11.00	23.00				
Fri	11.00	23.00		<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)</u>		
Sat	11.00	23.00				
Sun	11.00	23.00				

Box M continues on the next page...



Box M continued

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

Name

BEN - A . ALLALI

Address



Personal Licence number(if known)

AWAITING REPLACEMENT  
CHANGE OF ADDRESS.

Issuing licensing authority (if known)

TOWER HAMLETS

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

NONE, THIS WILL A DINING  
AREA | RESTAURANT

O

<b>Hours premises are open to the public</b> Standard timings (please read guidance note 6)			<u>State any seasonal variation</u> (please read guidance note 4)	
Day	Start	Finish		
Mon	11.00	23.00		
Tue	11.00	23.00		
Wed	11.00	23.00		
Thur	11.00	23.00		<u>Non standard timings. Where you intend to the premises to be open at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri	11.00	23.00		
Sat	11.00	23.00		
Sun	11.00	23.00		

P

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

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

TO HAVE A SAFE ENVIRONMENT FOR INDIVIDUALS & FAMILIES, TO KEEP NOISE TO A MINIMUM AND HAVE ALL OUR OBJECTIVES IN PLACE.

b) **The prevention of crime and disorder**

WE HAVE CCTV INSTALLED AT THE PREMISES. ALL OUR STAFF ARE TRAINED TO DEFUSE SITUATIONS OR CALL 999 IN EMERGENCIES, REFUSE TO SERVE ANYONE TOO DRUNK OR UNSUITABLE.

c) **Public safety**

FIRE & SMOKE ALARMS INSTALLED OVER THE ENTIRE BUILDING, CLEARLY DISPLAYED EMERGENCY ESCAPE SIGNS, ALL EQUIPMENT REGULARLY TESTED, ALL STAFF KNOW CALL SIGNS & MEETING POINTS.

d) The prevention of public nuisance

WE HAVE SIGNS ASKING CUSTOMERS TO RESPECT OUR NEIGHBOURS WHILST LEAVING PREMISES, WE ASK PATRONS NOT TO CONSUME ALCOHOL OUTSIDE PREMISES AFTER 9PM.  
WE ASK TAXIS TO TURN OFF ENGINES WHILST WAITING FOR CUSTOMERS & NOT TO BEEP THEIR HORNS.

e) The protection of children from harm

ANYONE UNDER 16 NOT ALLOWED INTO PREMISES UNLESS ACCOMPANIED WITH A RESPONSIBLE ADULT  
NO ONE UNDER 18 TO APPROACH BAR FOR A DRINK, OR TO COLLECT A DRINK FOR AN ADULT THEY ARE WITH.

You have completed part 3 of this form. Below is a checklist for your assistance.

CHECKLIST:

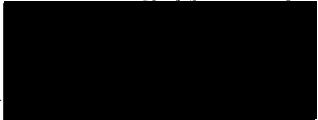
- Please tick  yes
- I have made or enclosed payment of the fee
  - I have enclosed the plan of the premises
  - I have sent copies of this application and the plan (showing the area to be licensed) to responsible authorities and others where applicable
  - I have enclosed the consent form completed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

**Part 4 – Signatures** (please read guidance note 10)

**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**

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

Signature



Date

10 / 6 / 2013

Capacity

Director

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

Signature

Date

Capacity

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 13)

Post town

Post code

Telephone number (if any)

If you would prefer us to correspond with you by e-mail your e-mail address (optional)



FOR OFFICE USE			
RECEIPT / INVOICE NO.	FEE REQUIRED:	Date:	Initials:

This form should be completed and forwarded to Licensing Section, Mulberry Place (AH), PO BOX 55739, 5 Clove Crescent, London E14 1BY with a cheque for the correct fee, made payable to the London Borough of Tower Hamlets.

**Consent of individual to being specified as premises supervisor**

I BEN - A ALLALI  
 [full name of prospective premises supervisor]

of.....  
 [redacted]  
 [home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for PREMISES LICENCE [type of application]

by BEN ALLALI [name of applicant]

relating to a premises licence 15782 [number of existing licence, if any]

for 26 FERRY ST  
LONDON E14 3DT  
 [name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by MR BEN ALLALI [name of applicant]

concerning the supply of alcohol at 26 FERRY ST  
LONDON E14 3DT  
 [name and address of premises to which application relates].

**LBTH**  
**TRADING STANDARDS**  
 10 JUN 2013  
**LICENSING**

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number ..... CHANGE OF ADDRESS SUBMITTED .....  
[insert personal licence number, if any]

Personal licence issuing authority ..... TOWER HAMLETS .....  
[insert name ..... phone number of personal licence issuing authority, if any]

