

# Appendix 1

[Insert name and address of relevant licensing authority and its reference number (optional).]

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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

You may wish to keep a copy of the completed form for your records.

I/We Square Pie Ltd

*(Insert name(s) of applicant)*

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

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
Square Pie 105c Commercial Street			
Post town	London	Postcode	E1 6BG

Telephone number at premises (if any)		LBTH TRADING STANDARDS 24 JUL 2013
Non-domestic rateable value of premises	£33,500	

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
- i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)

LICENSING

- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

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

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a  
 statutory function or   
 a function discharged by virtue of Her Majesty's prerogative

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

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town			Postcode		
Daytime contact telephone number					
E-mail address (optional)					

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone 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 the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Square Pie Ltd
Address  Spitfire Gate, 105C Commercial Street, Old Spitalfield London E1 6BG
Registered number (where applicable) 03605922
Description of applicant (for example, partnership, company, unincorporated association etc.)  company
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
2	2	0 8 2 0 1 3

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

D	MM	YYYY

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

Food business with provision for ancillary alcohol sales.

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

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What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

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

**Provision of 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

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)			
Mon						
Tue						
Wed			<b><u>State any seasonal variations for performing plays</u></b> (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</u></b> (please read guidance note 5)			
Sat						
Sun						

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<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					
			<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)		
Wed					
Thur					
Fri					
Sat					
Sun					

C

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



**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 4)		
Tue					
			<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)		
Wed					
Thur					
Fri					
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur					
Fri			<b><u>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</u></b> (please read guidance note 5)		
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Wed					
Thur			<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)		
Fri					
Sat					
Sun					

# G

Performances of dance 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	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Thur					
Fri			<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 on the left, please list</b> (please read guidance note 5)		
Sat					
Sun					

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed					
Thur			<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)		
Fri					
Sat			<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</u></b> (please read guidance note 5)		
Sun					

**I**

<b>Late night refreshment</b> 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</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)		
Tue					
			<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)		
Wed					
Thur					
Fri					
Sat					
Sun					

**J**

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – <u>please tick</u> (please read guidance note 7)	On the premises	
				Off the premises	
Day	Start	Finish		Both	[✓]
Mon	10.00	22.00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Tue	10.00	22.00			
Wed	10.00	22.00			
Thur	10.00	22.00	<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	22.00			
Sat	10.00	22.00			
Sun	10.00	22.00			

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

Name Monika Adamova	
Address 142c Shooters Hill London	
Postcode	SE3 8RN
Personal licence number (if known) MK 00085413	
Issuing licensing authority (if known) Milton Keynes	

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	10.00	22.00	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5)
Tue	10.00	22.00	
Wed	10.00	22.00	
Thur	10.00	22.00	
Fri	10.00	22.00	
Sat	10.00	22.00	
Sun	10.00	22.00	



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

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

Any alcohol sold for consumption off the premises shall be in sealed containers only  
Any alcohol sold for consumption on the premises shall be sold as an ancillary to food and consumed at the tables within the premises demise.

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

CCTV will be provided in accordance with the requirements of the Police.

**c) Public safety**

Health and safety risk assessments will be undertaken and all staff shall be trained therein

**d) The prevention of public nuisance**

**e) The protection of children from harm**

A Challenge 25 Programme shall be in place to ensure there is no supply of alcohol to children. All staff shall receive appropriate training in the programme.

**Checklist:**


**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. [✓]
- I have enclosed the plan of the premises. [✓]
- I have sent copies of this application and the plan to responsible authorities and others where applicable. [✓]
- I have enclosed the consent form completed by the individual I wish to be designated 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 SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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	24-7-13
Capacity	Solicitors for applicant

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

Signature	
Date	
Capacity	

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

Craig Baylis  
BLP  
Adelaide House  
London Bridge

Post town	London	Postcode	EC4R 9HA
Telephone number (if any)	0203 400 2326		

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)  
craig.baylis@blplaw.com

### 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 include 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 the 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 the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or 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, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Consent of individual to being specified as premises supervisor

I MONIKA ADAMOVA  
[full name of prospective premises supervisor]

of 142 C SHOOTERS HILL ROAD,  
BLACKHEATH, LONDON, SE3 8RN

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

NEW PREMISES LICENCE [type of application]

by SQUARE PIE LTD. [name of applicant]

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

for SQUARE PIE SPITNFIELDS MARKET  
105c COMMERCIAL STREET  
LONDON E1 6BG

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made

by SQUARE PIE LTD [name of applicant]

concerning the supply of alcohol at SQUARE PIE  
SPITNFIELDS MARKET 105c COMMERCIAL ST.  
LONDON E1 6BG

[name and address of premises to which application relates].

