

# Appendix 1

**(Golden Grill)**

Ground Floor and Basement Floor  
184 Hackney Road  
London  
E2 7QL

**Licensable Activities authorised by the licence**

The sale by retail of alcohol  
The provision of regulated entertainment  
The provision of late night refreshment

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

**Signed by**

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

**Date: 22<sup>nd</sup> July 2011**



TOWER HAMLETS

LICENSING ACT 2003

## Part A - Format of premises licence

Premises licence number

15622

### **Part 1 - Premises details**

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

**(Golden Grill)**

Ground Floor and Basement Floor  
184 Hackney Road

**Post town**

London

**Post code**

E1 4AA

**Telephone number**

None

**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  
The provision of late night refreshment

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

**Ground Floor and Basement Floor**

**Sale of Alcohol**

- Sunday to Thursday from 11:00 hours to 00:00 hours
- Friday and Saturday from 11:00 hours to 02:00 hours the following days

**Late Night Refreshments**

- Sunday to Thursday from 23:00 hours to 00:00 hours
- Friday and Saturday from 23:00 hours to 02:00 hours the following days

**Basement Only**

**Provision for Regulated Entertainment**

(Live music, recorded music, performance of dance and anything of a similar description. Provision of facilities for making music, provision of facilities for dancing and anything of a similar description)

- Sunday to Thursday from 20:00 hours to 00:00 hours
- Friday and Saturday from 20:00 hours to 02:00 hours the following days

**The opening hours of the premises**

- Sunday to Thursday, from 10:00 hours to 00:30 hours
- Friday and Saturday, from 10:00 hours to 02:30 hours the following days

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

On sales

## **Part 2**

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

Mr Niyazi Kalan



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

Not applicable

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

Mr Niyazi Kalan



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

**Personal licence number:** 15611

**issuing authority:** London Borough of Tower Hamlets

## **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

### **Effective from 6<sup>th</sup> April 2010**

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.

**Effective from 10<sup>th</sup> October 2010:**

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 nudity or semi nudity permitted.
2. At least 3 members of staff shall be on the shop floor between 22:00 hours to closing time.
3. 2 SIA registered door staff shall be employed from 23:00 hours to closing time.
4. CCTV shall be installed, operated and maintained in agreement with the Police. The system shall enable a frontal head and shoulders image of every person entering the premises. The system shall record in real time and operate while the premises are open for licensable activities. The recordings shall be made available to an Authorised Officer or a Police Officer within 24 hours of any request.
5. Notices shall be maintained in the premises displaying a local taxi firm's telephone number.
6. Clear and legible notices shall be displayed to remind customers to leave quietly.
7. Bottling up and clearing of rubbish shall only take place outside the premises from 11:00am to 11:00pm, Monday to Sunday.
8. The amount of people coming outside the premises to smoke shall be limited to a maximum of five people and controlled.
9. A challenge 21 Policy shall be adopted at the premises when selling alcohol.



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

#### Conditions attached following the licensing subcommittee hearing of 22<sup>nd</sup> July 2011:

1. No drinks shall be taken outside the premises.
2. Alcohol shall only be served to patrons seated and dining at the premises by waiter service.
3. There shall be the provision and installation of a noise limiting device to all amplified sound systems within the premises and maximum noise levels of such device are to be set and agreed beforehand with the Environmental Health Officer and if no agreement can be reached the matter is to be remitted back to the Licensing Sub Committee to consider and set an appropriate level.
4. Two SIA security staff shall be employed when regulated entertainment is taking place.

