

# Appendix 1

**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.

We, Tobacco Dock Limited apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and 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**

Tobacco Dock, 50 Porters Walk, London			
Post town	London	Post code	E1W 2SF
Telephone number at premises (if any)	[REDACTED]		
Non-domestic rateable value of premises	£125000.00		

**Part 2 – Applicant Details**

Please state whether you are applying for a premises licence as

- |   |                                     |
|---|-------------------------------------|
|   | Please tick ✓ yes                   |
| a) An individual or individuals   | <input type="checkbox"/>            |
| b) A person other than an individual  | <input type="checkbox"/>            |
| i. as a limited company   | <input checked="" type="checkbox"/> |
| ii. as a partnership  | <input type="checkbox"/>            |
| iii. as an unincorporated association or  | <input type="checkbox"/>            |
| iv. other (for example a statutory corporation)   | <input type="checkbox"/>            |
| c) a recognised club  | <input type="checkbox"/>            |
| d) a charity  | <input type="checkbox"/>            |
| e) the proprietor of an educational establishment   | <input type="checkbox"/>            |
| f) Health Service Body  | <input type="checkbox"/>            |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  | <input type="checkbox"/>            |
| ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/>            |
| h) The Chief Officer of police of a police force in England & Wales   | <input type="checkbox"/>            |



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

- |   |                                     |
|---|-------------------------------------|
|   | Please tick yes                     |
| I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or | <input checked="" type="checkbox"/> |
| I am making the application pursuant to a   |                                     |
| a statutory function or   | <input type="checkbox"/>            |
| a function discharged by virtue of Her Majesty's prerogative  | <input type="checkbox"/>            |

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

If an individual or 1 of 2 applicants is applying ie, Area manager, Manager, Assistant Manager, details in the box

Mr/Mrs/Miss/Miss or other	
Surname	First Names
I am 18 years old or over	<input type="checkbox"/>
Current address if different from premises address	
Post Town	
Daytime contact number	
E-mail address (optional)	

Second applicants details ie Area manager, Manager, Assistant Manager, details in the box

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr/Mrs/Miss/Miss or other	
Surname	First Names
I am 18 years old or over	<input type="checkbox"/> Yes
Current address if different from premises address	
Post Town	Post Code
Daytime contact number	
E-mail address (optional)	

**(B) OTHER APPLICANTS**

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

Name	<b>Tobacco Dock Limited</b>
Address	[REDACTED]
Company registered number	[REDACTED]
Description of applicant (for example partnership, company, unincorporated association etc.)	<b>Limited Company</b>
Telephone number (if any)	[REDACTED]
Email address (optional)	[REDACTED]

**PART A3 - Operating Schedule**

When do you want the premises licence to start?

Day	Month	Year
as soon as possible		

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

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

Not Applicable

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

Premises over two levels which has distinct rooms and spaces and two ships on the ornamental quay which can be hired for corporate events, conferences and exhibitions and similar uses which are either private events to which the public have no access or events which are for general public access.

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)  | <input type="checkbox"/>            |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/>            |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/>            |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>            |
| e) live music (if ticking yes, fill in box E)   | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)  | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

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

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

In all cases complete boxes K, L and M.

**A**

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

**B**

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

**C**

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

**D**

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

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 (please read guidance note 2)	Indoors	✓
				Outdoors	
				Both	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details</b> (please read guidance note 3)		
Mon	10.00	01:00			
Tue	10.00	01:00			
Wed	10.00	01:00	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Thur	10.00	01:00			
Fri	10.00	01:00			
Sat	10.00	01:00	<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sun	10.00	01:00			
Until 02:00 for maximum 25 occasions in a calendar year.					

**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 (please read guidance note 2)	Indoors	✓
				Outdoors	
				Both	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details</b> (please read guidance note 3)		
Mon	10.00	01:00			
Tue	10.00	01:00			
Wed	10.00	01:00	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Thur	10.00	01:00			
Fri	10.00	01:00			
Sat	10.00	01:00	<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sun	10.00	01:00			
Until 02:00 for maximum 25 occasions in a calendar year.					

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	✓
				Outdoors	
				Both	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details</b> (please read guidance note 3)		
Mon	10.00	01:00			
Tue	10.00	01:00			
Wed	10.00	01:00	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Thur	10.00	01:00			
Fri	10.00	01:00			
<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column</b>					

Sat	10.00	01:00	<b><u>on the left, please list</u></b> (please read guidance note 5)  Until 02:00 for maximum 25 occasions in a calendar year.
Sun	10.00	01:00	

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</b>			<b><u>Please give a description of the type of entertainment you will be providing.</u></b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	✓
Mon	10.00	01:00		Outdoors	
Tue	10.00	01:00	<b><u>Please give further details</u></b> (please read guidance note 3)	Both	
Wed	10.00	01:00			
Thur	10.00	01:00			
Fri	10.00	01:00	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)		
Sat	10.00	01:00	<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</u></b>  Until 02:00 for maximum 25 occasions in a calendar year.		
Sun	10.00	01:00			

**I**

<b>Late night refreshment Standard days and timings (please read guidance note 6)</b>			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	✓
<b>Day</b>	<b>Start</b>	<b>Finish</b>		Outdoors	
Mon	23:00	01:00	<b><u>Please give further details</u></b> (please read guidance note 3)  Supply of hot food and/or hot drink	Both	
Tue	23:00	01:00			
Wed	23:00	01:00			
Thur	23:00	01:00	<b><u>State any seasonal variations for provision of late night refreshment</u></b> (please read guidance note 4)		
Fri	23:00	01:00	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat	23:00	01:00			
Sun	23:00	01:00	Until 02:00 for maximum 25 occasions in a calendar year.		

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (please read guidance note 7)	On the premises	
				Off the premises	
				Both	✓
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Mon	10.00	01:00			
Tue	10.00	01:00			
Wed	10.00	01:00			
Thur	10.00	01:00	<b>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</b> (please read guidance note 5)		
Fri	10.00	01:00			
Sat	10.00	01:00	Until 02:00 for maximum 25 occasions in a calendar year.		
Sun	10.00	01:00			

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

Name \_\_\_\_\_

Address \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Postcode \_\_\_\_\_

Personal Licence Number (if known) \_\_\_\_\_

Issuing licensing authority (if known) \_\_\_\_\_

K

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

\_\_\_\_\_

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)		
Day	Start	Finish			
Mon	08:00	01:30			
Tue	08:00	01:30			
Wed	08:00	01:30	<b>Non standard timings. Where you intend the premises to be open at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Thur	08:00	01:30			
Fri	08:00	01:30			
Sat	08:00	01:30	Until 02:30 for maximum 25 occasions in a calendar year.		
Sun	08:00	01:30			



## M

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

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

The layout plan for this unusual premises identifies the specific areas within which it is intended to carry out licensable activities. There will be no permanent licensed facility on site. The premises will be available to be hired for special events and each event will be unique in terms of the number of patrons using the premises, what licensable activities are intended for the event and the time at which those licensable activities take place.