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

Personal licence number MK00085413  
[insert personal licence number, if any]

Personal licence issuing authority MILTON KEYNES  
[insert name and address and telephone number of personal licence issuing authority, if any]

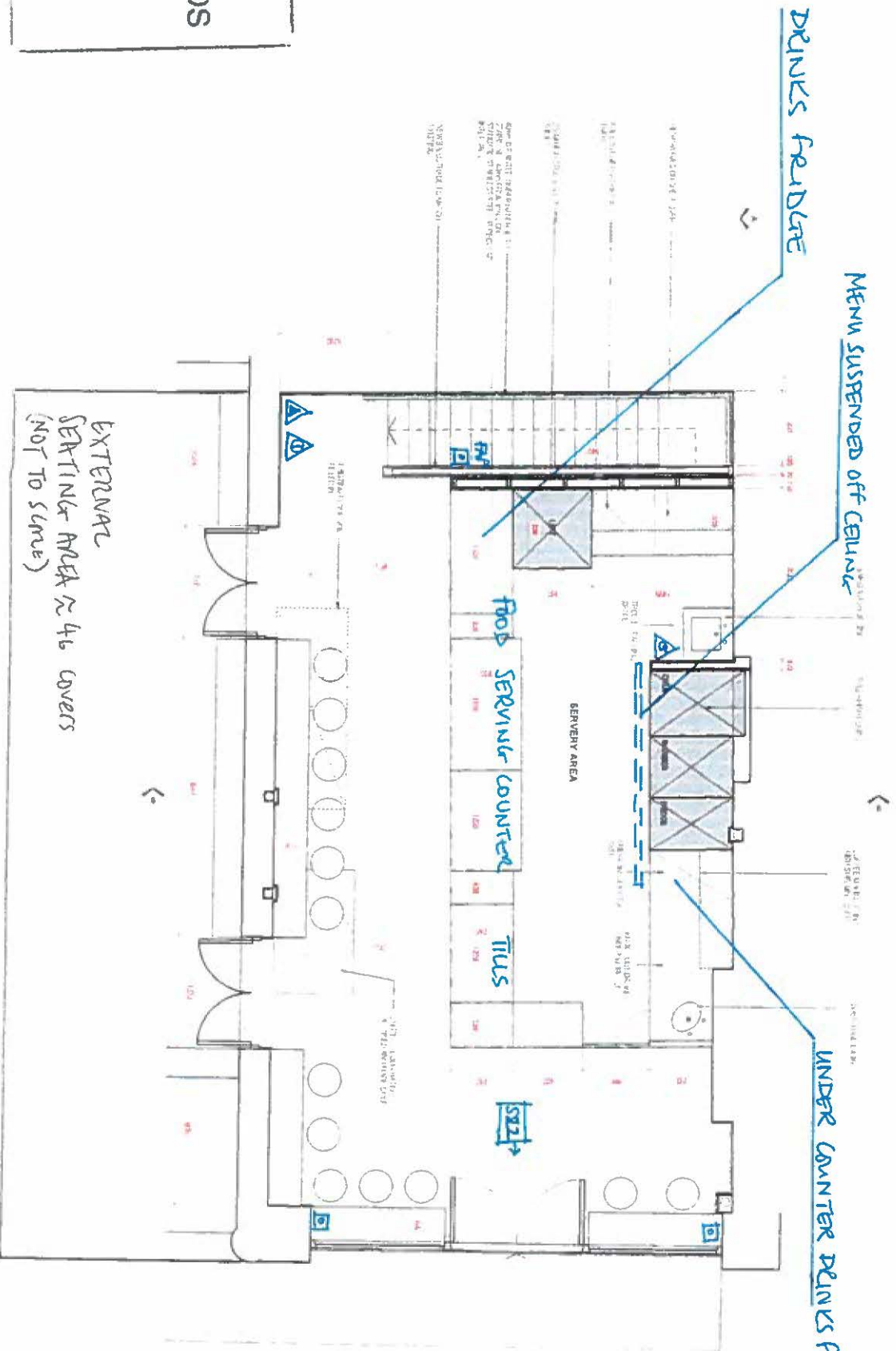
 signed

M. ADAMOVA name (please print)

23/7/13 dated



**LBTH**  
**TRADING STANDARDS**  
 24 JUL 2013  
**LICENSING**



DRINKS FRIDGE

MENU SUSPENDED OFF CEILING

FOOD SERVICE COUNTER

TILLS

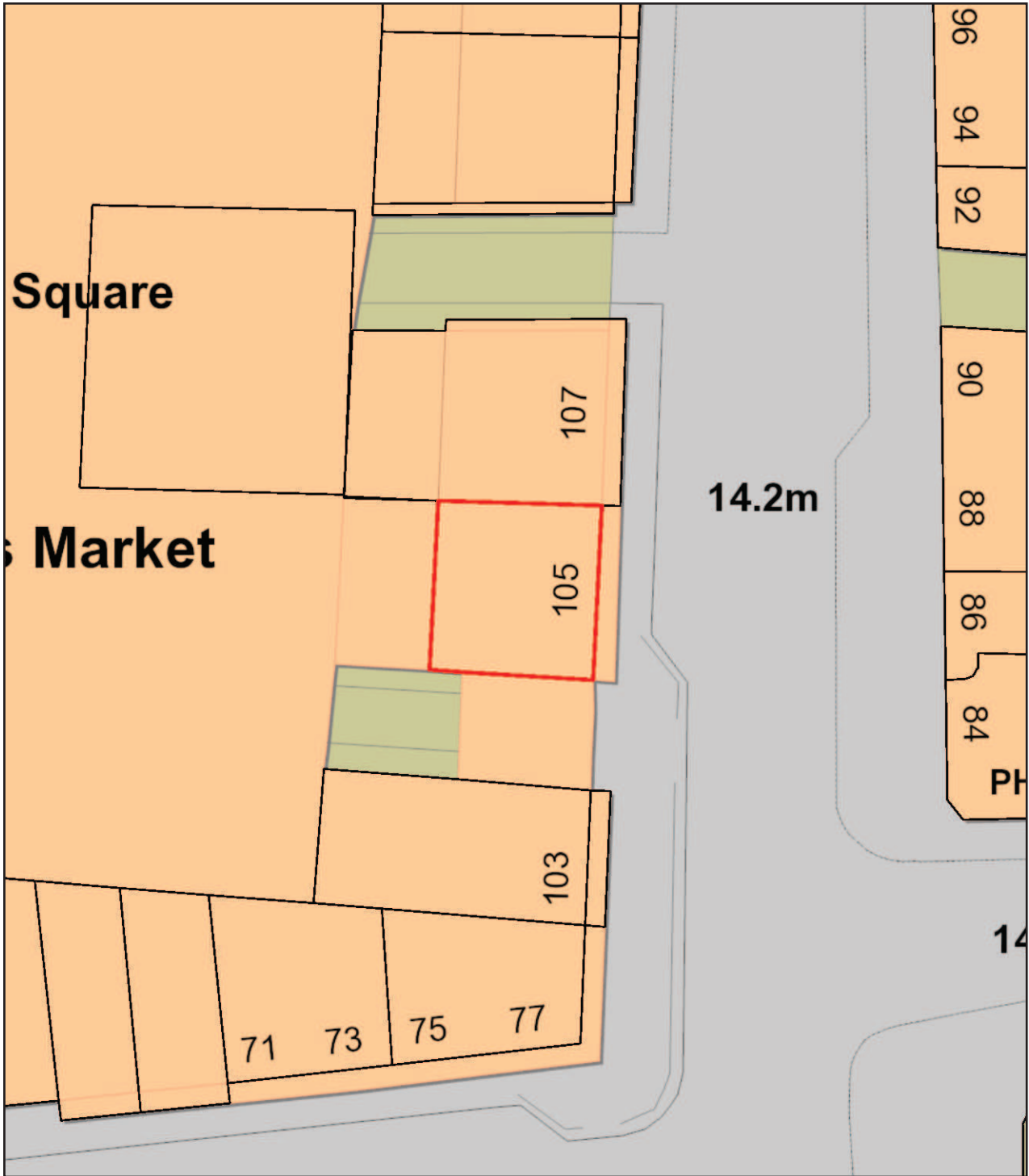
UNDER COUNTER DRINKS FRIDGE

EXTERNAL SEATING AREA ~ 46 covers (NOT TO SCALE)

- LEGEND**
- F&P Fire Alarm Panel
  - ☐ Manual Fire Call Point
  - ▲ CO2 Extinguisher
  - ▲ Water Extinguisher
  - ⊠ Fire Blanket
  - ☞ Fire Escape Signage

DATE	REV	DESCRIPTION
<p><b>ALTMAN SOUTHERN SHOPPERS</b>                  10 The Mall, London E1 1BB                  020 7553 1111</p> <p><b>PROJECT:</b>                  BRISLITE F&amp;P DETAIL/FIELD MARKET, LONDON</p> <p><b>PROPOSED:</b>                  SHOPS/FLOOR GENERAL ARRANGEMENT</p> <p><b>P01</b></p> <p>D 3397 13/06/13 01                  13/06/13 200</p>		