### **Annex 4 - Plans**

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

7<sup>th</sup> June 2011 – Basement Floor (*Ref No. E26042011 Dated 26/04/11*)  
Ground Floor (*Ref No. E26042011 Dated 26/04/11*)



**Part B - Premises licence summary**

**Premises licence number**

**15622**

**Premises details**

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

**(Golden Grill)**  
Ground Floor and Basement Floor  
184 Hackney Road

**Post town**  
London

**Post code**  
E2 7QL

**Telephone number**  
None

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  
The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

**Ground Floor & Basement Floor**

**Sale of Alcohol**

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**Provision for Regulated Entertainment**

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- Sunday to Thursday from 20:00 hours to 00:00 hours
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The opening hours of the premises

- Sunday to Thursday, from 10:00 hours to 00:30 hours
- Friday and Saturday, from 10:00 hours to 02:30 hours the following days

Name, (registered) address of holder of premises licence

Mr Niyazi Kalan  


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

On sales

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

Not applicable

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

Mr Niyazi Kalan

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

No restrictions

# Appendix 2



\* required information

Section 1 of 17

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

System reference: Not Currently In Use
Your reference: 13.0102.PL/RC
This is the unique reference for this application generated by the system.
You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

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

Applicant Details

\* First name: THOMAS EDWARD
\* Family name: DOCKER
\* E-mail: [redacted]
Main telephone number: [redacted] Include country code.
Other telephone number: [empty]

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: 08554726
\* Business name: Kablamo hospitality Ltd
\* VAT number: - -
\* Legal status: Private Limited Company
If the applicant's business is registered, use its registered name.
Put "none" if the applicant is not registered for VAT.

**Continued from previous page...**

\* 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

\* Street

District

\* City or town

County or administrative area

\* Postcode

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

A private individual acting as an agent

**Your Address**

Address official correspondence should be sent to.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

Continued from previous page...

## Section 2 of 17

### APPLICATION DETAILS

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number

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

#### Premises Contact Details

Telephone number

Non-domestic rateable value of premises (£)

## Section 3 of 17

### VARIATION

Do you want the proposed variation to have effect as soon as possible?     Yes     No

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe briefly the nature of the proposed variation

To remove the Condition Number 2 from Annex 3 (alcohol shall only be served to patrons seated and dining at the premises by waiter service) for BASEMENT FLOOR ONLY  
Ground Floor is operating as a Restaurant (A3 Use Class)  
Basement Floor will be operating as a Bar (A4 Use Class)

## Section 4 of 17

*Continued from previous page...*

**PROVISION OF PLAYS**

Will the schedule to provide plays be subject to change if this application to vary is successful?

- Yes  No

**Section 5 of 17**

**PROVISION OF FILMS**

Will the schedule to provide films be subject to change if this application to vary is successful?

- Yes  No

**Section 6 of 17**

**PROVISION OF INDOOR SPORTING EVENTS**

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes  No

**Section 7 of 17**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes  No

**Section 8 of 17**

**PROVISION OF LIVE MUSIC**

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes  No

**Section 9 of 17**

**PROVISION OF RECORDED MUSIC**

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes  No

**Section 10 of 17**

**PROVISION OF PERFORMANCES OF DANCE**

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes  No

**Section 11 of 17**

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



*Continued from previous page...*

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes  No

**Section 12 of 17**

**PROVISION OF LATE NIGHT REFRESHMENT**

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes  No

**Section 13 of 17**

**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes  No

**Section 14 of 17**

**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.

Provide 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.

N/A

**Section 15 of 17**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide 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

**Continued from previous page...**

**THURSDAY**

Start  End

Start  End

**FRIDAY**

Start  End

Start  End

**SATURDAY**

Start  End

Start  End

**SUNDAY**

Start  End

Start  End

State any seasonal variations.

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

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

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

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

To remove the Condition Number 2 from Annex 3 for BASEMENT FLOOR ONLY

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

**Continued from previous page...**

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

**Section 16 of 17**

**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)

If the club wishes members and their guests to be able to consume alcohol on the premises select on, if the club wishes people to be able to purchase alcohol to consume away from the premises select off. If the club wishes people to be able to do both select both.

all other conditions to remain

b) The prevention of crime and disorder

all other conditions to remain

c) Public safety

all other conditions to remain

d) The prevention of public nuisance

all other conditions to remain

e) The protection of children from harm

all other conditions to remain

**Section 17 of 17**

**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. Variation 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/>

**Continued from previous page...**

[business\\_rates/index.htm](#)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 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 you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise 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

\* Fee amount (£)

190.00

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**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.