Each event requires the licence holder to carry out a number of risk assessments to ensure the licensing objectives are promoted and that local residents do not incur noise nuisance from the events. In the past a premises licence or Temporary Event Notices have been granted for specific events and the purpose of this application is to avoid future applications being made and giving greater control of the licensed events to the venue's operator.

Licensable activities are permitted until 2am on no more than 25 occasions in any calendar year.

### **The prevention of crime and disorder**

CCTV is provided. Data will be kept for a minimum of 31 days after any event and access will be given to the Metropolitan Police immediately upon request.

All events including the details of the Hirer, number of patrons attending, licensable activities provided and hours of licensable activities, together with a layout plan will be notified to the Licensing Authority, police and Environmental Health Officer at least 14 days before the event takes place, unless otherwise agreed by the Metropolitan police and Environmental Health Officer.

The level of security personnel is assessed for each event and appropriate levels of SIA security will be employed for those events where it is deemed necessary, taking account of the nature of the event, licensable activities taking place, number of persons attending and hours for which licensable activities are taking place.

Patrons will not be permitted to take alcohol away from the premises in open containers.

### **Public safety**

Appropriate Fire and other event-related Risk assessments are carried out for the events as well as adopting a policy for dispersal of the patrons.

**The prevention of public nuisance**

Patrons are not permitted to consume alcohol on the quayside after 9pm.

Licensable activities on either of the two ships will cease at 9pm other than the lower deck of the ship which connects to the Tobacco Dock building.

A noise assessment has been carried out. Noise from amplified music and speech as measured in a free field position in Discovery Walk representative of noise sensitive properties shall not exceed 46dBA Leq between 11pm and 2am measured over a 5 minute period or 56dBA Leq between the hours of 10am and 11pm over a 15 minute period

Notices will be displayed advising patrons to leave quietly and where practicable via the Pennington Street car park away from residential dwellings as much as possible. Temporary taxi ranks will be set-up by the event organiser in this car park to prevent crowds and associated noise causing public nuisance on the corner of Wapping Lane and The Highway

**The protection of children from harm**

A Challenge 25 policy will be adopted.

I have made or enclosed payment of the fee

Please tick yes



I have enclosed the plan of the premises



I have sent copies of this application and the plan to responsible authorities and others where applicable



I have enclosed the consent form completed by the individual I wish to be 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.



**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.**

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

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	27.6.2013

Capacity	Solicitors and agents for the applicant
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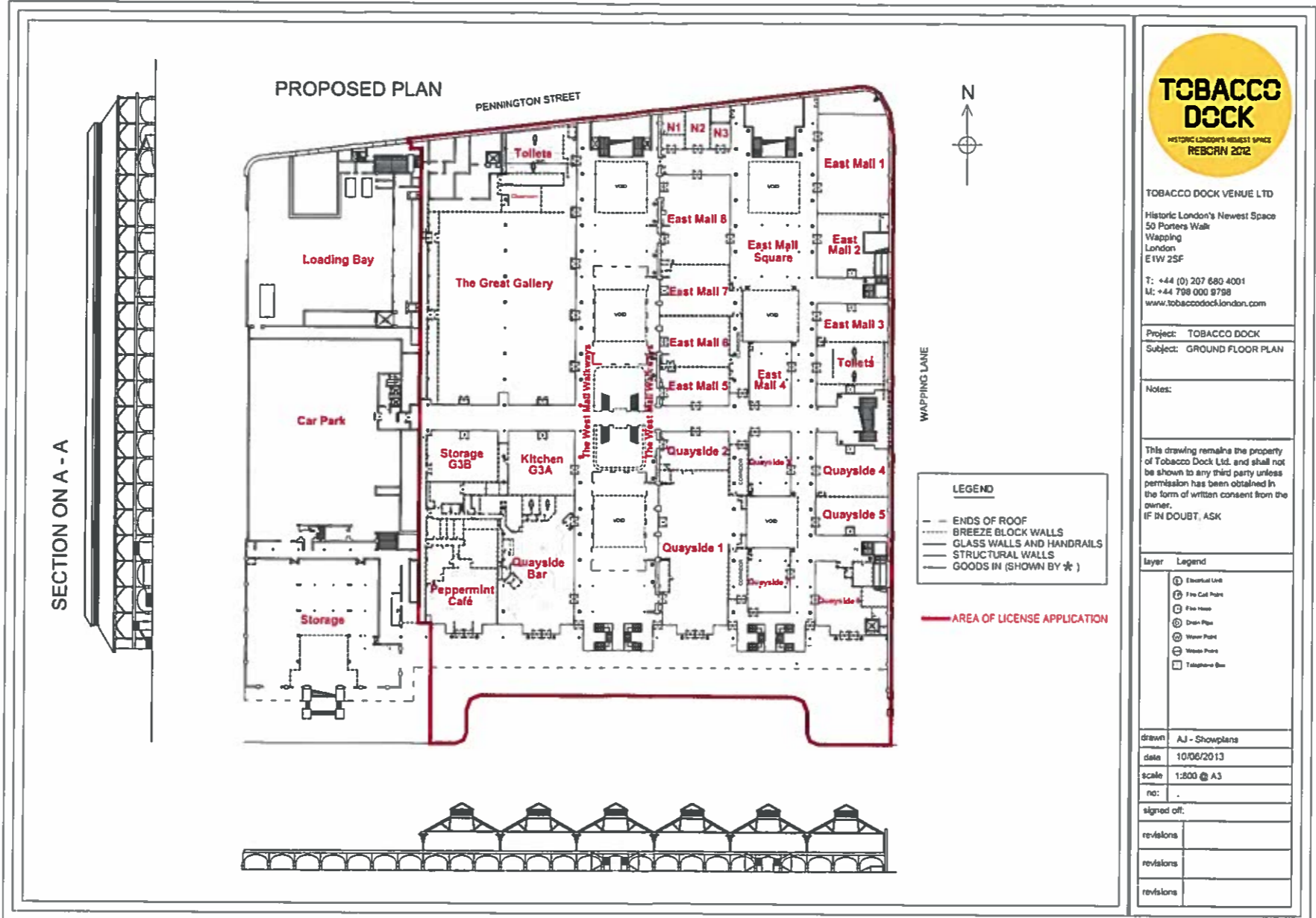
For joint applicants signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's Solicitor or other authorised agent (please read guidance note 12) If signing on behalf of the applicant please state in what capacity

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)			
Blake Laphorn New Kings Court, [REDACTED] [REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]
Telephone number (if any)		Tel: [REDACTED]	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

**Notes for guidance**

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises
2. Where taking place in a building or other structure please tick as appropriate. Indoors may be in a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for days of the week when you intend the premises to be used for the activity
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything 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, the presence of gaming machines
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



TOBACCO DOCK VENUE LTD  
 Historic London's Newest Space  
 50 Porters Walk  
 Wapping  
 London  
 E1W 2SF  
 T: +44 (0) 207 680 4001  
 M: +44 798 000 8798  
 www.tobaccodock.london.com

