

# Appendix 1

**(Brick Lane Off Licence)  
114 Brick Lane  
London  
E1 6RL**

**Licensable Activities authorised by the licence**

The sale by retail of alcohol

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

**Signed by**

**Jacqueline Randall**   
**Licensing Services Manager**

**Date: 16<sup>th</sup> March 2009**

**Part A - Format of premises licence**

Premises licence number

15917

**Part 1 - Premises details**

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

(Brick Lane Off Licence)  
116 Brick Lane

**Post town**

London

**Post code**

E1 6RL

**Telephone number**

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

N/A

**Licensable activities authorised by the licence**

The sale by retail of alcohol

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

Monday to Saturday from 09:00 to midnight  
Sunday from 10:00 hrs to 23:00 hrs

**The opening hours of the premises**

Monday to Saturday from 09:00 to midnight  
Sunday from 10:00 hrs to 23:00 hrs

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

Off sales only

## **Part 2**

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

Mr Shahinul Hussain Shah

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

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

Not applicable

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

Mr Shahinul Hussain Shah

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

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

Issuing Authority: [REDACTED]  
Licence No: [REDACTED]

## **Annex 1 - Mandatory conditions**

4.

- (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
  
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

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

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

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

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

1. CCTV to be installed and cameras positioned to view people entering the premises and also one directly outside the premises.
2. The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of one calendar month.
3. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation and all signs as required will be clearly displayed.
4. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
5. The designated premises supervisor, a premises licence holder or a manager who has written permission, which can be supplied to the Police or other responsible authority, to be on the premise from 20:00 hrs each day.
6. All customers to be asked to leave quietly and respect neighbours.

7. Persons loitering directly outside the premises shall be requested to move.
8. Challenge 21 policy to be in place.

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

Not applicable

**Annex 4 - Plans**

The plans are those submitted to the licensing authority on the following date:  
9<sup>th</sup> January 2009



**Part B - Premises licence summary**

**Premises licence number**

15917

**Premises details**

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

(Brick Lane Off Licence)  
116 Brick Lane

**Post town**

London

**Post code**

E1 6RL

**Telephone number**

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol



The times the licence authorises the carrying out of licensable activities

Monday to Saturday from 09:00 to midnight  
Sunday from 10:00 hrs to 23:00 hrs

The opening hours of the premises

Monday to Saturday from 09:00 to midnight  
Sunday from 10:00 hrs to 23:00 hrs

Name, (registered) address of holder of premises licence

Mr Shahinul Hussain Shah  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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

Off sales only

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

Not applicable

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

Mr Shahinul Hussain Shah

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

No restrictions

# Appendix 2



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. [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 to vary a premises licence 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 SHAHINUL HUSSAIN SHAH (Insert name(s) of applicant)

Being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises Licence number 15917

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description	
<u>BRICK LANE OFF LICENCE</u> <u>114 BRICK LANE</u>	
Post town <u>LONDON</u>	Post code <u>E1.5.3.3</u>

Telephone number at premises (if any)	<u>[REDACTED]</u>
Non-domestic rateable value of premises	<u>£</u>

**Part 2 - Applicant details**

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	[REDACTED]		
Post Town	[REDACTED]	Postcode	[REDACTED]

**Part 3 - Variation**

Do you want the proposed variation to have effect as soon as possible? Please tick yes

If not, when do you want the variation to take effect from?

Day	Month	Year
[ ]	[ ]	[ ]

Please describe briefly the nature of the proposed variation (please see guidance note1)

TO CARRY OUT DELIVERIES OF ALCOHOL TO LOCAL RESTAURANT CUSTOMERS, IN THE RESTAURANTS. SOME RESTAURANTS IN BRICKLANE DO NOT SELL ALCOHOL, SO IF THERE CUSTOMERS WANT ALCOHOL THEY WILL CALL US AND WE WOULD GO TO THE TABLE AND DELIVER.