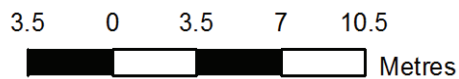
# Appendix 2

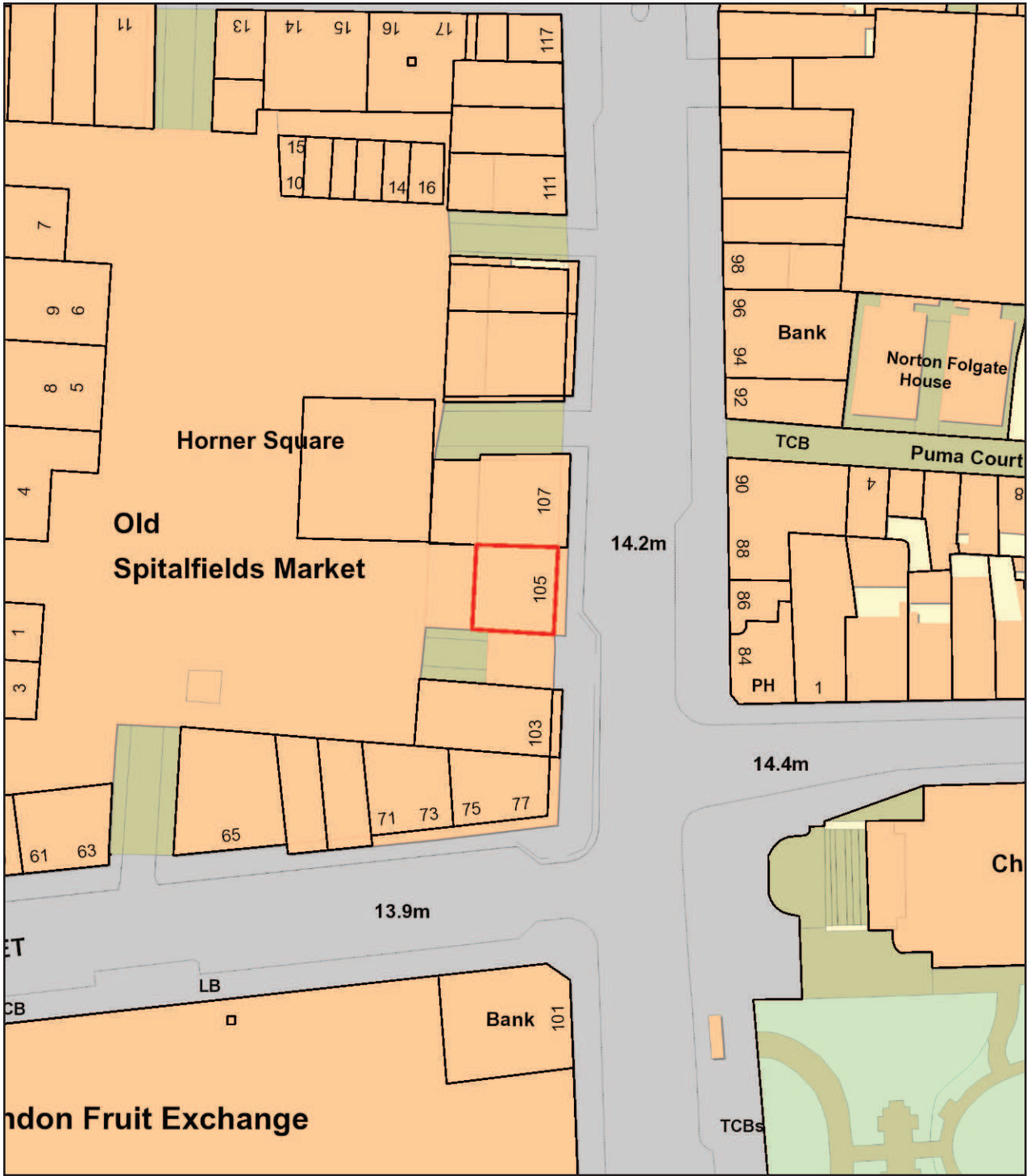


## 105c Commercial Street Map 1



Scale 1:384

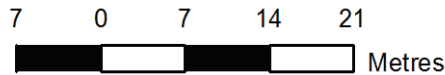




## 105c Commercial Street Map 2



Scale 1:769





# Appendix 3

### Section 182 Advice by the Home Office

Updated October 2012

#### Relevant, vexatious and frivolous representations

- 9.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. 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

## Andrew Heron

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**From:** [REDACTED]  
**Sent:** 14 August 2013 17:03  
**To:** Andrew Heron  
**Cc:** licensiing@towerehamlets.gov.uk

Sent from Windows Mail

Dear Andrew Heron

Re: Square Pie Restaurant  
105c Commercial St E1 6BG

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Regarding the license application for the above premises, The Spitalfields Market Residents' Association fully support the objections sent by our members who live above.

Collectively, Market residents are subjected to noise and disturbance from various eating establishments which are in close proximity to our homes, and this is exacerbated by alcohol consumption. We class this noise as a public nuisance and it also harms the children of families living above by having their sleep disturbed.

We urge you to reject this application as granting additional alcohol licenses within the Market would only increase our problems.

Yours faithfully,

Mike Myers

Chair: SMRA [REDACTED]

# Appendix 5

## Andrew Heron

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**From:** Mohshin Ali on behalf of Licensing  