..... signed

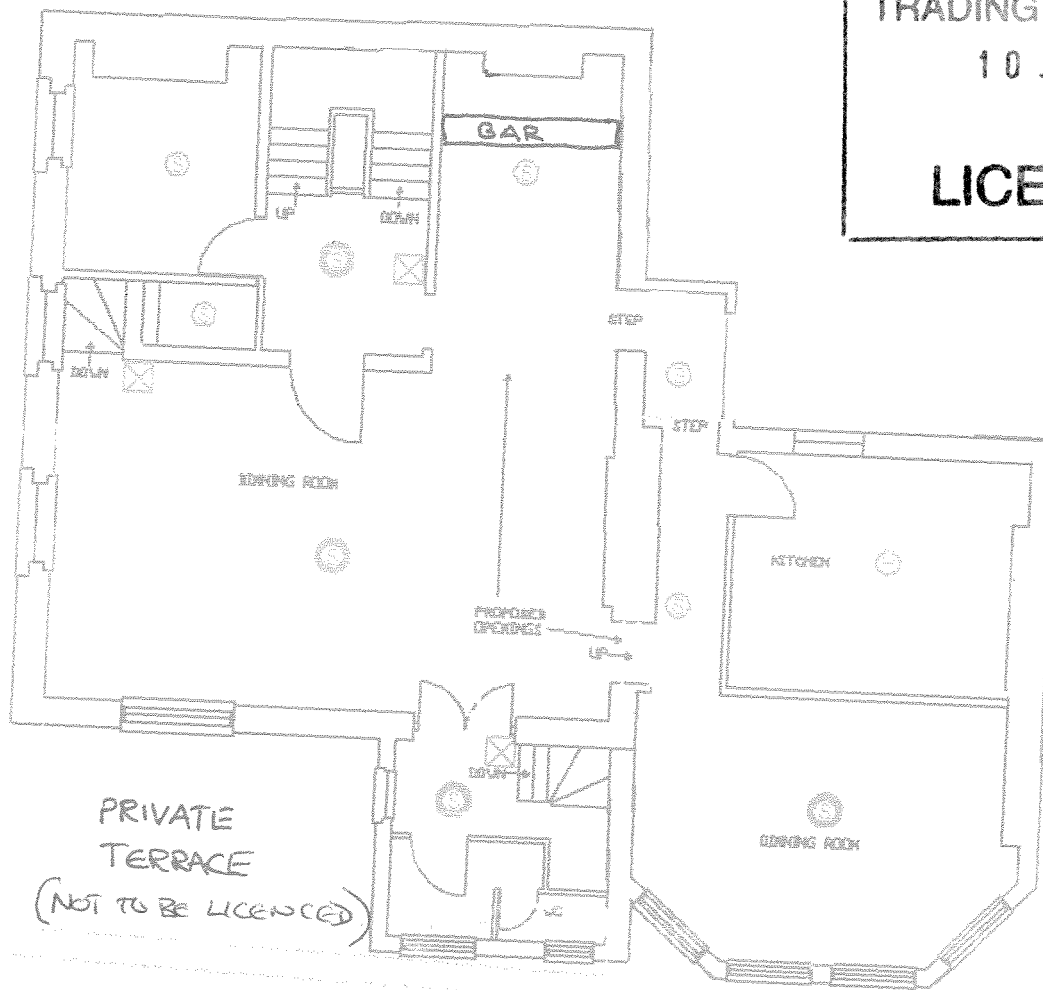
B. A. ALLALI ..... name (please print)





