

# Appendix 1



FOR OFFICE USE			
Receipt No:	FEE REQUIRED:	Date:	Initials:
On-Line Payment Ref:			

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

On-Line payments can be made at:

[http://www.towerhamlets.gov.uk/content\\_pages/pay\\_it.aspx](http://www.towerhamlets.gov.uk/content_pages/pay_it.aspx)

Or alternatively from <http://www.towerhamlets.gov.uk/> under 'Online Services'

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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

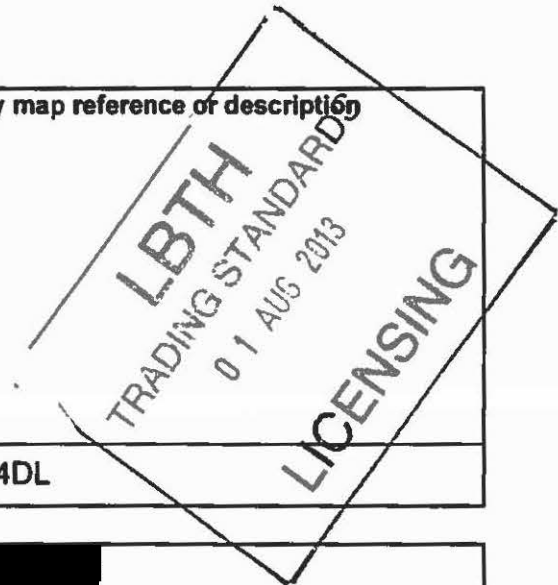
Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep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

I/We (insert name(s) of applicant) Mr SAHIN AHMED

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	
ORIGINAL TASTE 74 BOW ROAD	
Post town	LONDON
Post code	E3 4DL



Telephone number at premises (if any)

Non-domestic rateable value of premises

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

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

Please tick as appropriate

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

Surname

SAHIN

First names

AHMED

I am 18 years old or over

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  Mrs  Miss  Ms  Other title   
(for example, Rev)

Surname

First names

I am 18 years old or over

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

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day	Month	Year
01	10	2013

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

Day	Month	Year

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

--

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

**TAKE AWAY AND EAT IN - GROUND FLOOR CORNERING PROPERTY**

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 all that apply |
|--|----------------------------|
| 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 type="checkbox"/>   |
| f) recorded music (if ticking yes, fill in box F)  | <input type="checkbox"/>   |
| g) performances of dance (if ticking yes, fill in box G)   | <input type="checkbox"/>   |
| h) anything of a similar description to that falling within (e), (f) or (g)<br>(if ticking yes, fill in box H) | <input type="checkbox"/>   |

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



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



**In all cases complete boxes K, L and M**

**A**

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

**B**

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

**C**

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

**D**

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

**H**

Anything of a similar description to that falling within (e), (f) or (g) 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	
Mon			Please give further details here (please read guidance note 3)
Tue			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Wed			
Thur			
Fri			
			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

<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 (Y) (please read guidance note 2)</b>	Indoors				
Day	Start	Finish		Outdoors				
Mon	2300	2400		Both	<input checked="" type="checkbox"/>			
Tue	2300	2400		<b>TAKE AWAY &amp; RESTAURANT</b>				
Wed	2300	2400	<b>NONE</b>					
Thur	2300	2400				<b>NONE</b>		
Fri	2300	2400	<b>NONE</b>					
Sat	2300	2400						
Sun	2300	2400				<b>NONE</b>		
			<b>NONE</b>					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick (Y) (please read guidance note 7)</b>	On the premises										
Day	Start	Finish		Off the premises										
Mon				Both										
Tue				<b>Please give further details here (please read guidance)</b>										
Wed			<b>State any seasonal variations for the supply of alcohol (please read guidance note 4)</b>											
Thur						<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 (please read guidance note 5)</b>								
Fri			<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 (please read guidance note 5)</b>											
Sat									<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 (please read guidance note 5)</b>					
Sun												<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 (please read guidance note 5)</b>		
						<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 (please read guidance note 5)</b>								

**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)**

NONE

**L**

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)	
Day	Start	Finish		
Mon	1100	2400	NONE	
Tue	1100	2400		
Wed	1100	2400		
Thur	1100	2400		Non standard timings. Where you intend to the premises to be open at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri	1100	2400		
Sat	1100	2400		
Sun	1100	2400		

**M**

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

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

- MAXIMUM PERSONS TO BE ALLOWED AT ANY ONE TIME INCLUDING STAFF WOULD BE 20 PEOPLE
- TO CLOSE AT 2400HRS MONDAY TO SUNDAY
- INCREASED SUPERVISION BY MANAGEMENT & STAFF INCLUDING THROUGH THE AID OF CCTV
- MAKING SURE NOISE & DISTURBANCE IS KEPT TO A MINIMUM

b) The prevention of crime and disorder

- CCTV SYSTEM IS TO BE MAINTAINED IN WORKING ORDER AND RECORDINGS KEPT FOR AT LEAST 12 MONTHS
- INCREASED SUPERVISION BY MANAGEMENT & STAFF TO PREVENT INTOXICATED PATRONS FROM ENTERING THE PREMISES
- EXTRA VIGILANCE BY MANAGEMENT & STAFF TO ASSURE PREVENTION OF VIOLENCE AND ANTI-SOCIAL BEHAVIOUR
- WARNING SIGNS INFORMING PATRONS OF CCTV SURVEILANCE

c) Public safety

- PROVISION OF FIRE EXTINGUISHERS, FIRE BLANKETS, EXIT SIGNS, EMERGENCY LIGHTING, SMOKE DETECTORS, SURVEILANCE AND FIRE SAFETY RISK ASSESSMENT BY MANAGEMENT
- FIRE EXIT DOORS TO BE KEPT LOCKED-OPEN DURING OPENING HOURS
- CCTV SURVEILANCE