Project: TOBACCO DOCK  
 Subject: GROUND FLOOR PLAN

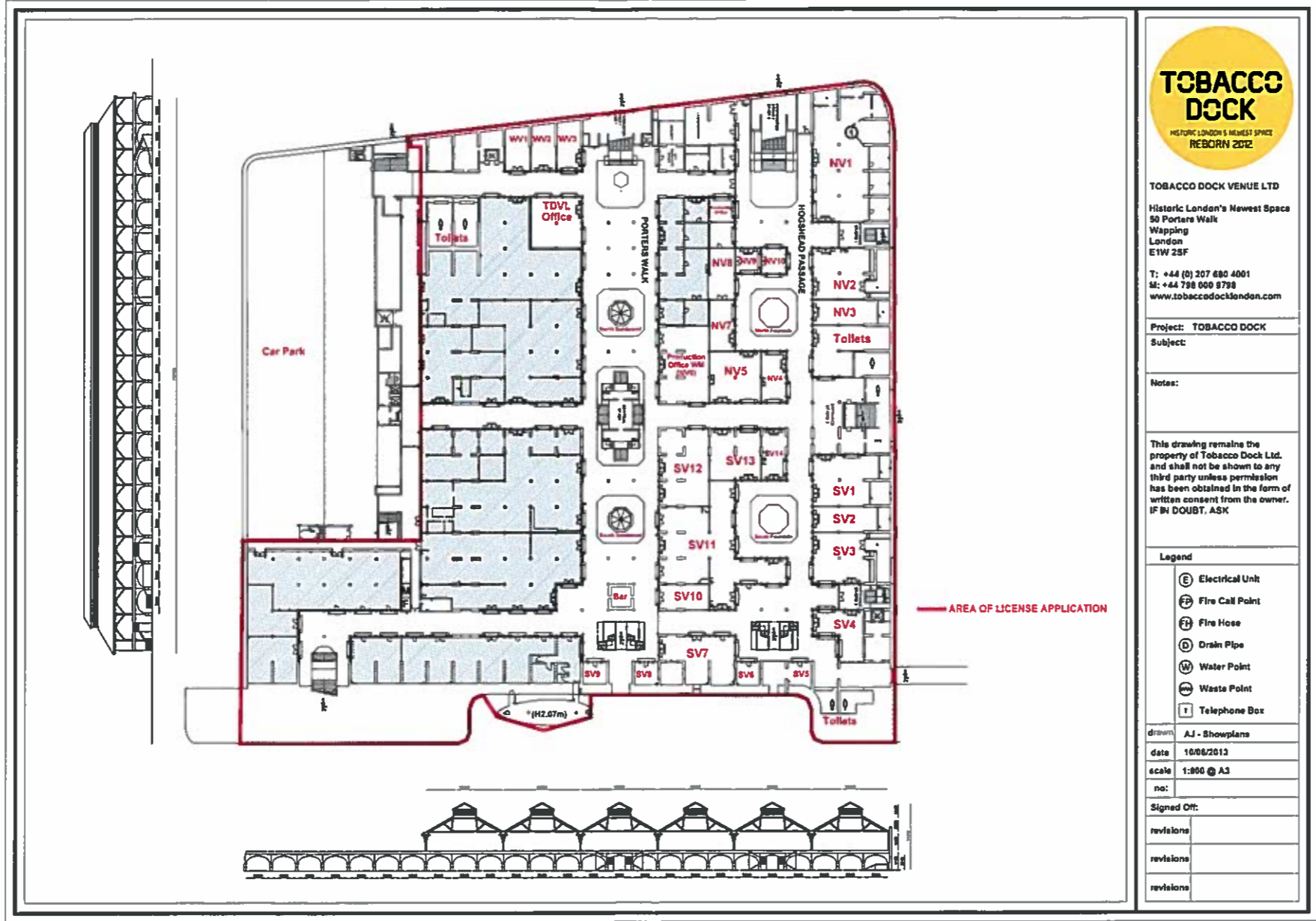
Notes:

This drawing remains the property of Tobacco Dock Ltd. and shall not be shown to any third party unless permission has been obtained in the form of written consent from the owner.  
 IF IN DOUBT, ASK

Layer	Legend
1	Elevator Land
2	Fire Call Point
3	Fire Hose
4	Drain Pipe
5	Water Point
6	Waste Point
7	Telephone Box

drawn	AJ - Showplans
date	10/06/2013
scale	1:500 @ A3
no:	
signed off:	
revisions	
revisions	
revisions	

**LBTH**  
 TRADING STANDARDS  
 28 JUN 2013  
 WAPPING



**TOBACCO DOCK VENUE LTD**  
 Historic London's Newest Space  
 50 Porters Walk  
 Wapping  
 London  
 E1W 2BF  
 T: +44 (0) 207 680 4001  
 S: +44 798 000 8798  
 www.tobaccodocklondon.com

Project: TOBACCO DOCK  
 Subject:

Notes:

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Legend

(E)	Electrical Unit
(F)	Fire Call Point
(H)	Fire Hose
(D)	Drain Pipe
(W)	Water Point
(M)	Waste Point
(T)	Telephone Box

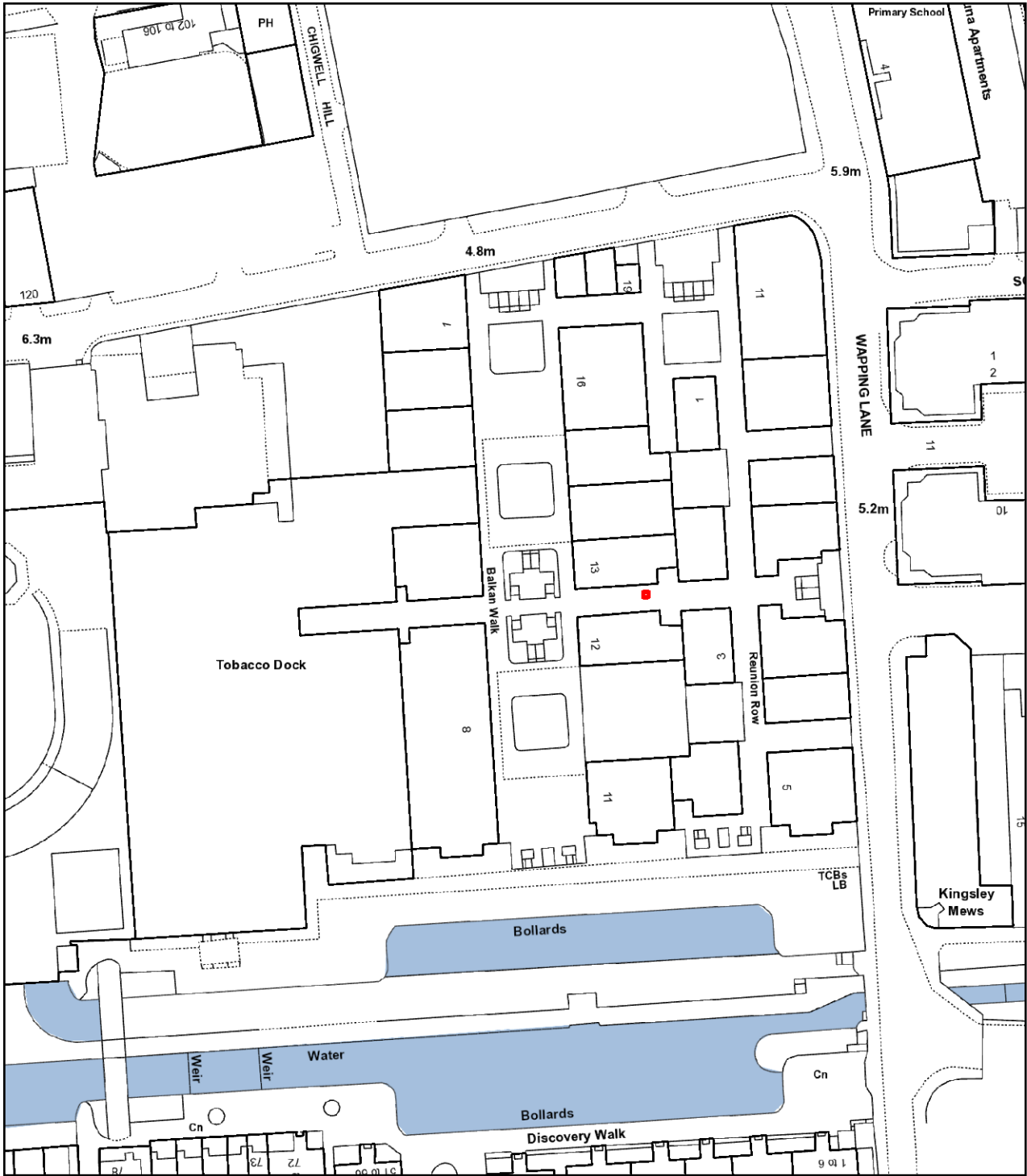
drawn: AJ - Showplans  
 date: 10/06/2013  
 scale: 1:300 @ A3  
 no:

Signed Off:

revisions	
revisions	
revisions	

**LBTH**  
 TRADING STANDARDS  
 28 JUN 2013  
 LICENSING

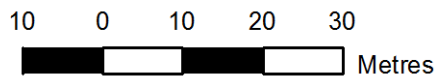
# Appendix 2

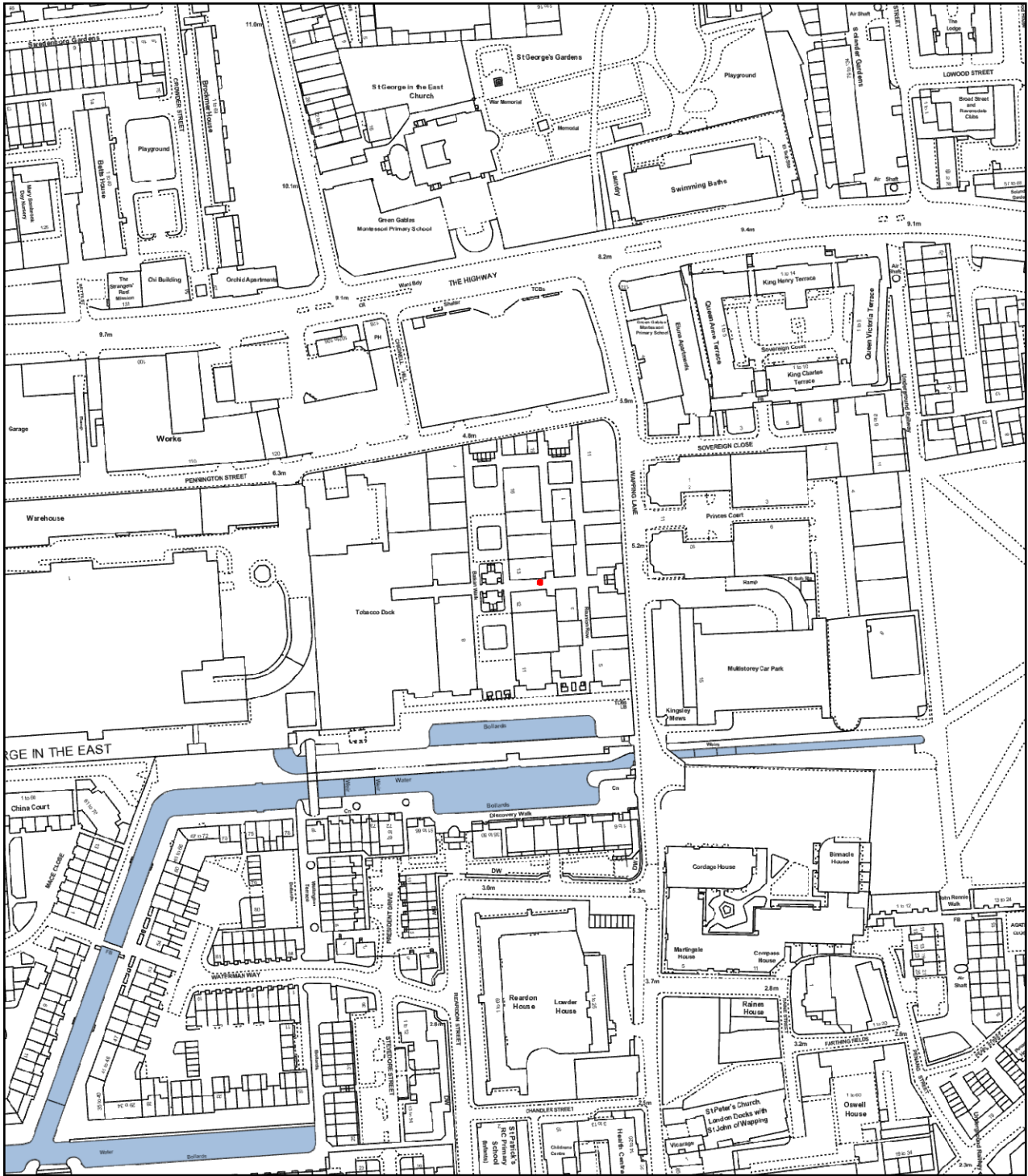


# Tobacco Dock



Scale 1:1153





# Tobacco Dock



Scale 1:2690

20 0 20 40 60

Metres



**TOWER HAMLETS**



# Appendix 3

## Section 182 Advice by the Home Office

Updated June 2013

### Relevant, vexatious and frivolous representations

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

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

- 9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.
- 9.10 Licensing authorities should consider providing advice on their websites about how any person can make representations to them.

# Appendix 4

## Mohshin Ali

---

**From:** Alan.D.Cruickshank@met.pnn.police.uk  
**Sent:** 01 August 2013 07:58  
**To:** [REDACTED]  
**Cc:** Licensing; Ian Wareing  
**Subject:** Tobacco Dock

Dear Licensing

Please see the agreement below re: Tobacco Dock.

Thanks Jon

Best wishes

Alan

---

**From:** Wallsgrave, Jon [REDACTED]  
**Sent:** 31 July 2013 15:10  
**To:** Cruickshank Alan D - HT  
**Subject:** Tobacco Dock

Dear Alan

As promised here are the proposals from my client regarding amendments to the application and agreement to conditions on the basis the police would withdraw their representation against the application.