10/06/2013 ..... dated

**LBTH**  
**TRADING STANDARDS**

10 JUN 2013

**LICENSING**

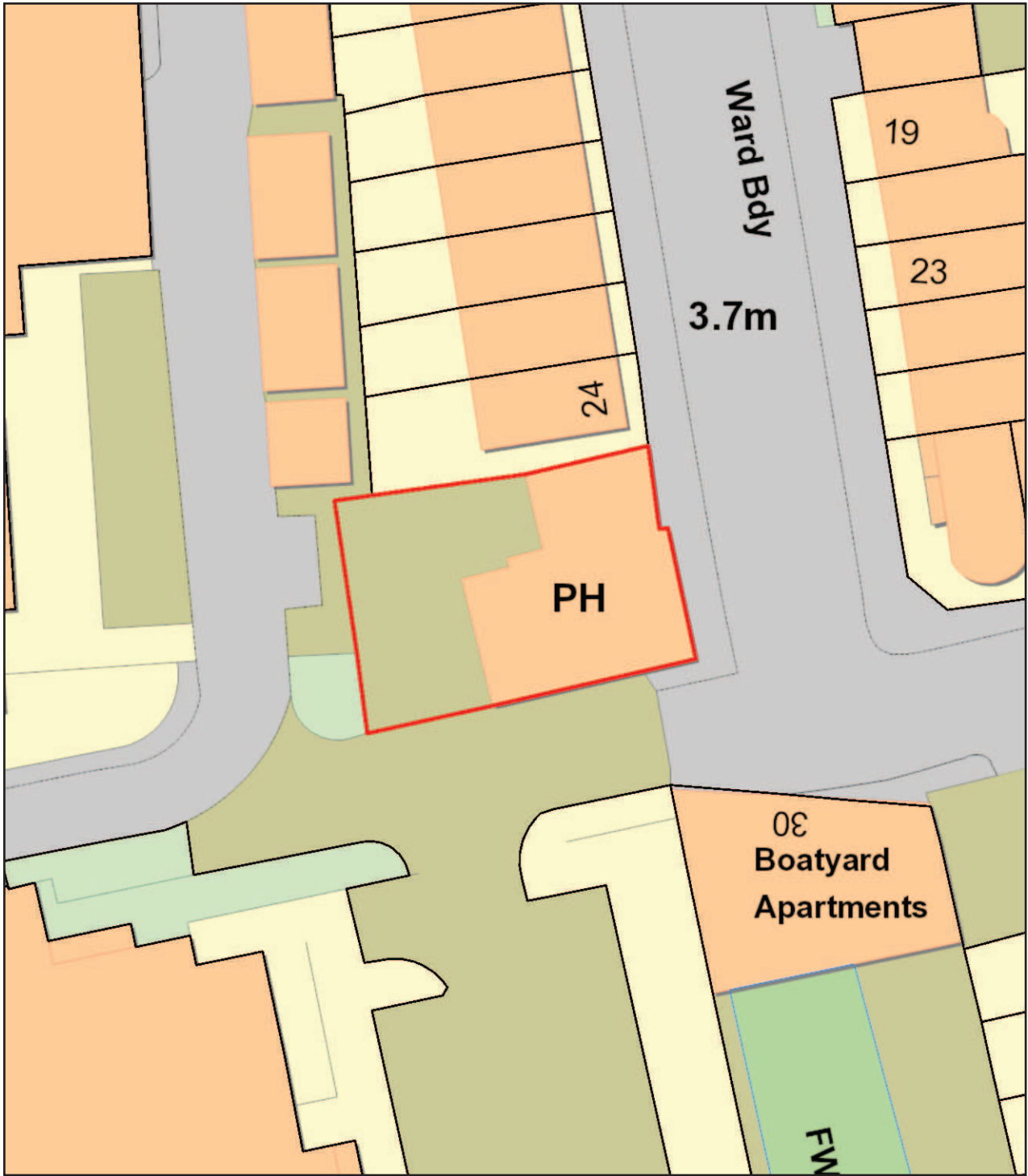


- 5 Of  SMOKE DETECTOR
- 1 Of  HEAT DETECTOR
- 4 Of  SOUNDER / SMOKE DETECTOR
- 4 Of  FIRE POINT

FIRST FLOOR  
 SCALE 1:100



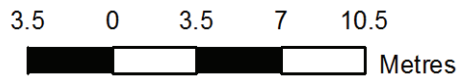
# Appendix 3



# The Ferry House, Map 1



Scale 1:384

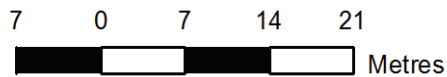




## The Ferry House, Map 2



Scale 1:769



# Appendix 4

### Section 182 Advice by the Home Office

Updated October 2012

#### 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. 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 5

Communities, Localities & Culture

Safer Communities

The Licensing Department,  
LBTH,  
4<sup>th</sup> Floor Anchorage House,  
5 Clove Crescent,  
London,  
E14 1BY

Environmental Health, Environmental Protection  
Mulberry Place (AH)  
5 Clove Crescent  
London E14 1BY

<b>Enquiries</b>	<b>Ian Wareing</b>
<b>Tel</b>	<b>020 7364 5008</b>
<b>Fax</b>	<b>020 7364 6831</b>
<b>Flare Ref</b>	<b>068425</b>

Email : [environmentalhealth@towerhamlets.gov.uk](mailto:environmentalhealth@towerhamlets.gov.uk)

Date 24th July 2013

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

**Re: Application for Premises Licence at 1<sup>st</sup> Floor, Ferry House, 26 Ferry Street, London, E14 3DT**

Environmental Protection wish to make a representation to the Premises Licence Application for the above premise.

Environmental Health have grave concerns that granting a separate Licence to a 'floor' of a premise will cause significant Public Nuisance on local residents whom already are impacted by the activities associated at the pub. Granting a Licence will lead to the availability of 42 days of TEN's for the same building and the potential of having 400 people in attendance at any one time for an event under the Live Music Act.

The pub is situated in a very quiet residential street and the overriding noise source is The Ferry House.

There have been a number of issues during 2012 and into 2013 with excessive noise from music from the venue. The pub has single glazing and cannot contain levels of sound conducive to karaoke etc. There have been further associated problems with noise and anti-social behaviour from patron access and egress.

There have been approximately 25 formal complaints to this department and the Anti-Social Behaviour Department in 2012 and a further 6-7 complaints made by email conversations with local residents. These complaints are from 12 different individuals.

*Corporate Director  
Communities, Localities & Culture*  
**Stephen Halsey**



I am quite sure that there will be several resident objections that will highlight any on-going issues with the pub.

We have received complaints about people entering and leaving the venue from 1am to 07.00 am.

I have also been made aware of video clips that show the disturbances suffered by local residents.

I have included below a selection of those complaints.

#### **27/5/12 00.15 Out of Hours Officer Notes**

Officer witnessed customers outside drinking from glasses. Music playing and audible at street level. People arriving in mini cabs with glasses and entering.

#### **11/6/12 – Complaint to ASB**

I live in Ferry Street, Poplar, E14 3DT near to a pub called the Ferry House. The issue is loud music till early hours in the morning and people shouting and swearing in the street whilst waiting for the cab also at early hours in the morning, for example 3am, mainly at the weekend.

This is a residential area and I am pretty sure it is disturbing for other people as well. I would be thankful if someone looks into this issue.

#### **7/7/2012 – Out of Hours Officer email to PC Mark Perry**

01.21 Hi Mark, I am currently sat outside the Ferry House, lights are on, 4-5 people inside talking loudly, tv on playing music at a level that can be heard across the street.

#### **30/7/12 – Complaint received by Environmental Health**

Mr \*\*\*\*\* confirmed Saturday night he heard karaoke till midnight. After that there was a lock in until 1am. At this point a lot of noise was made by persons leaving the pub. At 1am (roughly) the complainant was woken up by the sound of a man screaming from within the Ferry House, it appeared a man within the pub was very upset. Mr \*\*\*\*\* clearly heard the man swearing “who the f\*\*\* are you” and “what the f\*\*\* is going on”. He also heard a verbally aggressive male say “I am going to kill you”

*Corporate Director  
Communities, Localities & Culture*  
**Stephen Halsey**

### **31/7/12 – Complaint received by ASB**

3 people in the pub who had a loud argument and 1 of them was swearing a lot and threatened to kill someone.....There is an on-going noise problem with this pub lately especially at weekends. The issue has been reported to both the council and Police and investigations are underway.

### **6/1/13 Email sent to Environmental Health, Police, ASB and Licensing**

Dear All

I am writing to advise you that the Ferry House are up to their old tricks again.

Since just before Xmas they have started to have Karaoke again, not only on Fridays and Saturdays but also on weekday nights. They are not observing the 'no drinks outside after 9pm' rule and the disturbance from music and customers is as bad as ever it was.

There are people on the street, the music is extremely loud, taxis turn up at all hours and it has started to go on into the early hours. On NYE it was not possible to sleep before 3.30am.

They have been using the first floor. On NYE the balcony was used by smokers and drinkers and there appeared to be a dinner in the restaurant.

It is not acceptable to have to put up with this any longer.

---

I have also had to mention to the Police that during a visit to the area this year, whilst my colleague and I were observing the pub in relation to noise disturbance, my car was pointed out by a known member of staff to two customers who were drinking outside the pub. One of the males then read my number plate in a loud voice whilst holding his mobile phone to his ear. He then said in a loud voice, 'nice I have got his address'. I believe this was an attempt to intimidate my colleague and I.