If your proposed variation would mean that 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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## Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

### Provision of regulated entertainment

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

Provision of 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>Will the performance of a play take place indoors or outdoors or both - please tick</b> (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both		
Tue						
Wed				<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
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</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 a film take place indoors or outdoors or both - please tick</b> (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both		
Tue						
Wed				<b>State any seasonal variations for exhibition of films</b> (please read guidance note 4)		
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</b> (please read guidance note 5)		
Sat						
Sun						

**C**

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

**D**

<b>Boxing or wrestling entertainment</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	
Day	Start	Finish		Outdoors	
Mon			Both		<b>Please give further details here</b> (please read guidance note 3)  <b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 4)  <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)
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

**E**

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (Y) (please read guidance note 2)	Indoors		
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 live music (please read guidance note 4)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						

**F**

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



**G**

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place <u>indoors or outdoors or both – please tick (Y)</u> (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)			
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			
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
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			<b>Please give further details here (please read guidance note 4)</b>	Both		
Tue						
Wed				<b>State any seasonal variations for the provision of late night refreshment (please read guidance note 4)</b>		
Thur						
Fri						
Sat				<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please read guidance note 5)</b>		
Sun						

**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	Both	
Mon	09:00	midnight	<b>OFF LICENCE, RETAIL OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES.</b>		Y	
Tue	09:00	midnight				
Wed	09:00	midnight		<b>State any seasonal variations for the supply of alcohol (please read guidance note 4)</b>		
Thur	09:00	midnight				
Fri	09:00	midnight		<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	09:00	midnight				
Sun	10:00	23:00				

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

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	09:00	MIDNIGHT	ON NEW YEARS EVE TO BE ABLE TO CLOSE AT 2 AM
Tue	09:00	MIDNIGHT	
Wed	09:00	MIDNIGHT	
Thur	09:00	MIDNIGHT	
Fri	09:00	MIDNIGHT	
Sat	09:00	MIDNIGHT	
Sun	10:00	23:00	

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

Please tick yes

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

If you have not ticked on of those boxes please fill in reasons for not including the licence, or part it below

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

**M**

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation.

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

WILL PROMOTE AND HELP APPLY ALL THE COUNCILS OBJECTIVES. WILL ALSO INFORM CUSTOMERS ABOUT RESPONSIBLE DRINKING BOROUGH.

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

CCTV RECORDING, CALL POLICE IF THERES ANY TROUBLE OR SEE ANT TROUBLE, DO NOT SELL ALCOHOL TO VIOLENT OR DRUNK CUSTOMERS. REPORT ANTI-SOCIAL BEHAVIOUR.

**c) Public safety**

CCTV RECORDING, KEEP INCIDENT LOG, CALL 999 IF WE SEE ANY TROUBLE OR NUISANCE. ANY ACCIDENTS OR FIRE WILL CALL RELEVANT AUTHORITIES

**d) The prevention of public nuisance**

WILL NOT SELL TO DRUNK CUSTOMERS, PROMOTE THE TOWER HAWLETS RESPONSIBLE DRINKING BOROUGH, CALL 999 IF ANY TROUBLE

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

DISPLAY AND APPLY THE CHALLENGE 21, ASK FOR ID, WILL NOT SELL TO UNDERAGE,

**CHECKLIST:**

Please tick  yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan (showing the area to be licensed) to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

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

**Part 5 – Signatures** (please read guidance note 10)

Signature of applicant or applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	[Redacted]	[Redacted]
Date	29-8-13	
Capacity	Manager	

Where the premises licence is jointly held signature of 2<sup>nd</sup> applicant (the current premises licence holder) or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