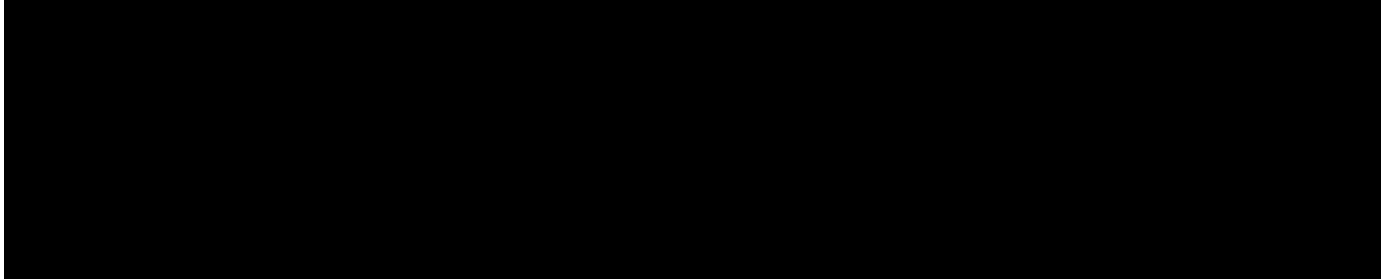
1. Sale of alcohol 10am until 00.30 each day
2. All other licensable activities 10am until 01.00 each day
3. Opening hours 8am until 01.30 each day
4. Non-standard times: 15 occasions in one calendar year all licensable activities extended until 02.00am and opening hours until 02.30am
5. In addition to any conditions imposed by the Local Authority which are consistent with the operating schedule the following conditions are offered:
  - a) A F696 risk assessment to be submitted if there are any outside promoters or DJ's at the venue.
  - b) All events including the details of the Hirer, number of patrons attending, licensable activities provided and hours of licensable activities, together with a layout plan will be notified to the Licensing Authority, police and Environmental Health Officer at least 14 days before the event takes place, unless otherwise agreed by the Metropolitan police and Environmental Health Officer. No licensable activities are permitted other than at a pre-booked event so notified in accordance with this condition.

If this is an acceptable compromise to promote the licensing objectives then I leave you to forward to licensing confirming the same. Thank you for your help in the matter.

Kind Regards

Jon

Jon Wallsgrove  
Partner  
Licensing and Regulatory team



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## Mohshin Ali

---

**From:** Andrew Heron on behalf of Licensing  
**Sent:** 04 September 2013 12:04  
**To:** Mohshin Ali  
**Subject:** FW: Tobacco Dock

---

**From:** Ian Wareing  
**Sent:** 04 September 2013 10:29  
**To:** 'Wallsgrave, Jon'  
**Cc:** Licensing; Simmi Yesmin  
**Subject:** RE: Tobacco Dock

Thanks Jon.

Licensing/Simmi, please note that EH wish to withdraw the representation made against the above application. Conditions below have been agreed and should be added to the Licence if granted.

Regards,

Ian

**Ian Wareing**  
Technical Officer  
Pollution Team  
Environmental Protection  
Environmental Health  
2<sup>nd</sup> Floor  
Gladstone Place Offices  
1 Ewart Place  
London  
E3 5EQ

020 7364 5008

[ian.wareing@towerhamlets.gov.uk](mailto:ian.wareing@towerhamlets.gov.uk)

---

**From:** Wallsgrave, Jon [REDACTED]  
**Sent:** 04 September 2013 10:13  
**To:** Ian Wareing  
**Subject:** RE: Tobacco Dock


Ian I assume you mean this?

Noise from amplified music and speech as measured in a free field position in Discovery Walk representative of noise sensitive properties shall not exceed 46dBA Leq between 11pm and 2am measured over a 5 minute period or 56dBA Leq between the hours of 10am and 11pm over a 15 minute period

This is written into the applications operating schedule and accordingly my client expected it to be a condition. If you could confirm I can then send a letter to the resident today and hopefully avoid the hearing on 17th.

Kind Regards

Jon



---

**From:** Ian Wareing [<mailto:Ian.Wareing@towerhamlets.gov.uk>]  
**Sent:** 04 September 2013 09:58  
**To:** Wallsgrove, Jon  
**Subject:** RE: Tobacco Dock

Jon, I will confirm this with Licensing, but can you add to this email trail the condition of the off-site limits? It does not appear to be here.

Ian

**Ian Wareing**  
Technical Officer  
Pollution Team  
Environmental Protection  
Environmental Health  
2<sup>nd</sup> Floor  
Gladstone Place Offices  
1 Ewart Place  
London  
E3 5EQ

020 7364 5008  
[ian.wareing@towerhamlets.gov.uk](mailto:ian.wareing@towerhamlets.gov.uk)

---

**From:** Wallsgrove, Jon [redacted]  
**Sent:** 02 September 2013 15:24  
**To:** Ian Wareing  
**Cc:** Mohshin Ali  
**Subject:** FW: Tobacco Dock

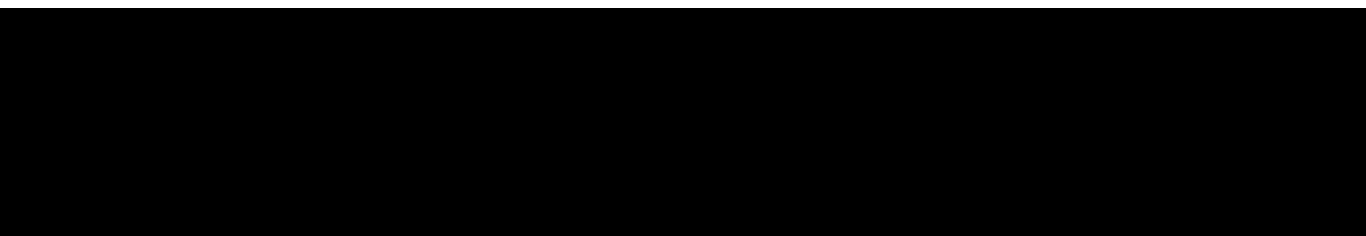
Ian

As below can you confirm that you are withdrawing your representation on the basis of the conditions below. I want to write to the one resident confirming what has been agreed with the police and yourself as I believe this will have a significant bearing on whether she wishes to maintain her representation and thus whether a hearing will be required.

Kind Regards

Jon

Jon Wallsgrove  
Partner  
Licensing and Regulatory team







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**From:** Wallsgrove, Jon  
**Sent:** 22 August 2013 12:15  
**To:** 'Ian.Wareing@towerhamlets.gov.uk'  
**Subject:** Re: Tobacco Dock

Ian, understood.

Can you confirm to licensing please?

Thanks

Jon

Jon Wallsgrove  
Partner  
Licensing and Regulatory team

Sent from my BlackBerry Wireless Handheld

---

**From:** Ian Wareing [<mailto:Ian.Wareing@towerhamlets.gov.uk>]  
**Sent:** Thursday, August 22, 2013 10:54 AM GMT Standard Time  
**To:** Wallsgrove, Jon  
**Subject:** RE: Tobacco Dock

Jon, thank you for this. I am happy with these additional conditions along with the agreed levels set offsite.