We have written to the pub on 3 occasions during 2012 advising them of the associated problems.

*Corporate Director  
Communities, Localities & Culture*  
**Stephen Halsey**

We believe that there would be significant public nuisance from the premise and access/egress that would affect the local residents; we would therefore recommend that this application is refused as no conditions can be placed on the Licence that would prevent any further disturbance from the pub.

Kind Regards,

**Ian Wareing**  
**Environmental Health Technical Officer**

*Corporate Director*  
*Communities, Localities & Culture*  
**Stephen Halsey**

# Appendix 6

## REPRESENTATIONS AGAINST THE PREMISES LICENCE APPLICATION FOR THE FIRST FLOOR, THE FERRY HOUSE PUBLIC HOUSE, 26 FERRY STREET, LONDON, E14 3DT.

The Licensing Authority, in its' capacity as a Responsible Authority, objects to the premises licence application for the first floor of The Ferry House public house, 26 Ferry Street, London, E14 3DT. The objection is on the grounds that, if granted, the premises licence will have a negative impact on crime and disorder and public nuisance.

The ground floor of The Ferry House already has a premises licence. The conditions on this licence are different to those proposed for the first floor. This will make it difficult to detect breaches of the conditions of either licence.

If the premises licence is granted the situation will be that within the same building there will be a bar on the ground floor with its' own premises licence, and a restaurant on the first floor with its' own premises licence.

There is no separate entrance to the restaurant. Access and egress for customers is via the ground floor bar.

The premises licence holder and designated premises supervisor will be the same person for both the ground floor and the second floor.

It is very likely that staff will work at both locations on the same day, and not exclusively at one location.

The licence for the ground floor allows for live and recorded music between 11am and midnight, Monday to Saturday, and 11am to 11pm on Sundays. The application for the first floor seeks recorded music between 11am and 11pm everyday. If music was played on the first floor between 11pm and midnight, any day Monday to Saturday, in breach of the licence, that could not be detected from outside the premises as it could be mistaken for music coming from the ground floor. If complaints received that music was being played at the venue outside of the hours of 11am to midnight, and the music was no longer playing when enforcement officers arrived at the venue, how would it be possible to know which licence had been breached.

The licence for the ground floor allows for the on and off sale of alcohol between 11am and midnight, Monday to Saturday, and 11am to 11pm on Sundays. The application for the first floor seeks the on and off sale of alcohol everyday between 11am and 11pm. If an off sale was made on the first floor between 11pm and midnight, any day between Monday and Saturday, once the customer had got into the street, how could anyone tell where the alcohol had been brought from and take the relevant enforcement action.

It is intended, as with the ground floor, to have a condition that patrons are not to consume alcohol outside the premises after 9pm. If a customer consumes alcohol outside the premises after 9pm, and doesn't admit to which venue he obtained the alcohol from, how will it be possible to tell which licence has been infringed.

The application for the first floor seeks a condition that taxis turn off their engines whilst waiting for customers and not to sound their horns. This will be difficult to enforce as a driver committing this breach could state she/he was waiting for a ground floor customer.

There are various situations which, if they occurred, it would be difficult to know which venue was involved. For instance a disturbance caused by customers leaving The Ferry House.

If the premises licence application for the first floor of The Ferry House is granted, there will be an intergrated business within the same premises, with the same staff and management. Yet the activities will be split amongst two premises licences. It is clear that conditions for the ground floor and proposals by the applicant for the first floor conflict, and would easily give rise to breaches of licence conditions and undermine the crime and disorder objective.

Conditions were added to the ground floor licence to address public nuisance. Different conditions would apply to the first floor. Therefore it is likely this would give rise to public nuisance.

The Licensing Authority asks the Licensing Sub-Committee to reject the application. This would give the applicant the option to apply for a variation where the same conditions would apply to both the ground floor and the first floor of the venue.

Alexander Lisowski,  
Licensing Officer,  
The London Borough of Tower Hamlets.

# Appendix 7

Kathy Driver  
Principal Licensing Officer - Licensing Section  
London Borough of Tower Hamlets  
Mulberry Place (AH)  
5 Clove Crescent  
London, E14 1BY

Dear Ms Driver,

**Objection: New Application (TSS/LIC/068425) - The Ferry House Pub, 26 Ferry Street, London E14 3DT**

I am writing with reference to the New Application for the Premises Licence at the 1<sup>st</sup> Floor of the Ferry House.

First of all I would like to make absolutely clear that I do not have a strong objection to there being a restaurant on the first floor of the Ferry House Public House subject to the proper control over its operation.

The Ferry House pub has a history of causing noise problems to people living in the vicinity due to the proximity of the noise sensitive premises and there is a history of disorderly behaviour of the customers. This has been verified by officers from the Council. It is therefore very disappointing that LBTH Licensing Dept have accepted this application in its current form (contrary to the LBTH local guidance and the s182 Guidance issued by the Government). It is very clear that the cumulative impact of this combination of licensed premises on the promotion of the licensing objectives is a proper matter for a licensing authority to consider. This proposed change may seem insignificant but the effect could be catastrophic and will, unless properly controlled, impact adversely on the licensing objectives. This is a cause of major concern.

Many letters have already been sent to the licensing dept. about this and the previous application (which was withdrawn), that identify residents' concerns about crime and disorder; public safety; public nuisance; and protection of children from harm so there is no need for me to reiterate them here. It is sufficient to say that the problems have been so severe that LBTH have seen fit to install an overt CCTV camera in Ferry Street and special measures have been implemented by Parking Services and the Safer Neighbourhood Teams to regularly visit the area. There is good evidence to suggest that the start of problems in the area coincided with a change in management of the licensed premises and many problems (noise and disturbance) can be directly linked to the customers of the pub. In recent months our building has had graffiti, a car was vandalised and offensive posters have been stuck on the building.