**d) The prevention of public nuisance**

- A COMPLAINTS REGISTER TO BE HELD ON THE PREMISES TO RECORD DETAILS OF ANY COMPLAINTS RECEIVED FROM NEIGHBOURS FOR INSPECTION BY THE COUNCIL OFFICERS
- SIGNS TO BE DISPLAYED INSTRUCTING PATRONS TO RESPECT THE NEIGHBOURS AND TO BEHAVE IN A COURTEOUS MANNER
- COLLECTION OF LITTER OUTSIDE OF THE PREMISES AND ANY LITTER TO BE CLEARED WHEN NECESSARY

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

- MANAGEMENT & STAFF TO ENSURE THAT CHILDREN ARE ACCOMPANIED BY GUARDIANS/ADULTS
- MANAGEMENT & STAFF TO ENSURE THAT ANY CHILDREN ARE KEPT OUT OF HARMS WAY
- CHILDREN TO BE ALLOWED IN DINING AREA ONLY UNLESS PASSING FROM ONE PLACE TO ANOTHER

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

**CHECKLIST:**

**Please tick to indicate agreement**

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

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

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

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

Signature    **DIRECT PLANNING LIMITED**

---

Date            **01/08/2013**

---

Capacity       **AGENT**

---

**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)**

**MR ALEX MARTIN**  
[REDACTED]  
[REDACTED]

**Post town**    **ORPINGTON**

**Post code**    **BR5 3NH**

**Telephone number (if any)**    [REDACTED]

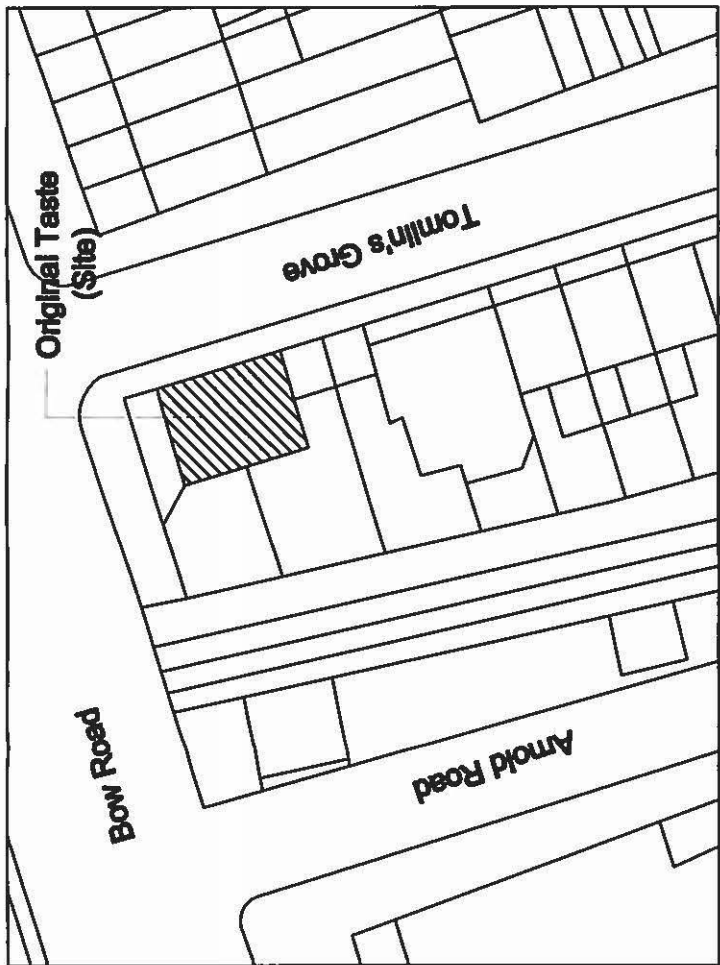
**if you would prefer us to correspond with you by e-mail your e-mail address (optional)**