**Sent:** 16 August 2013 13:02  
**To:** Andrew Heron  
**Subject:** FW: application for an alcohol licence for Square Pie, 105c Commercial St, E1 6BG

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**From:** Spitalfields Community Group [REDACTED]  
**Sent:** 16 August 2013 10:07  
**To:** Licensing  
**Subject:** Re: application for an alcohol licence for Square Pie, 105c Commercial St, E1 6BG

Dear Sir/Madam,

Spitalfields Community Group objects to the above licence application.

Spitalfields Community Group (SCG) was formed in 2011 with the aim of promoting and protecting the quality of life of people living and working in the ward of Spitalfields and Banglatown. We have over 200 members and are growing. Our most recent survey, which we undertook to identify priorities for action, highlighted the growing problems faced by locals as a result of the existing dense concentration of licensed premises in the area, exacerbating the negative impact on us of the night time economy.

Local residents constantly suffer from the effects of the night-time economy in Spitalfields. This includes, but is not limited to, excess noise, urination, vomiting, acts of vandalism, and other forms of anti-social behaviour. A particular problem is the 'street drinking' culture, whereby people sit on residential streets with alcohol bought from off-licenses and food from takeaway establishments drinking late into the night. Our concern is that customers from Square Pie might take their takeaway food and alcohol onto the surrounding streets and further disturb the amenity of local residents, especially those that live above Spitalfields Market.

We therefore ask that you reject the application.