Since the special measures have been implemented and the CCTV has been installed the crime and disorder have ceased and the noise disturbance has reduced substantially. Unfortunately we know that these measures cannot be permanent which is why any licence granted must be strictly controlled.

We are very concerned that if this new premises licence is granted that this premise will have the potential to host large events on both floors and have multiple TEN's. It doubles the capacity of the licensed premises, is bound to cause major issues. This does not promote the licensing objectives. The application is made by Mr Allali as an individual and he has signed it as Director. Director of what may I ask?

To prevent misuse of the first floor the sale of alcohol must be ancillary to the sale of food and customers must order, consume and pay for a meal in the restaurant. Customers should also be prohibited from removing open containers from the restaurant. Ideally the consumption of alcohol outside of the premises, from both ground and first floors should be restricted to the pub garden and no other area (particularly the pavement area to the front of the premises and the first floor balcony).



The licensing objectives to which our comments refer are bracketed at the end of each paragraph.

1. We are at a complete loss as to why this application has been accepted in its current form. The London Borough of Tower Hamlets website states:

### **What information do I need to put on the application form?**

- Don't forget to fill in the operating schedule-make clear licensable activities and any limitations.
- **Detail how you will ensure compliance with the four licensing objectives. All the responsible authorities will look at this and you should discuss any problems with them before you make an application.**

I have also looked at the s182 Licensing Guidance and reproduce below in summary the relevant points:

*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;***

***Applicants are expected to include positive proposals in their application on how they will manage any potential risks.***

*For example, premises with **close proximity to residential premises** should consider how this impacts upon their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective.*

*If an applicant persistently fails to supply the required information, the licensing authority may refuse the application and the applicant must submit a new application.*

*.....required information is missing or incorrect; the licensing authority may 'hold' the application **until the applicant has supplied all the required information**. This effectively resets the 28 day period for determining an application and may be done any number of times until the application form is complete.*

There is no way that the information provided by the applicant on the application form could be construed as meeting the obligation to provide positive proposals, he provides no proposals at all for meeting any of the licensing objectives. This is a requirement of the application procedure.

"To keep noise to a minimum" – this is not a proposal

"We have signs asking patrons to respect our neighbours.....we ask patrons not to consume alcohol (sic) outside premises after 9pm" – this is not a proposal.

This complete lack of information should be sufficient to refuse this application and it should never have been accepted in this form in the first place. (All of the Licensing Objectives)

The Licensing Act 2003 definition of "premises" means any place.....; this is singular. It is fundamentally incorrect to classify this property as two premises. There is no separate access to the first floor without passing through the ground floor.

If the licensee wishes to operate the first floor as a restaurant he should make a new application for the whole premises to include areas previously unlicensed. (All of the Licensing Objectives)

2. It is noted that the applicant states on the plan that the 1<sup>st</sup> floor balcony is not included in the application (this is not stated on the application). The balcony is described as a private terrace. It is understood that the applicant has said that he intends to use the balcony for private functions for his 'friends and family'. This cannot be allowed as when people use this area, as they certainly will, they will all become his 'friends' and any condition restricting the use will be unenforceable. We object to the use of the balcony for any purpose due to the close proximity of residential premises. Patrons on the balcony are loud and very disturbing and if used as a smoking area the smoke enters our bedrooms as it is so close. Furthermore the patrons have a nasty habit of throwing cigarette butts over the balcony into the street below which is extremely unpleasant and quite dangerous for passers-by. (*Prevention of Public Nuisance*).

3. The applicant states that he has CCTV at the premises. Recently due to an incident outside the pub the Metropolitan Police needed to view the CCTV footage. The investigating officer commented that the recording was of such poor quality that it showed nothing. The s182 guidance states that 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.*

We would also suggest that the CCTV system must be of a suitably high standard to facilitate viewing and the precise location of cameras is on plan. This should be specified by condition. (*The prevention of crime and disorder; public safety*).

4. This pub/restaurant is very close to residential premises. What steps does the applicant propose to deal with the following?

- i) Smoking outside our bedroom windows
- ii) Noise from people in the street outside our bedroom windows
- iii) Dispersal of patrons after closing time.

to ensure the promotion of the nuisance objective.

The Ferry House is currently a pub with an unlicensed restaurant upstairs. The local residents are regularly affected by noise and disturbance and it is clear that the publican takes no steps to minimise the disturbance in line with his responsibilities as the licensee. How could anyone presume that by providing an additional licensed area that this nuisance will not be increased without any mitigation being offered by the applicant? (*Prevention of Public Nuisance*).

Increased crime and disorder in this area has prompted the Council to install an overt CCTV camera in the street. This has been extremely beneficial for the residents as it has meant that the licensee of the pub has been forced to nominally comply with the current conditions controlling the use of the outside areas. Photocopied signs asking patrons to only drink in areas were marked out by gaffa tape on the pavement although these have now disappeared. Any reduction in the use of the outside areas must be attributed to the CCTV whilst it is in operation and after that it will revert back to normal with people drinking all over the street. We would like to see a condition applied to the whole premises that prohibits drinking outside apart from in the pub garden which is provided for this purpose. (*The prevention of crime and disorder; public safety*).

Currently the residents are intimidated by the pub landlord and his clientele and we feel that the appropriate action should be taken by the licensing authority to resolve these issues without delay. We are

clearly being harassed on a regular basis and as a result of this harassment a number of residents no longer feel comfortable to object to this application for fear of reprisal.

5. This new application is for the supply of alcohol both on and off the premises. This is designed to confuse the enforcement of conditions. Why would a restaurant need a condition permitting the supply of alcohol off the premises? This is not normal and should not be permitted.