**E** [REDACTED]

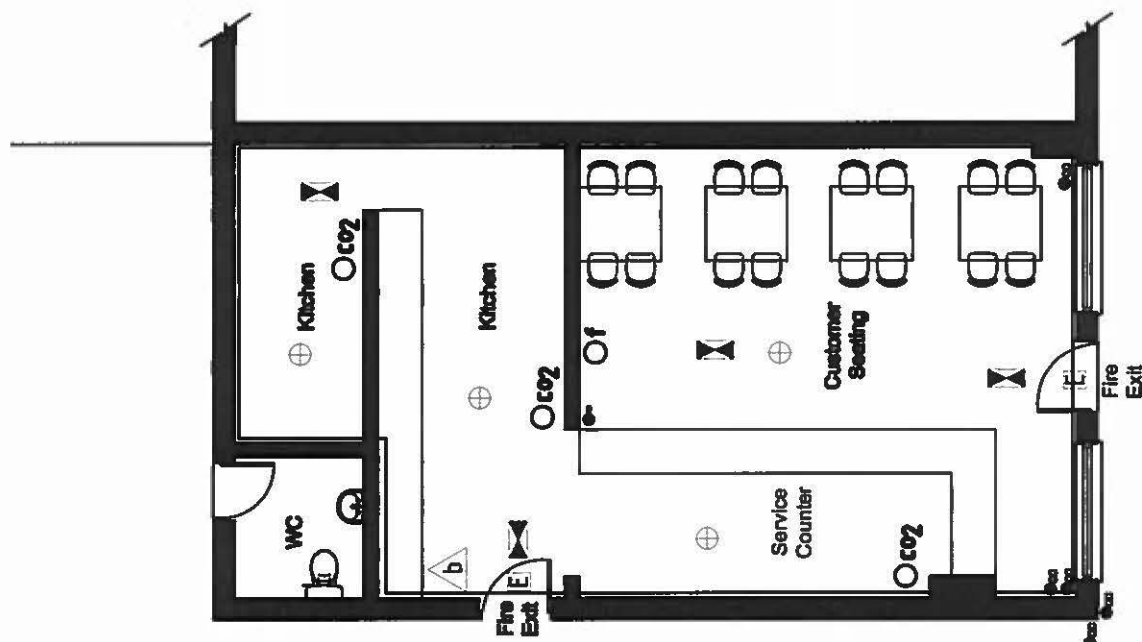


**General Notes:**

1. Dimensions should not be scaled from the drawings where accuracy is essential.
2. Details dimensions and levels to be checked on site by builder prior to commencement of works. Any works commenced prior to all necessary local authority approvals are entirely at the risk of the owner & builder.
3. Structural details are subject to exposure of existing construction and verification by L.A. Surveyor and any necessary revised details are to be agreed with the L.A. Surveyor prior to carrying out the affected works.
4. All materials are to be used in accordance with the manufacturers' guidelines and all relevant British Standards Codes of Practice & Regulation 7 of Building Regs.
5. All works are to be carried out in accordance with Local Authority requirements.
6. The intended works fall within the Party Wall Act 1986 and any adjoining owners affected must be notified prior to commencement of any works.
7. Thames Water Authority permission to be obtained if building over or adjacent to sewers within 3 metres. (Tel: 08459 200 800)
8. No part of the extension to project into adjoining boundary lines.



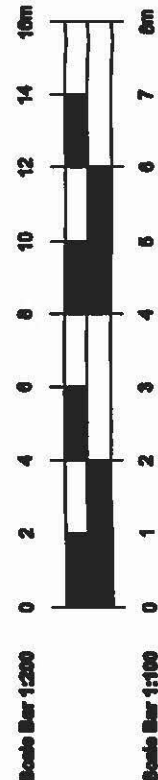
**Block Plan 1:500**



**Existing Ground Floor Plan**

**LEGEND**

E	EMERGENCY EXIT SIGN
IE	ILLUMINATED EMERGENCY EXIT SIGN
⊗	EMERGENCY LIGHT
OC02	CARBON DIOXIDE FIRE EXTINGUISHER
OF	FOAM FIRE EXTINGUISHER
⊕	SMOKE/FIRE ALARM
b	FIRE BLANKET
●cc	CCTV



When printing off pdf drawings, it is the responsibility of the user to verify that the resulting prints are to scale on the appropriate sized sheet. Also the scale bar on the plan measure correctly.