Should, however, you feel minded to accept the application, we ask that you place these additional conditions on the licence:

- alcohol only to be sold with food
- further restrictions on the hours of sale of alcohol
- no off-sales of alcohol with or without food

Many thanks for your help in this.

Matthew Piper  
for and on behalf of SCG  
c/o

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

# Appendix 6



## Andrew Heron

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**From:** Adam STANHOPE [REDACTED]  
**Sent:** 19 August 2013 20:58  
**To:** Kathy Driver  
**Cc:** Licensing  
**Subject:** 105c Commercial Street

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

To whom it may concern

Square Pie 105c Commercial Street application to sell alcohol.

I am writing to object to this application. I understand that the licence is for 'On' sales only between 11am and 9pm Monday to Sunday.

[REDACTED]

At present the Square Pie is open until 8 O'clock in the evening (see their website <http://www.squarepie.com/>). We have ongoing noise issues with the premises, these are just acceptable in the daytime, but less so at night when the children go to bed usually between 7.30 and 8pm. One of children's bedroom windows looks down on the entrance to the Square Pie so there will be more noise and latter as, for example the music they play is often very audible through our flats.

The application to serve alcohol till 9 means the Square Pie will now be open to 9.30/10pm. This will be very damaging & harmful to our children. Even more so as alcohol is involved which, as we know, from experience does encourage noisy behaviour. Much of the Square Pie seating is actually in the market which is below our kitchen and balcony so we have very first hand experience on the noise impact it makes.

The second issue is toilets. We have extreme problems with street urination, vomiting and other usual side effects of alcohol consumption. I do not believe that the Square Pie has any toilet facilities, so given what goes in comes out, where is the call of nature going to be answered. This will increase to the general public nuisance and specifically around the market gate we live above.

Another issue we have with the Square Pie is that it's kitchen ducts pass through our flat inside one of the old chimney flues. There is residual noise in one of our children's bedrooms - if this continues later into the night as the license suggests this will be a further problem.

I would request that this application be turned down on the ground of prevention of public nuisance and for the protection of children from harm. Both of these are important to us. This is a residential area with many families and children living here.

It is fact often overlooked. We were here before the Square Pie and don't see why it should be allowed, for it's benefit alone, to degrade our area.

Adam Stanhope

# Appendix 7


13 August 2013

John McCrohan  
Trading Standards & Licensing Services Manager  
Licensing Section  
Mulberry Place  
PO Box 55739  
5 Clove Crescent  
London E14 1BY

Dear Mr. McCrohan

**Re Square Pie, 105c Commercial St, London E1 6BG**

I refer to your letter of 31 July 2013 informing us that an application has been received from the Square Pie for a licence to sell alcohol up until 10.00pm

I live directly above the Square Pie, and would strongly object to the sale of alcohol at these premises. Any of the premises with an outdoor space in the market that sell alcohol become loud and noisy as we have every day experience of.

At present the Square Pie close at about 5.30pm or 6.00pm, because most of their custom is at lunch time and also presumably because they do not sell alcohol. I could envisage it becoming a late night venue for people from the local pubs (Ten Bells and Golden Heart) coming across the road for pies after they have had a few drinks and then also able to continue drinking.

In addition to the noise (which carries upwards easily), there will be the continued smell of the pies being heated up until 10.00pm which although is tolerated during the day because most of the custom is just around lunch time, to have this smell continued throughout the evening would be intolerable.

Please pass on my objections to the appropriate licensing committee and if you require any further clarification, please do not hesitate to contact me.

Yours faithfully,

Pamela Mossman

Cc: [Kathy.driver@towerhamlets.gov.uk](mailto:Kathy.driver@towerhamlets.gov.uk)

Cc: [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

# Appendix 8

## Appendix 8

### Anti-Social Behaviour 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 Poll of Conditions relating to Crime and Disorder. (**See Appendix 2 Annex D of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- 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 9

## Appendix 9

### Anti-Social Behaviour from Patrons Leaving the Premises

#### General Advice

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

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

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

#### Licensing Policy

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

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Sections 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 Poll of Conditions relating to Crime and Disorder. (**See Appendix 2 Annex D of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

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

## Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However, the process for this involves wide consultation and cannot come from representations about a particular application. (**See Section 6 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 (13.20).