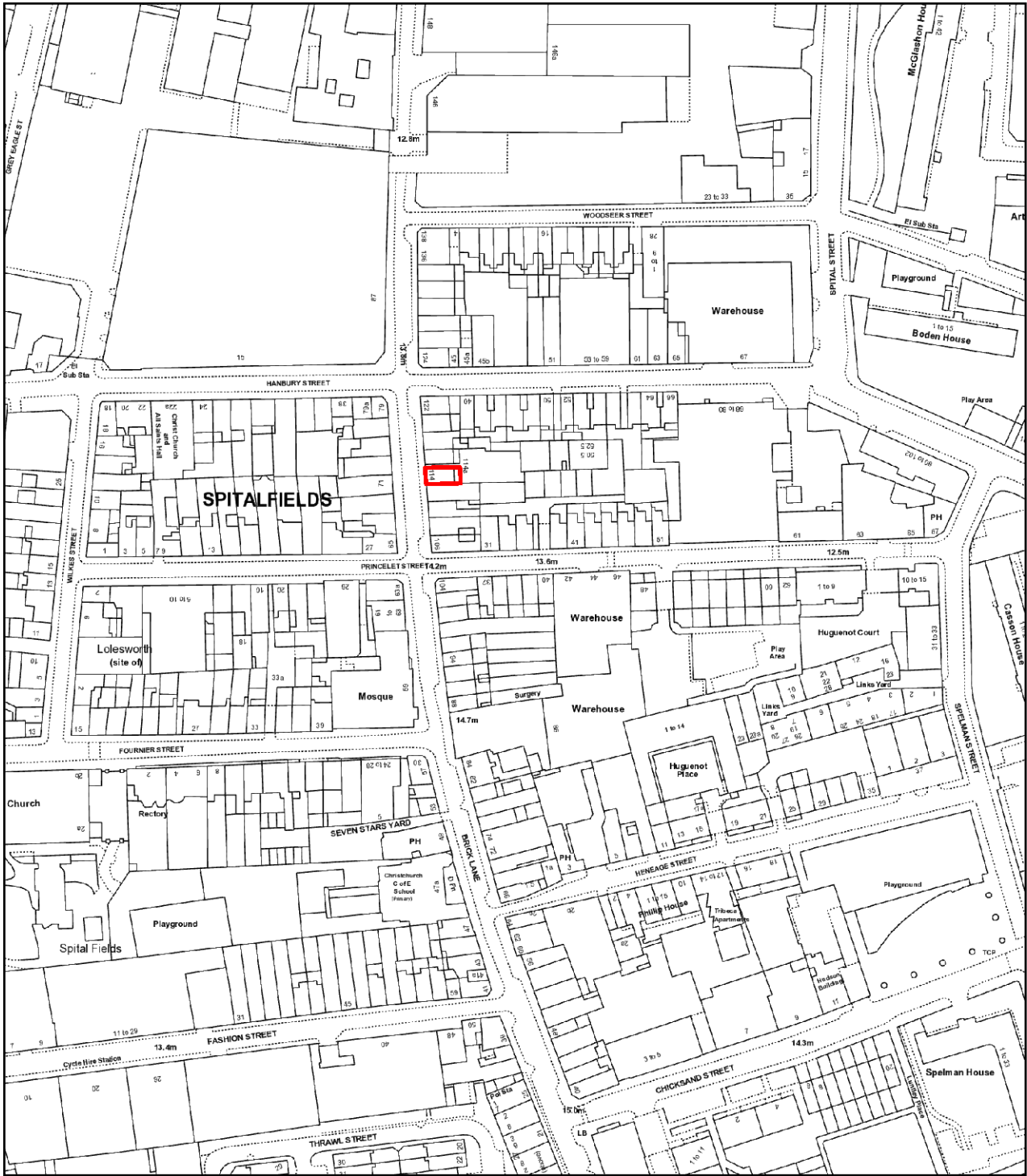
Signature	
Date	
Capacity	

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

Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

# Appendix 3





# 114 Brick Lane



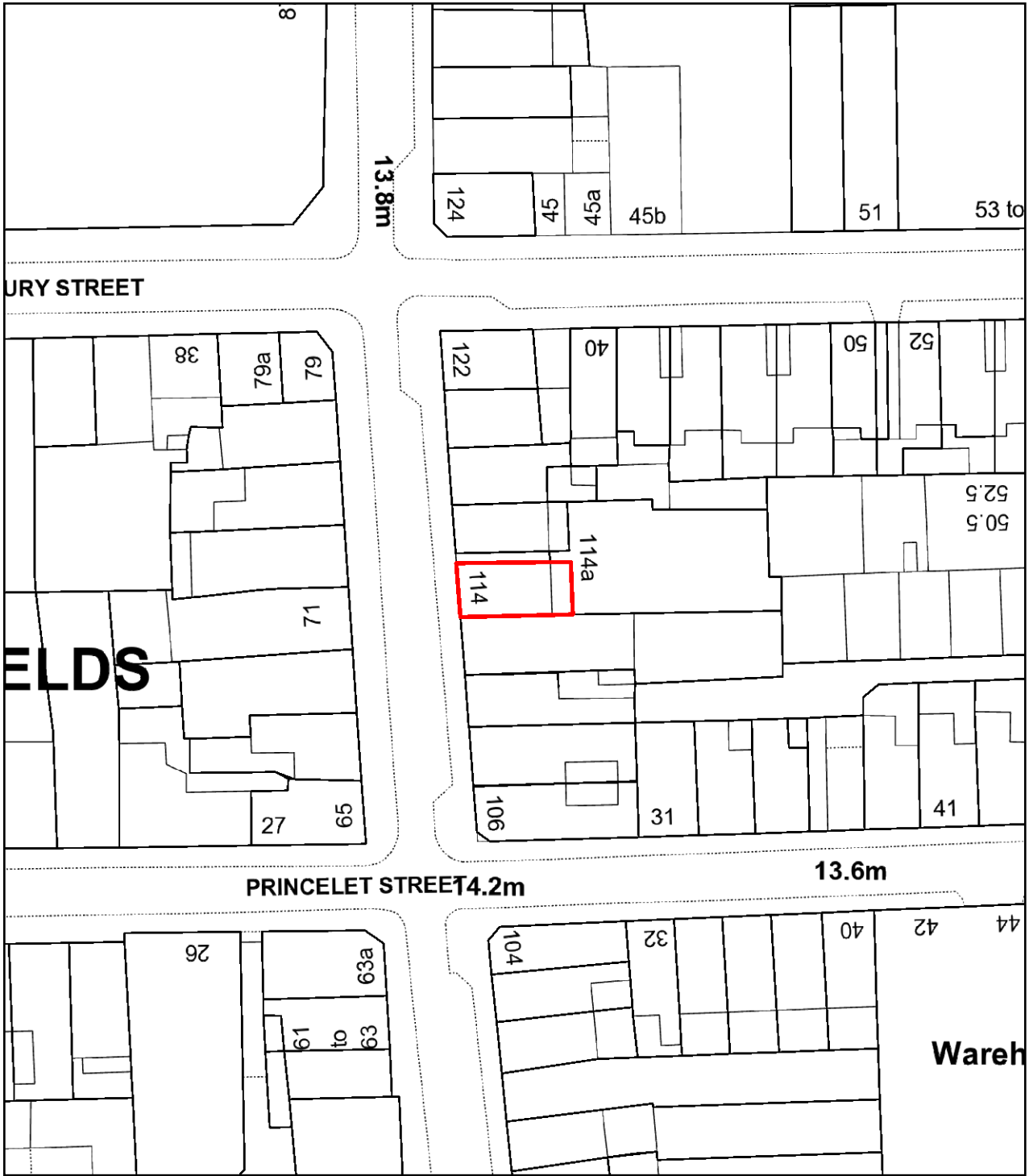
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10 0 10 20 30



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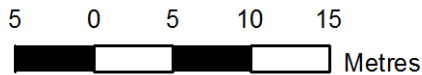




# 114 Brick Lane



Scale 1:588



# Appendix 4

John McCrohan  
LBTH Licensing

**HT - Tower Hamlets Borough**  
**HH - Limehouse Police Station**

Licensing Office  
Limehouse Police Station  
27 West India Dock Road &  
5 Birchfield Street  
E14 8EZ

Telephone:  
Facsimile:  
Email:  
Alan.Cruickshank@met.police.uk  
www.met.police.uk

Your ref:  
Our ref:  
22nd September 2013

Dear Mr McCrohan

**Application to vary a Premises Licence**  
**Brick Lane Off Licence, 114 Brick Lane, E1 6RL**

Please accept this letter as notification that the police as a responsible authority wish to object to this application in regards to the following licensing objective

**The prevention of crime and disorder**

It is ironic that this application is as a result of the off licence supplying to a local restaurant that had its licence suspended for breaches of the Licensing Act.