**Direct Planning Ltd.**

Town Planners & Architects Est. 1989  
01689 875 900

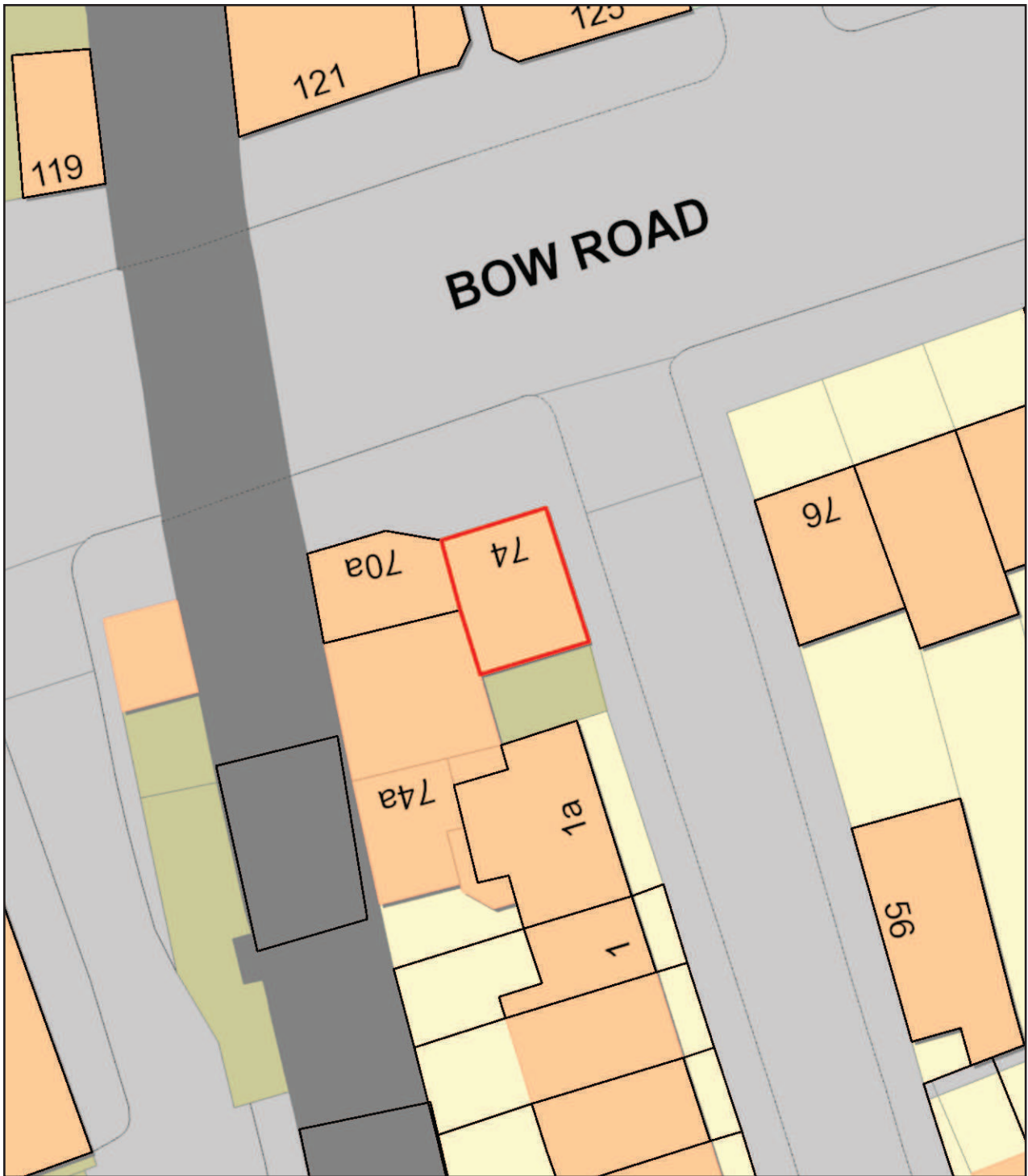
**Client:**  
**Mr & Mrs Ahmed**

**Project:**  
**Original Taste,  
74 Bow Road,  
London, E3 4DL**

**Title:**  
**Premises Licence**

**Drawn:** Heidi Richardson  
**Drawing No.** DP/2028/PP - 02  
**Scale:** 1:100/800 & A3  
**Date:** July 2013

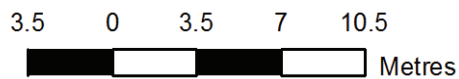
# Appendix 2



## 74 Bow Road - Map 1



Scale 1:384

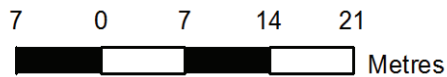




## 74 Bow Road - Map 2



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



17/08/2013

Gavin Hallier  
[REDACTED]  
[REDACTED]  
[REDACTED]



FAO:

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

**EXTENDED LICENSING APPLICATION for ORIGINAL TASE, 74 BOW ROAD,  
LONDON E3 4DL (corner of Tomlins Grove).**

Dear Mr McCrohan,

We, the undersigned, being residents of [REDACTED] do formally object to the requested extended licensing application (extended opening hours) for ORIGINAL TASTE, 74 BOW ROAD, LONDON. E3 4DL.

We base this objection on the following: DETRIMENTAL ENVIRONMENTAL HEALTH

1. Increased noise pollution adversely affecting the residents of Tomlins Grove:

Currently, with Original Taste closing at 11PM, residents already suffer adversely from the business. This is due to patrons of the business gathering on the road until late at night after buying refreshments from the establishment and this leading to anti social noise for residents who are trying to sleep. We believe that an extension of the opening hours would only exacerbate this and would lead to a further deterioration in quality of life for residents of Tomlins Grove.

In addition, extended licensing hours would leave to the further noise pollution from the business itself, namely in terms of staff from the business delivering directly to patrons in their cars on Tomlins Grove and using trolleys to do so. Also, when the business itself closes, it takes at least one extra hour for staff to clear up the business (including disposal of rubbish outside) all of this adding to noise pollution.

2. Increased litter:

Patrons of ORIGINAL TASTE already create litter issues for residents of Tomlins Grove through the disposal of packaging from the establishment. Even with two weekly council sweeps, the street continually suffers from litter, much of it ORIGINAL TASTE packaging. An extension to the trading hours of ORIGINAL TASTE would only encourage a further accumulation of rubbish, to the detriment of residents of Tomlins Grove.