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, but can relate to 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, police liaison, no glasses are all relevant (s.2.7-2.11).

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

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

Licence conditions should not duplicate other legislation (1.16).

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

## 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

## Appendix 10

### 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 12.1**).

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 12.4**).

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 Poll of Conditions relating to Crime and Disorder. (**See Appendix 2 Annex D of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a "beer garden", or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).

- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly
- Conditions controlling the use of explosives, pyrotechnics and fireworks
- Conditions controlling the placing of refuse
- Conditions controlling noxious smells
- Conditions controlling lighting (this needs to be balanced against potential crime prevention benefits)

### Police Powers

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

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

The 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)

Any conditions should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues. (2.20)

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.22) 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.

### 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 11

### 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.

Egress only is referred to-if necessary access can be added or substituted in.

#### 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 12.10**).

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 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 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).

Any conditions should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues. (2.20)

Measures can include ensuring the safe departure of customers, these can include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.22) 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.

# Appendix 12

## Appendix 12

### Noxious smells or light pollution

#### General Advice

Members need to be satisfied that any problems cannot be adequately addressed by existing legislation. Conditions must relate proportionately to the licensable activity. Thus for example, a café that is emitting noxious smells does so whether or not it is permitted to open past 23 00 hrs.

Any nuisance from bright lights needs to be balanced against potential crime and disorder benefits from bright lights.

#### Other Legislation

##### The Environmental Protection Act 1990

Part 111 of the Act gives Environmental Health Officers the power to deal with statutory nuisances including smells

Planning legislation may restrict external lighting.

# Appendix 13

### Noise Leakage from the Premises

#### General Advice

Extending hours may bring issues about noise leakage to the fore, as many premises are close to residential properties (or even sometimes commercial).

The obvious areas for Members to consider, if they believe there is a problem and it is proportionate to consider conditions are:

- Can internal works, actions or equipment reduce the noise leakage
- Does the problem justify curtailing the activities that are licensed. If Members are minded to do this they must ensure conditions are clear and readily enforceable. For example “Jazz Music Only” is not capable of legal definition and is unenforceable.
- Does the problem justify limiting the hours or place of particular activities. For example “no music in the beer garden at any time and no music past 22:30hrs” although the premises can stay open until 01:00hrs.

Members also need to bear in mind the statutory exemptions under the Act (see below).

#### Licensing Policy

The Licensing Authority expects applicants to have sought advice and to be able to explain how they will address problems. **(See Sections 8. 1-2)**, especially where a negative impact is likely on local residents or businesses **(See 12.1 for core licensing hours)**.

The Licensing Policy recognises that staggered hours can make a positive contribution to alcohol related issues but that consideration will be given to imposing stricter conditions in respect of noise control where premises are close to residents. **(See 12.4)**.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Pool of Conditions relating to public nuisance. **(See Appendix 2 Annex G of the Licensing Policy)**. In particular Members may wish to consider the following: (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 be 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

### Police Powers

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

### Licensing Act 2003

Schedule 1 Part 2 states that entertainment in churches, morris dancing and accompanying music if live and unamplified and incidental music are not licensable activities-that is no conditions can be set for them.

Section 177, (1) and (2) of the Act provides that where a premises (or club) is licensed for alcohol consumption on the premises and is primarily thus used, and the permitted capacity does not exceed 200 additional conditions relating to the music should only relate to public safety or the prevention of crime (or both). That is they should not relate to any “noise nuisance.”

Section 177 (4) provides that where a premises licence (or club) has a capacity of not more than 200 and the only music is unamplified live music between 08:00hrs and midnight, no additional conditions should be set relating to the music.

Section 177 can be disapplied on a licence review if it is proportionate to do so.

### Public Nuisance Guidance issued under Section 182 of the Licensing Act 2003

The Licensing Policy has adopted the recommended Pool of Conditions (13.20).

The prevention of the public nuisance could include low level nuisance, perhaps affecting a few people living locally (2.33). Licence conditions should not duplicate other legislation (1.16).

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

It may be appropriate to require take-aways to provide litter bins. (2.40).

### Other Legislation

Environmental Health Officers have extensive powers under the Environmental Protection Act 1990 to control a noise nuisance, including a power of immediate closure.