Currently the pub has a condition that states:-

*Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.*

This condition is regularly breached and to allow a further condition allowing the supply of alcohol from the restaurant would provide even more scope for confusion. *(The prevention of crime and disorder; Prevention of Public Nuisance).*

6. To allow this property to have two premises licences (one for each floor) would be a disaster for the local residents for a number of reasons:

- i) Each premise would then be allowed to have its own quota of Temporary Event Notices (TEN's). The residents would have to endure twice as many temporary events than would normally be allowed. This is not the spirit of the legislation which restricts the number and time periods of TEN's for a very good reason.
- ii) It provides the applicant with clouded accountability. We have already experienced occasions when there has been a disturbance noted from the patrons which is caused by an activity not permitted by the current premises licence only to be told that that particular condition does not apply because the culprits may be associated with the activity on the 1<sup>st</sup> floor which is currently operating under a TEN. This will always be a get-out clause for the activities causing a problem.

There is a clear responsibility in the Licensing Act for the promotion of the prevention of public nuisance. Allowing double the amount of TEN's in one location would be a clear failure on the part of the local authority. *(Prevention of Crime and Disorder; Prevention of Public Nuisance).*

7. This new application is for 'background music' on the first floor. It appears that the applicant doesn't know what background music is. We can regularly hear 'background music' from the ground floor of the pub in our bedrooms, (they quite often leave the doors open whilst playing music). This suggests that the same level of 'background music' from the first floor would also be clearly audible so this would not be acceptable to us. *(Prevention of Public Nuisance).*

We strongly object to this application on the following grounds:

1. The application has not been properly made as no proposals for meeting any of the licensing objectives have been supplied by the applicant.
2. The application is fundamentally incorrect as the application is not for the whole premises. This will lead to the problems associated with clouded responsibility as outlined above.
3. The integrity of the Licensing Authority function depends on the Council's ability to take appropriate enforcement action. The Licensing Authority has admitted that the conditions associated with the current ground floor licence are unclear and ambiguous. An application resulting in two premises licences will fail the test of reasonableness because the associated conditions will not be clear, enforceable or unambiguous.
4. To grant this application the Licensing Authority would be failing in their statutory duty to promote the four licensing objectives set down in the Licensing Act 2003.

5. Overwhelming evidence has been supplied in this letter to the Licensing Authority as to why this application should be refused.

We maintain that there should be an application for a new premises licence for the whole property with reduced opening hours, reduced operating hours over the New Year period and with sufficient information provided to demonstrate the steps they propose to take to promote the licensing objectives. All of the existing unclear, unenforceable, ambiguous conditions should be removed and one set of clear conditions should be applied to the whole premises.

If however a licence is granted we would ask that you take all of the above into account and:

**We would be grateful if you could add** a condition to the licence that prohibits the throwing of glass into the bin between the hours of 11pm and 7am.

**We would be grateful if you could add** a condition that requires the whole premises to be vacated outside licensing hours (except the staff) - **to prevent private parties. This was proposed by the Police for the previous application.**

We regularly suffer noise from people leaving the premises in the early hours of the morning, talking, shouting, cars revving etc and the licensee has a history of inviting friends to stay behind after closing time.

*This would minimise disturbance to residents outside of normal licensing hours. (Prevention of Public Nuisance).*

It is understood that this application does not include the ground floor but additional conditions should be applied and the ground floor conditions should be amended for consistency as follows:-

Condition Number	Current	Requested
<i>Annex 3 Condition 8</i>	<i>No patrons be allowed to consume alcohol in the outside area of the premises post 2100hrs</i>	No patrons be allowed to consume alcohol in the outside area of the premises except in the external area provided for that use within the curtilage of the premises (i.e. the pub garden).
<i>Annex 2 Condition 3</i>	<i>Drinks not to be removed from premises save for consumption in external area provided for that use.</i>	The external area should be defined. It should not include the pavement outside the premises nor the first floor balcony. It should be the rear garden which is an area specifically for this use.

The Ferry Street and Felstead Wharf area is occupied by families, many with young children. The area outside the pub (on the street) is used day and night by customers for drinking, using their mobile phones and smoking. Very often the male customers harass passing females and bad language is quite common. The aim of the licensing objective which protects children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated with alcohol but also wider harms such as exposure to strong language.

*Relocating these customers to the pub garden will not only reduce the noise and disturbance from the loud talking, swearing etc outside our homes, it will also reduce the exposure of women and young children to this unpleasant effect associated with living adjacent to these premises. We also hope that this condition will reduce the number of beer bottles/pint glasses that appear in our gardens overnight from customers in the street.*

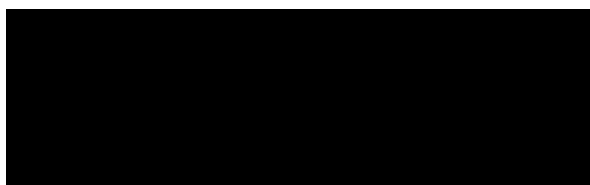
*(Prevention of Public Nuisance + Public Safety + Protection of Children from harm).*

Finally, we note that the applicant has put comments on the application form. Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area.

	<b>Applicant's Notes</b>	<b>Residents' Comments</b>
a	To keep noise to a minimum.....	This should not be an additional step.
b	There are ... 16 CCTV cameras...etc	The CCTV is neither suitable nor sufficient – see previous comment
d	Signs	There are paper signs already stuck to the exit door.
	Ask patrons not to consume drinks post 2100hrs outside etc	This is already a licence requirement that they are not compliant with. It should not be allowed.

We would ask you to note that none of these are **additional** steps. These measures represent the bare minimum that any responsible landlord should already have in place. There are **no** additional steps offered nor are there any steps that could be considered as a means to promote the licensing objectives. If the applicant does not offer any steps then the guidance suggests that the application should be refused.