Yours faithfully,

Gavin Hallier

Kat Bell

Tom Habibi

Ion Cepelando

Patrick O'Connor

Elizabeth Buntt

S A ROLLS -

Tom Taylor -

Melanie Raines

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

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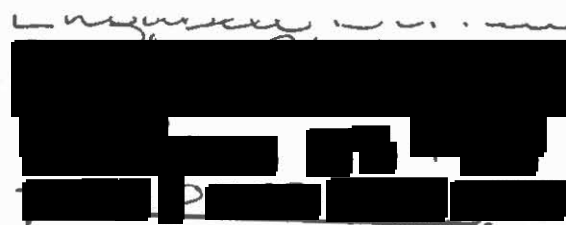
[Redacted]

Sue Patton



# Appendix 5

David Tolley  
John McErohan  
Kathy Driver  
Licensing Section  
Mulberry Place (AH)  
5 Elvess Crescent  
London E.14 1BY



**LBTH**  
TRADING STANDARDS  
19 AUG 2013  
**LICENSING**

15th August 2013

Dear Sir/Madam,

RE: Licensing Act 2003 and Original Taste, 74 Bow Road, London E3 4DL

Extension of hours from 11pm-12 daily

I wish to object most strongly to the above planning application.

This outlet is NOT an amenity to Tomlin's Grove and the surrounding area on several counts -

**RUBBISH** - It is clearly the main source of litter. Discarded half eaten food, cans and containers, bones and plastic bags are strewn the length of Tomlin's Grove and have to be removed on a daily basis to which I'm sure the street cleaners will attest. This is particularly the case with school children returning home after 3pm on weekdays.

**CARS** - However it is the influx of cars with whole families juggling for parking spaces in the evenings, the doors banging and the impatient horns, which rile. It amazes me that these cars are full of children and this questionable "food" is their evening meal. So much for Tower Hamlets addressing obesity and malnutrition!

**NOISE** -

**SMELL** - As a resident, within 25 yds of this establishment, there is nothing quite like opening the front door to the putrid stench of rancid fat - no fresh air here!!

The inhabitants of Tomlin's Grove are entitled to Peace & Quiet and cleanliness and we have not had this since 'Original Taste' moved in, in 2005. We deserve better.

Yours Faithfully  
David Tolley



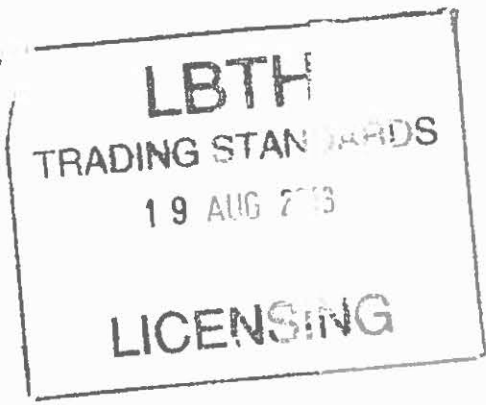
I am enclosing my previous letter of 20th August 2012, as all points are still relevant, however I do notice that some large delivery vans now park on Bow Road, blocking the Blue Cycle Path.

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20th Aug. 12



Re -

Application Number: PA/12/00957  
PA/06/01517

LPRN: 6147617

Dear Mr Bell.

Re - Location: 74 Bow Road, London, E3 4DL  
Proposal: Variation of condition 3, (opening times), of Planning Permission dated 28 September 2006.  
Ref: PA/06/01517.

I wish to object to the increase  
hours of opening of the above Kebab/Chicken etc  
This outlet is frequented mainly by  
passers-by and incomers, who sit, mostly,  
illegally parked, to eat their meals, then  
chuck it out of their car window, before  
driving off.

This is, unusually maybe, a street of mostly  
employed people, who go to bed before  
midnight, and it is usually very quiet by  
then, except for no. 74 Bow Road clearing  
up till 1.30am sometimes, when they leave  
by car, banging all doors. They would not  
choose to live close to this kind of outlet  
themselves. Even their delivery vans/lorries  
which arrive at all hours, have trouble  
parking and are often seen half way down  
Tomlin's Grove, trundling borrow's back  
and forth - these pavements are hollow due  
to 'coal-holes' there some make a great noise

No. 74 Bow Road has blighted this  
conservation area since its arrival, with  
it's abominable stretch, which pervades the  
area, especially the back gardens, and  
it's excess rubbish, to which I'm sure the

street sweeper will attest.

It should also be noted that the cooking area's door opens directly onto Tomlin's Grove and is continually wedged open. The back door faces down Tomlin's Grove and the large refuse containers - now 3 - are recessed at the back door. The flat above is being used as storage, presumably with geezos as the windows are never closed, but have curtains across. So you can imagine there is a lot of 'people' traffic. The toilet, for staff only, is also sighted at the back (changed from internal for the public).

Taking all this into consideration - I do hope the ~~hours~~ do not get extended.