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

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

\* Full name

\* Capacity

**Continued from previous page...**

Date (dd/mm/yyyy)

Add another signatory

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

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

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

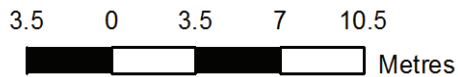
# Appendix 3



# 184 Hackney Road, Map 1



Scale 1:384

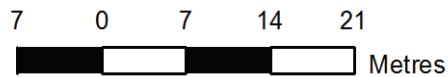




## 184 Hackney Road, Map 2



Scale 1:769





# Appendix 4



LBTH Licensing

**HT - Tower Hamlets Borough**

Licensing Office  
Limehouse Police Station  
27 West India Dock Road  
Limehouse  
E14 8EZ

Telephone: [REDACTED]

Facsimile:

Email: [REDACTED]

[www.met.police.uk](http://www.met.police.uk)

Your ref:

Our ref:

30th July 2013

Dear Mr McCrohan

**Re: Application to vary a Pemises Licence**

**Golden Grill, 184 Hackney Road, E2 7QL**

**( Basement )**

I write with reference to the above application which was received in the Licensing Office on the 9th July 2013.

Please accept this letter as notification that the police as a responsible authority wish to object to this application on the following two licensing objectives

**The prevention of crime and disorder**

**The prevention of public nuisance**

When the original licence was applied for, I objected to alcohol being supplied in the basement. I feared that the easy availability of alcohol in a late night fast food shop would lead to crime and disorder or at the very least a public nuisance.

The licensing committee imposed a condition that alcohol could only be served with a substantial meal.

Visiting the basement, I would say that this has been totally ignored as it has become a bar.

Both PC Perry and myself have visited the Golden Grill and found it to be operating as a bar and not a restaurant.

On Saturday 1st December 2012 I was on duty in plain clothes conducting licensing visits when I visited the basement of the Golden Grill.

On our arrival there was about ten people outside the venue, none of them were eating fast food but were smoking and chatting.

The restaurant on the ground floor was empty but the basement bar was packed.

Everybody was standing in the basement area. There was certainly no one sitting have a meal. I then spoke to one of the women in charge. She said that she allowed 90 people in the basement. She had been leasing the premises from the owner for about two months. She was unaware of any condition that would stop her operating as a bar. I advised her to contact LBTH Licensing

On 14th June 2013 PC Perry of the Licensing Unit visited the Golden Grill.

He spoke with a Ibrahim OZDEMIR , a manager at the premises.

Mr. OZDEMIR stated that the club downstairs was not open and that they were planning to re-open it the next week. Whilst speaking to Mr. OZDEMIR four people entered this shop asking if the club was open. The manager said it was not. One of the customers said he wasn't surprised as the club was serving "Rocket Fuel" and people were getting "Pretty loaded at the venue" and that it wouldn't surprise him if they were causing problems outside".

The two women I spoke to ran the basement as the Qui Qui Ri Qui bar. It has been described as the following on the internet.

Mezcaleria Quiquiriqui is the first genuine mezcal bar to open in London, selling some of the finest hand crafted mezcals currently coming out of Mexico.

Mezcalerias (Mezcal bars) have been a secret of Mexico city until recently when people have really started to get turned on the the fact this is more than just a drink... with bars popping up in New York, Berlin, Paris and now London!