Brick Lane has numerous off licences where members of the public can buy alcohol and take it to their restaurant of choice. BYO is already standard practice.

The applicant wishes to deliver to local restaurants' customers. I know of no restaurant that is open at 0900, so I would question as to whom they will be selling to at this time of the morning. Equally, the majority of restaurants will be closed at midnight.

Is there going to be a set list of restaurants or will they accommodate other restaurants whenever that need arises?

What is their definition of local restaurants? Are they going to attend a restaurant and deal directly with the customer and not put it on the bill of the restaurant, if that restaurant's licence is suspended or indeed they don't have a licence to sell alcohol.

More importantly, what checks are they going to carry out to see if the buyer is 18yrs old or above.

If the buyer is drunk, are they going to refuse to sell the alcohol? I suspect that the sale would still go ahead. If indeed they did refuse a sale, the likelihood is that this will lead to disorder between the buyer and seller.

What training will the sellers have?

The applicant states in the steps to promote the licensing objectives, he will use CCTV recordings. If there are any offences they will have been committed away from the off licence.

As for the Challenge 21 policy, will the seller really ask someone in the restaurant for identification before they hands over the alcohol? Does this mean that they won't sell to an eighteen year old in the restaurant?

I suspect that if this variation was to be granted, other off licence in the immediate area will also apply for a similar variation. This could easily lead to disorder between the various off licences.

I ask the committee to reject this application in full (including the non standard timings/ seasonal variations).

If however they grant this application, I would ask them to consider the following condition.

1. All sellers must hold a personal licence

Alan Cruickshank PC 189HT

# Appendix 5

## Mohshin Ali

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**From:** Critchley [REDACTED]  
**Sent:** 30 September 2013 14:24  
**To:** Mohshin Ali; Andrew Heron; Licensing  
**Cc:** [REDACTED]  
**Subject:** Licence Variation for 114 Brick Lane

Dear Mr Mohshin Ali, Licensing officers

### **Application to vary Premises Licence at 114 Brick Lane, London E1**

The Committee of the Spitalfields Society has asked me to register our objection to the above application from the Off-Licence at 114 Brick Lane, E1 to vary the terms of its licence to include remote sales of alcohol.

We consider this application unlikely to satisfy the objectives of the Licensing Act 2003 in relation to Crime and Disorder and Public Nuisance, in that remote sales of alcohol such as proposed by the applicant are extremely hard to monitor. It seems to us impossible for the licence holder concerned to keep track of transactions, prevent alcohol being sold to minors and avoid supplying alcohol to restaurant customers who are already drunk. The Brick Lane area already suffers from high levels of anti-social behaviour resulting from indiscriminate use of alcohol and granting this application would risk exacerbating this problem.

The applicant is already known to have flouted the conditions of his original licence that expressly forbid touting for business and has thus shown himself as a person who is unlikely to control remote sales of alcohol in a responsible manner.

The Committee therefore ask the Licensing Sub-Committee to reject this application.

Yours sincerely,

Sandy Critchley  
Vice-Chairman, Spitalfields Society

[REDACTED]  
[REDACTED]



# Appendix 6


## Mohshin Ali

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**From:** Andrew Heron  
**Sent:** 26 September 2013 11:10  
**To:** Mohshin Ali  
**Subject:** FW: application for a variation of the premises licence at 114 Brick Lane, E1

Yours...

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**From:** Spitalfields Community Group [<mailto:>   
**Sent:** 25 September 2013 13:30  
**To:** Licensing  
**Cc:** Alan Cruickshank  
**Subject:** application for a variation of the premises licence at 114 Brick Lane, E1

Dear Sir/Madam,

**Spitalfields Community Group OBJECTS to the application for a variation of the premises licence at 114 Brick Lane, E1.**

Spitalfields Community Group (SCG) was formed in September 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 current survey, conducted 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. In accordance with this focus, SCG has recently supported the adoption of a cumulative impact zone for the Brick Lane area, within which the premises at 114 is situated.