Yours sincerely

[Redacted Signature]

(resident)





# Appendix 6

## Andrew Heron

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**From:** Annabel Wright [REDACTED]  
**Sent:** 10 August 2013 08:37  
**To:** Kathy Driver  
**Cc:** Edward Warren  
**Subject:** Re. Licensing Act 2003 and Original Taste, 74 Bow Road, London E3 4DL

**FAO:** John McCrohan, Trading Standards and Licensing Services Manager  
David Tolley, Head of Service, Communities, Localities & Culture, Consumer & Business Regulations

Dear Ms. Driver,

We received a letter dated August 1st, notifying us that Original Taste, 74 Bow Road, London E3 4DL, is applying for a licence to have late night refreshment.

We would like to object to this application in the strongest possible terms. We live across the road from Original Taste and already suffer from a great deal of anti-social behaviour as a result. Tomlins Grove is a pleasant street whose entrance is already marred - and whose residential character is compromised - by the presence of Original Taste.

We have previously complained to the council about the litter that results from Original Taste - there are nearly always discarded chicken bones and half-empty boxes strewn down our road and immediately outside our door. This is horrible, attracts vermin and encourages a lack of respect towards the neighbourhood.

Original Taste attracts gangs of teenagers who frequently congregate outside our flat. We live on the ground floor and we and our two-year-old son are often woken by groups of teenagers outside our bedroom window, or disturbed by large groups of teenagers outside our kitchen window. These groups are frequently loud and intimidating and we do not feel able to ask them to congregate elsewhere. They also tend to litter. We are particularly concerned as we are expecting another baby in November and worry about late-night noise levels.

Original Taste also attracts drunk clients emerging from pubs later at night. Their presence is intimidating (I have been physically and verbally assaulted by inebriated clientele emerging from the Little Driver), they frequently drop their litter outside our front door, and we have also on several occasions seen clearly inebriated people who have crossed the road from Original Taste urinating against the wall of our house.

We were burgled in February of this year and are already concerned about the security of our street, as we understand from the police that there have been several break-ins in the neighbourhood. As detailed above, Original Taste already attracts an irresponsible, intimidating and potentially violent clientele. For all of these reasons, we would be very unhappy with an extension of their licensing hours.

I will also be writing to Mr. Tolley and Mr. McCrohan directly, but would be grateful if you make our strong objections known to all relevant parties.

Many thanks,

Annabel and Edward Warren

[REDACTED]  
[REDACTED]

# Appendix 7

## Andrew Heron

---

**From:** John Mccrohan  
**Sent:** 23 August 2013 13:46  
**To:** Andrew Heron  
**Subject:** FW: Official Objection to New Licensing of Original Taste 74 Bow Rd E3 4DL

John McCrohan

Trading Standards and Licensing Manager  
London Borough of Tower Hamlets  
6<sup>th</sup> Floor,  
Mulberry Place,  
5 Clove Crescent,  
E14 2BG.  
Tel: 020 7364 6674  
Fax 020 7364 6901  
Mob:07930 343878  
[john.mccrohan@towerhamlets.gcsx.gov.uk](mailto:john.mccrohan@towerhamlets.gcsx.gov.uk)  
[www.tradingstandards.gov.uk/towerhamlets](http://www.tradingstandards.gov.uk/towerhamlets)

**Visit :** [www.direct.gov.uk/stoploansharks](http://www.direct.gov.uk/stoploansharks)

**Twitter:** [www.twitter.com/loansharknews](http://www.twitter.com/loansharknews)

**Visit:** [www.isitfair.eu](http://www.isitfair.eu)

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**From:** Stuart Ward [REDACTED]  
**Sent:** 22 August 2013 17:15  
**To:** Kathy Driver  
**Cc:** Bryony Hewetson; John Mccrohan  
**Subject:** Official Objection to New Licensing of Original Taste 74 Bow Rd E3 4DL

Dear Kathy

We are writing to **officially object** to the recent application for extended or new licensing of ORIGINAL TASTE, 74 Bow Rd, E3 4DL. I believe it would be detrimental to the general residential population and surrounding environs and that any grant on this matter by the council would be irresponsible. My key areas for objection are outlined as follows;

**1. Litter** - The area surrounding ORIGINAL TASTE already suffers from heavy littering by the patrons of this and other takeaways and extending the license will only exacerbate this problem. The takeaway does not act responsibly on this matter at all and also generates a lot of rubbish that finds its way into residential bins or accumulates in the yard to the rear of the property. The staff can frequently be seen pouring extremely fatty water down the drain and this residue has built up around the yard. The fat store itself is also outside in the yard and regularly oozes out of the wooden cladding surrounding it. This, in addition to the discarded food that is also often found all over the street and in the basement area of many properties has led to severe problems with rats that have had to be treated both by the Tower Hamlets Council and private contractors.

**2. Noise** - The takeaway already generates a lot of noise and traffic in the area and any extension of its hours would encourage additional noise to the detriment of local residents. This would be experienced in terms of patrons gathering around the premises late at night and an extension to business operations after trading has ceased that could extend even further into the late hours. On numerous occasions we have noticed that ORIGINAL TASTE already exceeds its licensed trading hours and is regularly still open at 12AM already. From this we can draw no other conclusion that they won't simply push this further into the night if granted an extension.