I also understand, as I hope your clients do that this is a fluid piece of work at the moment and further conditions may need to be added/removed as the venue begins to take shape.

Kind regards,

Ian

**Ian Wareing**  
Technical Officer  
Pollution Team  
Environmental Protection  
Environmental Health  
2<sup>nd</sup> Floor  
Gladstone Place Offices  
1 Ewart Place  
London  
E3 5EQ

020 7364 5008  
[ian.wareing@towerhamlets.gov.uk](mailto:ian.wareing@towerhamlets.gov.uk)

---

**From:** Wallsgrove, Jon [REDACTED]  
**Sent:** 21 August 2013 17:27  
**To:** Ian Wareing  
**Subject:** Re: Tobacco Dock

Ian

Yes I can confirm they are the recommendations in section 7 of the report. Many have been put in place and others are being put in place. All of course are subject to getting the licence.

All the proposed conditions below would have to be in place before they use the licence in the event a licence is granted.

On that basis I hope you are able to confirm with the below conditions you can withdraw your objection. I can then write to the resident what conditions are agreed.

Jon

Jon Wallsgrove  
Partner  
Licensing and Regulatory team

Sent from my BlackBerry Wireless Handheld

[REDACTED]

**From:** Ian Wareing [<mailto:Ian.Wareing@towerhamlets.gov.uk>]  
**Sent:** Monday, August 19, 2013 11:11 AM GMT Standard Time  
**To:** Wallsgrove, Jon  
**Subject:** RE: Tobacco Dock

Jon, thanks for this. You have stated that your clients are to implement the recommendations, can they confirm that they are the recommendations in the noise report and a timescale as to when they will be undertaken/completed?

Regards,

Ian

**Ian Wareing**  
Technical Officer  
Pollution Team  
Environmental Protection  
Environmental Health  
2<sup>nd</sup> Floor  
Gladstone Place Offices  
1 Ewart Place

---

**From:** Wallsgrove, Jon [REDACTED]  
**Sent:** 15 August 2013 14:23  
**To:** Ian Wareing  
**Subject:** Tobacco Dock

Dear Ian

I have now received my clients instructions. They are going to implement the recommendations. In terms of conditions on the premises licence the wording of the report is not satisfactory as some of it is duplication, some of it lacks clarity. Accordingly I have re-drafted the recommendations into what I think are the appropriate conditions and I trust these are acceptable to you.

I would just mention specifically the "marshalls" mentioned in the report. Adequate marshalling will take place for each event but I do not consider this needs to be a condition of the premises licence and the way it is set out in the report is certainly not appropriate wording. The same is for the windows and doors. With the other conditions limiting the noise the doors and windows can be managed by the operators discretion rather than as a condition.

The condition below will require for every event co-operation with your department on agreeing the noise levels.

1. A telephone number and / or email address should be made available on relevant Tobacco Dock websites for noise complaints. Any noise complaints should be logged and investigated with written records of the details available to view by the local authority. Should any noise complaints be received, and if noise levels are above those specified in the licence conditions, immediate action would be taken to reduce the levels at the noise source. A complaints log should be maintained throughout every event, detailing addresses of complaints, times and actions
  
2. Loudspeakers should be directed inwards as much as possible to reduce overspill from the intended coverage area.
  
3. All plant associated with events (generators, chillers, etc) should be located as far away from noise sensitive locations as possible.
  
4. For music and cinema type events, the sound system should be a Line-array.' The 'line-array' should be carefully designed to be as distributed as possible and include delay speakers in order to provide coverage to smaller areas rather than the entire venue. It should also be directed away from noise sensitive properties.
  
5. For music events beyond 2300hrs the sound control programme that should be followed is detailed below:

### **Sound Control Procedures**

#### **{ Sound Propagation Tests**

Sound propagation tests should be carried out before a major music event with all mitigation measures in place to correlate the sound levels from the event with those at the nearest noise sensitive properties. This will enable any necessary adjustments to be made to the sound system to maximise the containment of music and achieve acceptable levels at the residential locations. A

sound limit should then be set for that event, which would be subject to further reduction as necessary.

The day and times of any sound propagation test will be agreed with the local authority.

### } Sound Monitoring and Control

The noise levels at the residential properties should be regularly checked to ensure they comply with the noise conditions. If off site levels begin to approach the noise limits, noise reductions will be immediately implemented.

In addition to the above, it is recommended that a suitably qualified independent acoustic consultant is employed for the first major music event to ensure that the noise levels do not exceed those specified in the proposed licence conditions.

6. Persons who are travelling to or from the Premises by means of private transport may use the parking facilities which are available next door to the site and away from the public highway. The availability of parking reduces the pressure on on-street parking, and reduces the number of people leaving the Premises having to walk on the public highway.

7. Patrons of the Premises will be provided details of preferred minicab companies.

8. All deliveries and servicing (including waste management servicing) to the Premises are to be carried out internally and accordingly away from the public highway.

9. Bottles used in the Premises will not be disposed of late at night or early in the morning, as such disposal can produce high noise levels and be a potential public nuisance.

10. Where the nature of a function, the number of people attending a function, and the opening and closing times of a function make it appropriate, marshals will marshal and monitor the entrance to and egress from the Premises of those persons attending the Premises. They will also monitor where appropriate the behaviour of persons in the vicinity of the Premises. This will help to achieve orderly arrival and departure of persons, and will help to reduce the risk of nuisance being caused by persons arriving at and leaving the Premises.

11. Where the level of noise in the Premises and the time of day or night make it appropriate, the doors to the Premises will be maintained closed (except in the case of an emergency evacuation) in order to prevent noise breakout from the Premises via open doors.

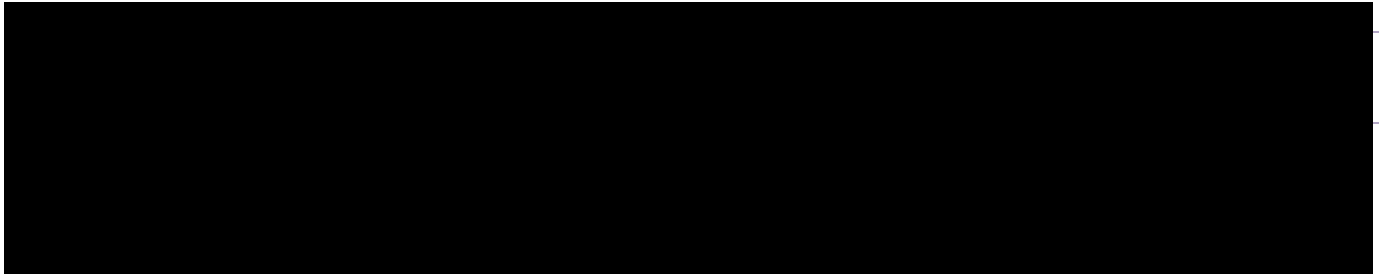
12. The same applies to the windows in the Premises, which should be maintained closed where the level of noise in the Premises and the time of day or night make it appropriate.