The mezcals we have selected are from a new wave of young producers who have gone to great lengths to perfect a modern day drink using the traditional techniques that have defined mezcal production for centuries. It is crafted from a variety of agaves, using varied artisan methods..... Mezcal is one of Mexico's oldest stimulant drinks

For those who have not yet come across what we like to call proper mezcal, think more earthy, more mineral, more fiery, more primal, more visceral, more grrrr than most things you will have drunk before. A single mezcal can have most, or all, or none of these characteristics, venturing out into its own universe where nothing at all tastes quite the way it does.

Expect the finest mezcal the UK has ever seen... fantastic mezcal cocktails... Mexican beers with lime and salt... better than good music... to get addicted and have some really fun times...

Secondly

Qui Qui Ri Qui and I didn't get off to the best start. Hidden away behind a kebab take away shop on Hackney Road, it had me wondering up and down for a good 10 minutes before spying its disguise, the Golden Grill

Thirdly

Welcome to London's first Mezcaleria! Locating this little gem is all part of the colourful experience of a night out on the mezcal tiles I assure you. On the corner of Hackney Road and Hassard Street there is a kebab shop with a bar downstairs. That's not the bar you're after. [Qui Quiri Qui](#) is, in fact, located at the end of Hassard Street, noticeable only by a small flashing 'OPEN' sign in the doorway. Down the marginally perilous staircase is a cosy single room bar, and home to what is sure to be London's newest drinking sensation. For those of you who have not tried mezcal, it really is rather wondrous. While there are many similarities with tequila, there is an added smokiness and je ne sais quoi that results in some truly imaginative metaphors as the night wears on. As redundant as this is, knowing that you will all enjoy this establishment responsibly, may I suggest not mixing mezcal with any other spirit, let's say whiskey. That would be a bad idea

It is quite clear that the DPS has allowed this to carry on and therefore in breach of his licensing conditions.

In terms of calls to the Golden Grill , on Saturday 15th September 2012 at about 0245 ( when the premises should have been closed ) , an argument began , both parties were drunk. It was alleged that the victim had bits of a kebab thrown over her and she was slapped to the head. She also thought the suspect was racist towards her boyfriend. CCTV shows both victim and suspect acting aggressively towards one another. The victim

was aggressive towards officers. Independent witnesses said there was no assault or racial abuse.

The suspect had made off prior to police arrival.

I attended the Golden Grill on Saturday 3rd August 2013 at about 0100 and spoke to the owner, Mr. Ibo Ozdemir. The basement area was closed.

Hackney Road, although it is a main route through Tower Hamlets, there is still a considerable amount of residential properties in this street and the surrounding side streets.

Remaining open until 0230 on a Friday and Saturday this would become one of the longest opening bars in the area.

By opening this late, the likelihood is that it will attract people who already under the influence of alcohol. Quite a considerable number would be in high spirits, boisterous or some can be aggressive and shouting at the top of their voices. Violence can easily occur from a small flashpoint. It is often very difficult for staff to deal with disruptive customers.

The current licence for the basement was not granted for it to be operated as a bar, but it is clear that this is how they operated.

To vary this licence to allow a full time bar would be to reward his previous breaches. I ask the committee to reject in full this application.

Alan Cruickshank PC 189HT

# Appendix 5

## Appendix 5

### 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 and SIA is acknowledged (2.1-2.2).

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 in the immediate vicinity of the premises as they seek entry or leave (1.6).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (2.3-2.7).

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

Conditions can be imposed for large capacity “vertical consumption” premises (10.23).

#### 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 6

## Appendix 6

### 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 and SIA is acknowledged (2.1-2.2).

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 (1.6).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (2.3-2.7).

Conditions can be imposed for large capacity “vertical consumption” premises (10.23).

*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 (1.19).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (2.22) but it is essential that conditions are focused on measures within the direct control of the licence holder (1.6). Conditions relating to behaviour once they are beyond the control of the licence holder cannot be justified.

#### 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 7

### 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 (1.19).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (2.22) but it is essential that conditions are focused on measures within the direct control of the licence holder

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 (2.24).

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.

# Appendix 8

### 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 9

### **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 10

## Appendix 10

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

(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