Yours faithfully



# Appendix 8

Our Ref: LMD/tg/boatcctv0213g.let  
Your Ref:

Mr P. Allnutt  
Tower Hamlets

By email: [peter.allnutt@towerhamlets.gov.uk](mailto:peter.allnutt@towerhamlets.gov.uk)  
[cctv@towerhamlets.gov.uk](mailto:cctv@towerhamlets.gov.uk)

02 July 2013

Dear Sirs,

**Re: Boatyard Apartments. 30 Ferry Street, London. E14 – C.C.T.V.**

We are writing to you upon behalf of our clients who are the freeholders of the above building.

In addition our client also owns 6 of the apartments within the development. We are constantly being informed by occupiers in the property, especially Ms Deni Butterfield, of major problems with the pub and its clients.

We have made separate representations to Enterprise Inns, as the freeholder of the property, to try and allow the leaseholders and occupiers of Boatyard Apartments to be allowed to live and have peaceful enjoyment of their properties.

Problems have incurred recently with the following:-

1. A table with fixed benches attached being placed in the front of the building which is an adopted road, owned by the local authority. Clients of the pub have sat in this location and were abusive to the flat occupiers.
2. Ms Butterfield has had to report incidents to the police, on more than one occasion, having been verbally abused.
3. A perspex sheet has been installed behind the palisade fencing and access gates to the underground car park due to items being thrown into this area and also paint being sprayed over cars parked inside.
4. A vile photo was placed upon the external fencing which I am sure Ms Butterfield has forwarded to you within her comments and complaints.

The behaviour of the licensee and the their clients is totally beyond any reasonable human behaviour. The C.C.T.V. can only assist the local authority, residents and the police in controlling the area and restricting unacceptable social behaviour.

Ferry Street LLP, the freeholders of the development and Mr Robert Davies both wish us to express their objection to the licence application. Their concern is that any licence being granted for an extension of the use of the Public House, could only result in further detrimental actions against the residents.

We sincerely hope that the council will take this as a very serious objection to the licence application.

Yours sincerely



**Lewis M. Diamant MRICS MCIQB**  
**Land Commercial Surveyors Ltd**



# Appendix 9



Andrew Ferguson

17th July 2013

Dear Council,

I'd like to make a representation against The Ferry House, 1st Floor, E14 3DT license application.

My grounds for objecting are that the premises are a source of noise pollution under the Environmental Protection Act 1990.

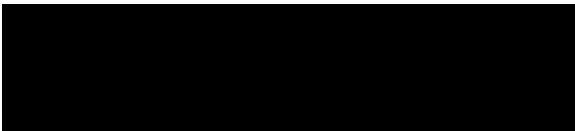
As a resident of St. Davids Square I have suffered from the persistent noise pollution from the pub since the change in management. Both 2012 and 2013 and have been unacceptably noisy with customers of the pub being outside the front and also in the back area late into the night. This is often after 11pm on weekdays, sometimes past midnight or later.

The residents have complained many times to the council about this via the noise pollution phone line. The police have been involved where there has been evidence of license infringement. However, even when the license is observed there is still a lack of concern for residents shown by the continual allowance of customers to behave antisocially late at night and early in the morning.

The south tip of the Isle of Dogs is unique for its views of Greenwich and it is sad that an area like this, and a historical building like The Ferry House is being spoilt by drunken loud behaviour.

Yours sincerely,

Andrew Ferguson



# Appendix 10

The Licensing Section  
London Borough of Tower Hamlets  
Mulberry Place  
5 Clove Crescent  
LONDON  
E14 2BG

Ref: PBC/008

26<sup>th</sup> July 2013

Dear Sirs

**Re: Ferry House, 26 Ferry Street, London E14 3DT – Representation against application for a new Premises Licence (TSS/LIC/068425)**

We are instructed by Ferry Street LLP, who are the freeholders of the apartment block at 30 Ferry Street, London E14 3DT, to make a representation against the application by Ben Allali for a new Premises Licence in respect of the first floor of the above premises.

We understand that the last date for representations is 29<sup>th</sup> July 2013 and we would be obliged if this letter could be treated as a relevant representation under the Licensing Act 2003.

Our clients' premises consist of a block of 8 apartments which are opposite the Ferry House public house. Our clients are aware that the pub has been a source of considerable concern to their tenants and local residents with a history of vandalism, nuisance and disorderly behaviour associated with customers from the premises which at times has been intolerable. A particular concern is the constant and unacceptable noise from customers drinking and smoking outside the premises which is obviously at its worst in the summer months.

The public house is situated in a densely residential area and any increase in the size of the premises will inevitably exacerbate the nuisance already caused by its customers and have a potential for increased disorder and disturbance to tenants of the apartment block and other local residents. Furthermore, licensing the first floor of the premises will result in presumably a doubling in size of the pub which only reinforces the likelihood of a significant increase in noise and disturbance arising out of activities at the premises.

We note that the applicant has stated in Section N of the Application that the first floor will be a "dining area/restaurant." However, there are no conditions offered in the Operating Schedule to restrict the use of the premises for this purpose and the statement is also inconsistent with the request in Section M for the supply of alcohol to be for consumption both on and off the premises. In our submission, the statements by the applicant in the Operating Schedule as to how he will promote the licensing objectives (Section P) are very general and lack the clarity to be capable of enforcement.

Our clients are also very concerned that this application is to licence the first floor only which, if granted, will result in two separate licences for the same building. In our submission, this is completely inappropriate, as the separate licence would allow an independent operation which is inconsistent with the shared entrance and other facilities between the two floors. We would therefore request on behalf of our clients that the application should be rejected in its present form.

In principle, our clients do not have a strong objection to the first floor operating as a genuine restaurant area for a limited number of seated diners only, although they believe this should form part of one licence to include the ground floor. If the licensing committee do consider that the application should be granted, we will be asking for strict and

enforceable conditions to restrict the first floor for this purpose and also to address our clients' concerns on potential noise nuisance and disturbance arising out of the increased patronage.

In conclusion, our clients believe that the grant of the premises licence in its present format is inappropriate and is also likely to be detrimental to the crime and disorder and public nuisance objectives and the application should therefore be refused.