**3. Anti-social behaviour** - As well as the general noise created by passing trade at ORIGINAL TASTE and a newer establishment, HOT & SPICE (which I believe does not have a late night licence but regularly trades until 1am), the corner of Tomlins Grove, Arnold Rd and Bow Rd has become particularly active late at night and there are often gangs of young people found gathering in the area. This has led to problems with antisocial behaviour such as fighting, screaming and shouting and vandalism of property. The proliferation of this problem is directly linked to the Takeaways and we often have gangs sat on our doorstep eating chicken and making noise. This is a very real problem for residents living close to ORIGINAL TASTE and I believe it would be extremely irresponsible of Tower Hamlets Council to allow this already unfortunate situation to worsen further by extending their trading licence beyond 11PM.

I would ask that you take all this into consideration when you decide on this matter and please notify us on receipt of this objection. Thank you for your time and understanding,

Yours Sincerely,

Stuart Ward & Bryony Hewetson

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

# Appendix 8

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

Thursday 22<sup>nd</sup> August 2013



Dear Mr McCrohan

**RE: Proposed extended licensing application by Original Taste, 74 Bow Road, London E3 4DL**

I want to object to the proposed extended licensing application by Original Taste.

In the period of time since this shop has been open, Tomlins Grove, once a clean & peaceful street, has deteriorated rapidly & the prospect of additional opening hours would only heap more misery on the residents. I have lived in Tomlins Grove for over twenty years & I have never known it to be so filthy & overrun with foxes.

[Tower Hamlets Council \(website\)>Environment & planning>Street care & cleaning>Littering](#)

*Keep your scene clean by taking your litter home or using a litter bin. Do not throw rubbish onto pavements, roads or on public open spaces. Be considerate of others.*

*Littering makes an area look down at heel and can contribute to the fear of crime and the council spends a considerable sum to ensure the borough's streets are kept clean. Littering is a constant problem we can do without. Litter can be anything from a sweet wrapper or cigarette butt to a bag of rubbish. The size does not matter. Typical littered items are cigarette butts, sweet wrappers, crisp packets, apple cores, drinks cans and plastic bags.*

The litter bins in Tomlins Grove do nothing to stem the flow of chicken bones, polystyrene & cardboard boxes, cans, plastic bags we have to face on a daily basis; thrown in peoples doorways, on the pavements, dumped in the road. We have had flooding problems in the past with blocked drains, no doubt exacerbated by the amount of rubbish. Why should we pay our council tax to clean-up after Original Taste patrons? I have corresponded with our local councillors in the past about rubbish from the takeaway, but they did nothing. If the Council and councillors are not prepared to control the outlet they should not be prepared to extend its licence.

Later opening hours would also mean more noise in the street. The traffic is already a problem throughout the day & the prospect of that happening until after 12:00am is appalling. Groups of people gathering to eat in the street are another issue we already face & I think it is unacceptable to inflict that on us until after midnight.

I urge you to decline the application as the shop already causes a great nuisance to the residents.

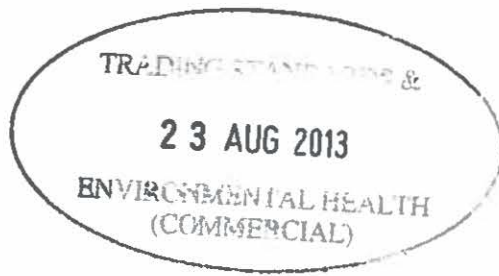
Yours sincerely

A solid black rectangular box used to redact the signature of Ian Copeland.

Ian Copeland

# Appendix 9





Samantha and Peter Lamb



18/08/13

**RE: Licensing Act 2003 and Original Taste, 74 Bow Road, London, e3 4dl**

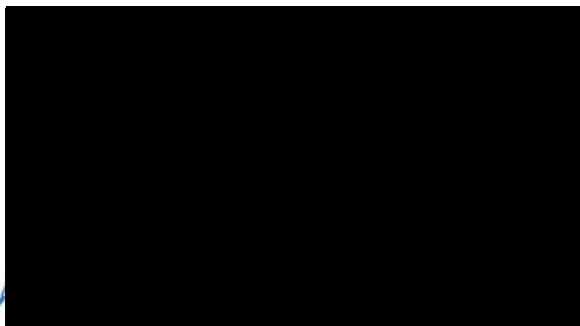
Dear John McCrohan,

My wife and I object to Original Taste's application for an extended licence to 12 midnight Monday to Saturday.

- 1. Litter :** That a new extended licence will exacerbate an already poor environmental health issue regarding the amount of litter that is accumulated on Tomlins Grove from the patrons of Original Taste.
- 2. Noise:** That an extended licence would encourage noise to the detriment of local residents until later in the evening with patrons gathering on the street until early hours, the clearing up of the business and the associated noise of the take out deliveries being taken to local vehicles.

Kind Regards

Samantha and Peter lamb



# Appendix 10

## Andrew Heron

---

**From:** JAMES RAINBIRD [REDACTED]  
**Sent:** 23 August 2013 14:29  
**To:** Andrew Heron  
**Cc:** Kathy Driver  
**Subject:** Re: Licensing Act 2003 and Original Taste, 74 Bow Road, London E3 4DL

Dear Mr Heron

Thank you for your email.