We understand the application is for permission to take delivery from a local off-licence of alcohol to customers eating at 114. This is clearly a move to circumvent the need to apply for a full alcohol licence with commensurate responsibilities to uphold the licensing objectives, and should not be allowed. ASB caused by excessive alcohol consumption in the Brick Lane area is well documented, with many recent reports by residents of problems caused by drunken patrons at night and throughout the weekend. These problems include noise nuisance (screaming, shouting, swearing, singing, playing music etc) litter and vandalism to cars and homes, street urination and defecation, vomiting, and aggressive and intimidating behaviour. Patrons leaving Brick Lane for transport hubs on Bishopsgate and Commercial Street pass along residential streets causing unwanted mayhem and misery.

Recently there has been a particular issue with large groups of revellers buying alcohol from off licences in Brick Lane and sitting outside through the night drinking and causing a disturbance. The application will very likely encourage this phenomenon.

For the reasons above Spitalfields Community Group OBJECTS to the variation of the premises licence at 114 Brick Lane E1.

From and on behalf of the Spitalfields Community Group

c/o Selina Mifsud, 

# Appendix 7

## Mohshin Ali

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**From:** fay cattini [REDACTED]  
**Sent:** 07 October 2013 16:00  
**To:** Mohshin Ali  
**Cc:** Licensing  
**Subject:** 114 Brick Lane, E.1.

Dear Mr Mohshin Ali, Licensing officers

### **Application to vary Premises Licence at 114 Brick Lane, London E1**

I am writing to register my objection to the above application from the Off-Licence at 114 Brick Lane, E1 to vary the terms of its licence to include remote sales of alcohol.

I consider this application unlikely to satisfy the objectives of the Licensing Act 2003 in relation to Crime and Disorder and Public Nuisance, in that remote sales of alcohol such as proposed by the applicant are extremely hard to monitor. It seems to me impossible for the licence holder concerned to keep track of transactions, prevent alcohol being sold to minors and avoid supplying alcohol to restaurant customers who are already drunk. The Brick Lane area already suffers from high levels of anti-social behaviour resulting from indiscriminate use of alcohol and granting this application would risk exacerbating this problem.

The applicant is already known to have flouted the conditions of his original licence that expressly forbid touting for business and has thus shown himself as a person who is unlikely to control remote sales of alcohol in a responsible manner.

I therefore ask the Licensing Sub-Committee to reject this application.

Yours sincerely,

Fay Cattini (Mrs)  
[REDACTED]  
[REDACTED]

# Appendix 8

## Mohshin Ali

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**From:** Joyce Fenton-Douglas [REDACTED]  
**Sent:** 30 September 2013 20:12  
**To:** Mohshin Ali  
**Cc:** Licensing  
**Subject:** Application to vary Premises Licence at 114 Brick Lane, London E1

Dear Mr Mohshin Ali, Licensing officers

Application to vary Premises Licence at 114 Brick Lane, London E1

I am writing to register my objection to the above application from the Off-Licence at 114 Brick Lane, E1 to vary the terms of its licence to include remote sales of alcohol.

I consider this application to be utterly ridiculous and unlikely to satisfy the objectives of the Licensing Act 2003 in relation to Crime and Disorder and Public Nuisance, in that remote sales of alcohol such as proposed by the applicant are extremely hard to monitor. Surely it will be impossible for the licence holder concerned to keep track of transactions, prevent alcohol being sold to minors and avoid supplying alcohol to restaurant customers who are already drunk. The Brick Lane area already suffers from high levels of anti-social behaviour resulting from indiscriminate use of alcohol and granting this application would risk exacerbating this problem.

The applicant is already known to have flouted the conditions of his original licence that expressly forbid touting for business and has thus shown himself as a person who is unlikely to control remote sales of alcohol in a responsible manner.

I therefore ask the Licensing Sub-Committee to reject this application.