We are instructed to attend the hearing of this matter before the licensing committee on 20<sup>th</sup> August 2013 in support of our clients' objections to this application.

We would be obliged if you could acknowledge receipt and if you have any queries please contact Phil Crier at this office.

Yours Faithfully

PBC Licensing

# Appendix 11

### Crime and Disorder on the Premises

#### Licensing Policy

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Sections 5.2. of the Licensing Policy**)

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

- Methods of management communication
- Use of registered Door Supervisors
- Bottle Bans
- Plastic containers
- CCTV
- Restrictions on open containers for “off sales”
- Restrictions on drinking areas
- Capacity
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage
- Seating plans
- Capacity

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

#### Police Powers

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

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

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

The key role of the police is acknowledged (2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff or agents, but can directly impact on the behaviour of

customers on, or in the immediate vicinity of the premises as they seek entry or leave (2.4).

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

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

Conditions can be imposed for large capacity “vertical consumption” premises (10.43).

#### Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices

#### Other Legislation

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



# Appendix 12

## Appendix 12

### Crime and Disorder from Patrons Leaving the Premises

#### General Advice

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

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

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

#### Licensing Policy

The policy recognises that other legislation or measures may be more appropriate but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy.” Other controls need to be borne in mind. **(See Section 4.10 and 4.11 of the Licensing Policy).**

- The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. **(See Appendix 2 Annex D of the Licensing Policy).**

#### 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 pool of conditions, adopted by the council is recommended (Annexe D). The key role of the police is acknowledged (2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder

and their staff or agents, but can directly impact on the behaviour of customers on, or in the immediate vicinity of the premises as they seek entry or leave (2.4).

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

Conditions can be imposed for large capacity “vertical consumption” premises (10.43).

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

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

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (2.36) but it is essential that conditions are focused on measures within the direct control of the licence holder” (2.38). Conditions relating to behaviour once they are beyond the control of the licence holder cannot be justified. (2.38)

#### Other Legislation

##### Crime and Disorder Act 1998

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

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

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

# Appendix 13

## Appendix 13

### Noise while the premise is in use

#### General Advice

If they conclude this is a problem Members should consider whether it is possible to carry out suitable and proportionate noise control measures so that noise leakage is prevented. In addition Members may consider that only certain activities are suitable.

The hours of operation also need to be considered (see below).

If Members believe that there is a substantial problem of noise while the premises are in use and it cannot be proportionately address by licensing conditions they should refuse the application.

#### Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. **(See Sections 8.1 of the Licensing Policy)**.

While all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. **(See Section 12.11)**.

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. **(See Section 8.2 of the Licensing Policy)**.

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

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

- Conditions controlling noxious smells
- Conditions controlling lighting (this needs to be balanced against potential crime prevention benefits)

### Police Powers

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

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

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

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

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.36) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder (2.38).

### Other Legislation

The Environmental Protection Act 1990, Part 111 gives Environmental Health Officers the power to deal with statutory nuisances.

The Anti-social Behaviour Act 2003, Sections 40 and 41 give Environmental Health Officers the power of closure up to 24 hours in certain circumstances.

# Appendix 14

### Access and Egress problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

#### Comment

The above have been grouped together as egress problems. Of course the particular facts will be different for each alleged problem.

#### General Advice

In considering concerns relating to disturbance from egress, Members need to be satisfied that the premises under consideration has been identified as the source of the actual or potential disturbance. If they are satisfied that this is a problem, then proportionate conditions should be considered.

The hours of operation also need to be considered.

If Members believe that there is a substantial problem concerning egress and it cannot be proportionately addressed by licensing conditions, they should refuse the application.

#### Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. **(See Sections 8.1 of the Licensing Policy)**.

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. **(See Section 8.2 of the Licensing Policy)**.

However, while all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. **(See Section 12.10)**

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

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)



- Whether certain parts should close earlier than the rest (for example a “beer garden”, or restricted in their use
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly

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

The pool of conditions, adopted by the council is recommended (Annex G). The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community. (2.33).

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (2.36) but it is essential that conditions are focused on measures within the direct control of the licence holder” (2.38).

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

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

# Appendix 15

### ACPO comments on irregular times

#### Association of Chief Police Officers

The Association of Chief Police Officers (ACPO) has issued standard advice on unusual opening hours. As well as limiting the number they are anxious that the Police are given reasonable notice and an absolute veto on any event. Their policy is as stated below.

ACPO suggest that the following approach be applied to applications that include unspecified hours.

- No more than 12 extensions per premises per year (excluding applications made under TENS) should be allowed.
- An operating plan covering the additional measures that will be taken to manage crime and disorder on these occasions to be completed.
- A minimum of 7 days notice to police and the licensing authority.
- An absolute veto for police in respect of any of these occasions.

# 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.

# Appendix 17

## Appendix 17

### 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	06:00hrs to 23:30hrs
Friday and Saturday	06:00hrs to midnight
Sunday	06:00hrs to 22:30hrs

(see 12.8 Of the licensing policy)

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

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

(see 12.8 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates
- Premises licensed for off sales only

# Appendix 18



### Drinking Beyond the Permitted Hours

#### General Advice

Members need to consider the evidence carefully. Is what is being alleged more properly a criminal matter? The Licensing Act 2003 only makes it an offence to supply alcohol after the permitted time. Thus it may perfectly lawful to have patrons on the premise consuming alcohol several hours after it ceased to be legal to supply it (licence terms vary).

However, if this is causing a problem in relation to one of the licensing objectives, which are most likely to be:

- the prevention of crime and disorder
- the prevention of public nuisance

then, if Members consider it proportionate to do so, they should set appropriate conditions, such as reducing the permitted opening hours.

If Members believe that there is a substantial problem of drinking beyond permitted hours and it cannot be proportionately address by licensing conditions they should refuse the application.

#### Other Legislation

Planning controls may lay down the hours of operation of the premises.