Our address is [REDACTED]

Our objection to the above application is to prevent public nuisance. The public nuisance that would be caused by noise from patrons of the establishment extending into the early hours and the nuisance of the litter/rubbish they leave behind. Today is a classic example. As stated above, we live at no 13 and at 09.10 this morning there were three empty chicken boxes near our home (litter). This is likely to get worse if a later license is granted; we will suffer greater litter problems and be exposed to additional noise from patrons. And then there is the public nuisance of additional foxes and rats that will come for the additional leavings/litter left by patrons of the establishment.

For clarity, I include the text from my original email:

“Patrons of Original Taste regularly sit in their vehicles in Tomlins Grove, sometimes with music playing, or on the small wall along the street whilst they eat/drink. There is often loud banter. We do not think that residents of Tomlins Grove should be exposed to the possibility of this type of nuisance extending into the early hours.

There is also the issue of the rubbish dropped by users of Original Taste. There is enough litter currently left in the street despite there being bins available. The residents of Tomlins Grove should not be exposed to additional litter from the additional patrons later opening would attract. Please do not approve this application unless you are able to guarantee no additional nuisance of noise or litter to residents living in Tomlins Grove.”

We note that you have stated that email is fine for this information.

As an observation, the council should consider including the grounds that an objection has to meet when it first issues notification of applications received.

Yours sincerely

Melanie and Jim Rainbird

**From:** Andrew Heron <Andrew.Heron@towerhamlets.gov.uk>  
**To:** 'JAMES RAINBIRD' [REDACTED]  
**Sent:** Friday, 23 August 2013, 10:53  
**Subject:** RE: Licensing Act 2003 and Original Taste, 74 Bow Road, London E3 4DL

Dear Mr Rainbird,

Thank you for your email, the contents of which are noted.

Unfortunately I cannot accept this as a valid representation as it does not contain enough information.

Firstly please provide your full residential address (email is fine).

In order for us to consider your representation, you must make it clear how granting this application will have an impact and "relevant" to one or more of the following licensing objectives:

- the prevention of crime and disorder
- the prevention of public nuisance
- public safety
- the protection of children from harm

As you have already, please then make reference to personal examples of how you are currently affected and how the granting of the license will exacerbate that.

I look forward to hearing from you.

Regards,

Andrew Heron  
Licensing Officer

Licensing Section  
London Borough of Tower Hamlets  
Mulberry Place (TC)  
6<sup>th</sup> Floor Mulberry Place  
5 Clove Crescent  
London, E14 2BG  
Tel: 020 7364 2665  
Fax: 020 7364 6935  
<http://www.towerhamlets.gov.uk/>

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**From:** JAMES RAINBIRD [REDACTED]  
**Sent:** 13 August 2013 19:37  
**To:** Kathy Driver  
**Subject:** Licensing Act 2003 and Original Taste, 74 Bow Road, London E3 4DL

Re the letter of 1 August on the above.

Patrons of Original Taste regularly sit in their vehicles in Tomlins Grove, sometimes with music playing, or on the small wall along the street whilst they eat/drink. There is often loud banter. We do not think that residents of Tomlins Grove should be exposed to the possibility of this type of nuisance extending into the early hours.

There is also the issue of the rubbish dropped by users of Original Taste. There is enough litter currently left in the street despite there being bins available. The residents of Tomlins Grove should not be exposed to additional litter from the additional patrons later opening would attract.

Please do not approve this application unless you are able to guarantee no additional nuisance of noise or litter to residents living in Tomlins Grove.

Please let us know if this email is an acceptable form of objection or if we need to send a letter.

Thank you.

Yours faithfully

# Appendix 11



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

Dear John,

*Re: Extended Licensing Application for Original Taste, 74 Bow Road, London, E3 4DL.*

I recently received a letter through my door from Gavin Hallier, who is objecting to the extension of Original Taste's license. Mr. Hallier has asked local residents to object to this proposal, and I am writing to inform you that as a local resident, I do not object.

I fully support the extension of Original Taste's license - what kind of takeaway shop closes at 11pm anyway? It's absolutely preposterous. There is nothing more irritating than having a few drinks after work and then getting off the tube to find that your favourite chicken shop haunt is closed.

Have you tried the chicken from Original Taste? If not, then you must - it's fantastic! I would recommend meal number 5 - £3.20 for a chicken burger, fries and a drink of your choice.

I would welcome the new opening hours with open arms and an even wider mouth.

Kind regards,

Anthony Blakemore  
Local Resident & Chicken Lover

# Appendix 12

## Appendix 12

### 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 13

## Appendix 13

### Acting As A Magnet Attracting the Young Who Then Engage In Anti-Social Behaviour

#### General Advice

Members will need to consider whether any of the problems alleged to be associated with young people are the responsibility of the premises. Are they encouraging gangs in any way? If not, there may not be any proportionate conditions that can be applied? Are these patrons of the premises?

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. However, hours may be an important issue.

#### Licensing Policy

The policy recognises that other legislation or measures may be more appropriate (in relation to the behaviour of patrons who have left the premises) 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):

- 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

Conditions can be imposed for large capacity “vertical consumption” premises (10.40).

## 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.

### Anti-Social Behaviour Act 2003

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 14

### 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 15



### 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 16

### 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.