13. Noise levels will be specified in the contract conditions with hirers of the Premises to ensure sound levels are maintained within the limits in order to reduce the risk of disturbance. Furthermore, during a function in the Premises, sample noise measurements will be made by a designated person with an approved sound level meter to ensure that the levels are not being breached. Immediate action would be taken to reduce levels if this should arise.

14. In addition to taking measurements, subjective monitoring will be carried out at appropriate times along the nearest sensitive facades. This is to provide a subjective check that all the

measures in place in respect of the Premises are working to prevent public nuisance being caused in connection with the Premises.

Jon Wallsgrove  
Partner  
Licensing and Regulatory team



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# Appendix 4A

## Mohshin Ali

---

**From:** Wallsgrove, Jon [REDACTED]  
**Sent:** 04 September 2013 10:51  
**To:** [REDACTED]  
**Cc:** Mohshin Ali  
**Subject:** Tobacco Dock Licensing application

**Importance:** High

Dear Mr Brook

I am the solicitor acting for Tobacco Dock and write further to your email representation dated 24th July. I wanted to update you on the application and my client's position. Firstly can I just explain that although an application was submitted for activities 7 days a week it is not my clients intention to do so as the venue is going to be hired out for corporate events and public events on a much more infrequent basis. In the past such events have required a premises licence for the specific event or a Temporary Event Notice. The current application removes the burden of numerous applications each year. Thus the 7 days in the application simply gives my client flexibility in taking a booking for any day of the week during the times stated (which have been revised as below). It is not anticipated the premises will have more than 2-3 events per month.

The Local Authority have advised me the matter is listed for a hearing before their Licensing Sub-Committee on 17th September 2013. You are the only person that has made a representation against the application. I thought I would drop you a line to confirm that the police and Environmental Health Officer did have some concerns with the application. My client and I had pre-consulted with both bodies and put submitted an application which we believed addressed those concerns. Subsequently the police and EHO made representations asking my client to consider amendments to the application and some additional conditions.

My client has agreed to the changes and accordingly both the police and EHO have withdrawn their representation. I have attached the application and would ask you to read through paragraph M of the application which sets out the steps my client is going to take to promote the licensing objectives. These steps will be endorsed on the premises licence as conditions. A breach of a condition on the licence is a criminal offence and can of course lead to a review of the premises licence.

In addition to those steps my client has agreed the following:

1. Sale of alcohol will cease at 00.30
2. All other licensable activities will cease at 01.00
3. Opening hours of 8am until 01.30
4. 15 non-standard times per calendar year for all activities until 02.00, closing at 02.30.
5. A F696 risk assessment to be submitted if there are any outside promoters or DJs
6. All events including details of the hirer, number of patrons attending, licensable activities provided and hours together with a layout plan will be notified to the Licensing Authority, police and EHO at least 14 days before the event, unless otherwise agreed with EHO and police.
7. No licensable activities are permitted other than a pre-booked event so notified in accordance with condition 6.

8. A telephone number and / or email address should be made available on relevant Tobacco Dock websites for noise complaints. Any noise complaints should be logged and investigated with written records of the details available to view by the local authority. Should any noise complaints

be received, and if noise levels are above those specified in the licence conditions, immediate action would be taken to reduce the levels at the noise source. A complaints log should be maintained throughout every event, detailing addresses of complaints, times and action

9. Loudspeakers should be directed inwards as much as possible to reduce overspill from the intended coverage area.

10. All plant associated with events (generators, chillers, etc) should be located as far away from noise sensitive locations as possible.

11. For music and cinema type events, the sound system should be a Line-array.' The 'line-array' should be carefully designed to be as distributed as possible and include delay speakers in order to provide coverage to smaller areas rather than the entire venue. It should also be directed away from noise sensitive properties.

12. For music events beyond 2300hrs the sound control programme that should be followed is detailed below:

#### Sound Control Procedures

#### Sound Propagation Tests

Sound propagation tests should be carried out before a major music event with all mitigation measures in place to correlate the sound levels from the event with those at the nearest noise sensitive properties. This will enable any necessary adjustments to be made to the sound system to maximise the containment of music and achieve acceptable levels at the residential locations. A sound limit should then be set for that event, which would be subject to further reduction as necessary. The day and times of any sound propagation test will be agreed with the local authority.

#### Sound Monitoring and Control

The noise levels at the residential properties should be regularly checked to ensure they comply with the noise conditions. If off site levels begin to approach the noise limits, noise reductions will be immediately implemented.

In addition to the above, it is recommended that a suitably qualified independent acoustic consultant is employed for the first major music event to ensure that the noise levels do not exceed those specified in the proposed licence conditions.

13. Persons who are travelling to or from the Premises by means of private transport may use the parking facilities which are available next door to the site and away from the public highway. The availability of parking reduces the pressure on on-street parking, and reduces the number of people leaving the Premises having to walk on the public highway.

14. Patrons of the Premises will be provided details of preferred minicab companies.

15. All deliveries and servicing (including waste management servicing) to the Premises are to be carried out internally and accordingly away from the public highway.

16. Bottles used in the Premises will not be disposed of late at night or early in the morning, as such disposal can produce high noise levels and be a potential public nuisance.



17. Where the nature of a function, the number of people attending a function, and the opening and closing times of a function make it appropriate, marshals will marshal and monitor the entrance to and egress from the Premises of those persons attending the Premises. They will also monitor where appropriate the behaviour of persons in the vicinity of the Premises. This will help to achieve orderly arrival and departure of persons, and will help to reduce the risk of nuisance being caused by persons arriving at and leaving the Premises.

18. Where the level of noise in the Premises and the time of day or night make it appropriate, the doors to the Premises will be maintained closed (except in the case of an emergency evacuation) in order to prevent noise breakout from the Premises via open doors.

19. The same applies to the windows in the Premises, which should be maintained closed where the level of noise in the Premises and the time of day or night make it appropriate.

20. Noise levels will be specified in the contract conditions with hirers of the Premises to ensure sound levels are maintained within the limits in order to reduce the risk of disturbance. Furthermore, during a function in the Premises, sample noise measurements will be made by a designated person with an approved sound level meter to ensure that the levels are not being breached. Immediate action would be taken to reduce levels if this should arise.

21. In addition to taking measurements, subjective monitoring will be carried out at appropriate times along the nearest sensitive facades. This is to provide a subjective check that all the measures in place in respect of the Premises are working to prevent public nuisance being caused in connection with the Premises.

22. Noise from amplified music and speech as measured in a free field position in Discovery Walk representative of noise sensitive properties shall not exceed 46dBA Leq between 11pm and 2am measured over a 5 minute period or 56dBA Leq between the hours of 10am and 11pm over a 15 minute period

I would also like to mention (as I will be addressing the Councillors on these points and thought it fair to give you the head's up) that in a licensing application the Committee are obliged to attach great weight to the view of the police, though I accept this may not extend to issues of noise. I will also invite them to attach weight to the view of the Environmental Health Officer who has assessed that the above conditions in place will prevent noise nuisance.

I do not know how familiar you are with licensing law and I apologise if I am about to set out matters which you already know, but for the sake of completeness... I will also address the Committee on the balance between the interests of businesses and residents and the fact that the power of reviewing a licence allows a Council to grant a licence knowing swift action can be taken against irresponsible operators. An application for a review can be brought by any person and following a 28 day consultation period there is a hearing, just as there is for a new licence. The Council then have power to revoke or suspend the licence, or change the licence in any way (e.g. removing activities, changing the times, adding/removing conditions).

As I said earlier each of the conditions agreed with the police and EHO must be complied with and breach is a very serious matter, an offence punishable with a fine and/or imprisonment.

I hope I have set out my clients position fully but if you do have any questions on the above please let me know. If there are any remaining concerns you have then please let me know what they are as my client may be able to provide further re-assurance.

It may well be the case that in light of the above you take a different view on your representation and that the conditions meet your concerns. If it did I would ask that you confirm by email to Mr Ali (cc'd) and myself that you will withdraw your representation and that a hearing is not required. There is much work for Mr Ali to do in preparation for the hearing and I am sure he will appreciate it if you could email us both one way or another as soon as possible.

Yours Sincerely

Jon Wallsgrove  
Partner  
Licensing and Regulatory team



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## Mohshin Ali

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**From:** Wallsgrove, Jon [REDACTED]  
**Sent:** 04 September 2013 11:00  
**To:** [REDACTED]  
**Cc:** Mohshin Ali  
**Subject:** RE: Tobacco Dock Licensing application

Apologies here is the relevant section of the application form to I refer to:

**M**

**Describe the steps that you intend to take in order to promote the four licensing objectives:**

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

The layout plan for this unusual premises identifies the specific areas within which it is intended to carry out licensable activities. There will be no permanent licensed facility on site. The premises will be available to be hired for special events and each event will be unique in terms of the number of patrons using the premises, what licensable activities are intended for the event and the time at which those licensable activities take place.

Each event requires the licence holder to carry out a number of risk assessments to ensure the licensing objectives are promoted and that local residents do not incur noise nuisance from the events. In the past a premises licence or Temporary Event Notices have been granted for specific events and the purpose of this application is to avoid future applications being made and giving greater control of the licensed events to the venue's operator.

Licensable activities are permitted until 2am on no more than 25 occasions in any calendar year **(NB now reduced to 15)**

**The prevention of crime and disorder**

CCTV is provided. Data will be kept for a minimum of 31 days after any event and access will be given to the Metropolitan Police immediately upon request.

All events including the details of the Hirer, number of patrons attending, licensable activities provided and hours of licensable activities, together with a layout plan will be notified to the Licensing Authority, police and Environmental Health Officer at least 14 days before the event takes place, unless otherwise agreed by the Metropolitan police and Environmental Health Officer.

The level of security personnel is assessed for each event and appropriate levels of SIA security will be employed for those events where it is deemed necessary, taking account of the nature of the event, licensable activities taking place, number of persons attending and hours for which licensable activities are taking place.

Patrons will not be permitted to take alcohol away from the premises in open containers.

**Public safety**

Appropriate Fire and other event-related Risk assessments are carried out for the events as well as adopting a policy for dispersal of the patrons.

**The prevention of public nuisance**

Patrons are not permitted to consume alcohol on the quayside after 9pm.

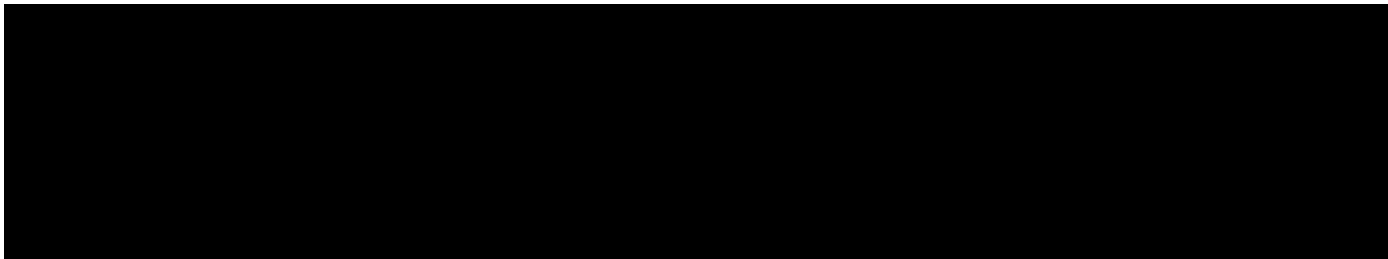
Licensable activities on either of the two ships will cease at 9pm other than the lower deck of the ship which connects to the Tobacco Dock building.

A noise assessment has been carried out. Noise from amplified music and speech as measured in a free field position in Discovery Walk representative of noise sensitive properties shall not exceed 46dBA Leq between 11pm and 2am measured over a 5 minute period or 56dBA Leq between the hours of 10am and 11pm over a 15 minute period

Notices will be displayed advising patrons to leave quietly and where practicable via the Pennington Street car park away from residential dwellings as much as possible. Temporary taxi ranks will be set-up by the event organiser in this car park to prevent crowds and associated noise causing public nuisance on the corner of Wapping Lane and The Highway

**The protection of children from harm**

A Challenge 25 policy will be adopted.



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# Appendix 5

## Mohshin Ali

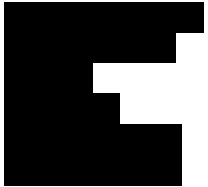
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**From:** Andrew Heron on behalf of Licensing  
**Sent:** 24 July 2013 12:42  
**To:** Mohshin Ali  
**Subject:** FW: Licensing Application Tobacco Dock

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**From:** [REDACTED]  
**Sent:** 24 July 2013 10:51  
**To:** Licensing  
**Subject:** Licensing Application Tobacco Dock

Leslie Brook



Hello,

I live adjacent to Tobacco Dock and have seen the notice they have posted regarding an application to serve alcohol up to 2:00am on 25 days a year.

I strongly object to this. Living so close, whenever Tobacco Dock host a late night event we suffer from the noise and disturbance. People urinating in doorways, shouting and leaving litter. Coaches or fleets of taxis queuing in the street with engines running. Loud music etc. I have 2 children of school age 5 & 10 and mid week events are just unfair on them, and even at weekends we have a right to undisturbed sleep.

I hope you decline their application.

Regards,

Leslie Brook

# Appendix 6

## 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**).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 12.4**).

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 12.5**).

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 Sections 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 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):

- 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 (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 (1.17).

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.37) 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 (2.39).

### 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 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 Section 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**).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 12.4**).

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 12.5**)

The Council has adopted a set of framework hours (**See 12.8 of the licensing policy**). This relates to potential disturbance caused by late night trading.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Pool 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 (1.17).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (2.37) but it is essential that conditions are focused on measures within the direct control of the licence holder” (2.39).

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 (2.37).

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. (2.39)

# Appendix 8

## 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 (10.41).

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 9

## 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 Pool 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).

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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 (10.41).

*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 (1.17).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (2.37) but it is essential that conditions are focused on measures within the direct control of the licence holder” (2.39). Conditions relating to behaviour once they are beyond the control of the licence holder cannot be justified. (2.37)

### 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 10

## **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 or 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 11

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

(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

(see 12.9 of the licensing policy)