Yours sincerely,

Joyce Fenton-Douglas  
[REDACTED]

# Appendix 9

**Mohshin Ali**

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**From:** James Frankcom [REDACTED]  
**Sent:** 01 October 2013 20:15  
**To:** Mohshin Ali; Licensing  
**Subject:** Fwd: Licence Variation for 114 Brick Lane

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Dear Mr Mohshin Ali, Licensing officers

**Application to vary Premises Licence at 114 Brick Lane, London E1**

I am writing to register our objection to the above application from the Off-Licence at 114 Brick Lane, E1 to vary the terms of its licence to include remote sales of alcohol. I believe the remote sales will be utilised by nearby restaurants without an on-license to supply their customers with alcohol. It is my understanding of the law that if someone has had their license removed or has not been granted such a license then it is the *intention* of the law that the establishment in question may not **supply** customers dining at that establishment with alcohol. Therefore, for unlicensed premises to procure alcohol for the benefit of its customers (whether it is their money buying the alcohol or the customers passed through them) is a deliberate circumvention of the law and, as such, is itself unlawful because the clear intent of the law was to prevent customers acquiring alcohol on those premises.

Should a Tower Hamlets licensing officer knowingly permit such an abuse of the law then the actions of that licensing officer could be regarded as aiding and abetting a criminal wrongdoing taking place.

I also consider this application unlikely to satisfy the objectives of the Licensing Act 2003 in relation to Crime and Disorder and Public Nuisance, in that remote sales of alcohol such as proposed by the applicant are extremely hard to monitor. It seems to me impossible for the licence holder (the off-license) concerned to keep track of transactions, prevent alcohol being sold to minors and avoid supplying alcohol to persons who are already drunk.

The applicant is already known to have flouted the conditions of their original licence that expressly forbade touting for business and has thus shown himself as a person who is unlikely to control remote sales of alcohol in a responsible manner.

I therefore insist that the Licensing Sub-Committee rejects this application.

Yours sincerely,



James Frankcom

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

# Appendix 10

## Mohshin Ali

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**From:** Carolyn Fuest [REDACTED]  
**Sent:** 06 October 2013 20:01  
**To:** Mohshin Ali  
**Cc:** Spitalfields Society  
**Subject:** 114 Brick Lane

From Carolyn & David Fuest, [REDACTED]

Dear Mr Mohshin Ali, Licensing officers

### **Application to vary Premises Licence at 114 Brick Lane, London E1**

We are writing to object to the above application from the Off-Licence at 114 Brick Lane, E1 to vary the terms of its licence to include remote sales of alcohol.

We consider this application unlikely to satisfy the objectives of the Licensing Act 2003 in relation to Crime and Disorder and Public Nuisance, in that remote sales of alcohol such as proposed by the applicant are extremely hard to monitor. It seems to us impossible for the licence holder concerned to keep track of transactions, prevent alcohol being sold to minors and avoid supplying alcohol to restaurant customers who are already drunk.

Any increase in licensing hours should be resisted as well as attempts to increase the volume of sales of alcohol from premises which already have a license. This area already suffers very badly from the effects of alcohol induced anti-social behaviour. It seems that to grant this license extension would fly in the face of the 'responsible drinking borough' and saturation policy that you have implemented.

We appreciate all you do to try and control this problem which makes living here, at times, extremely unpleasant.

We therefore ask the Licensing Sub-Committee to reject this application.

Yours sincerely  
Carolyn & David Fuest

# Appendix 11

## Mohshin Ali

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**From:** Mohshin Ali on behalf of Licensing  
**Sent:** 04 October 2013 12:41  
**To:** Mohshin Ali  
**Subject:** FW: Brick lane Off Licence 114 Brick Lane

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**From:** Mark Lancaster [<mailto:mark.lancaster@london.gov.uk>]  
**Sent:** 03 October 2013 20:03  
**To:** Licensing  
**Subject:** Brick lane Off Licence 114 Brick Lane

Dear Sirs

We wish to object to the above application from the Off-Licence at 114 Brick Lane, E1 to vary the terms of its licence to include remote sales of alcohol.

We consider this application unlikely to satisfy the objectives of the Licensing Act 2003 in relation to Crime and Disorder and Public Nuisance, in that remote sales of alcohol such as proposed by the applicant are extremely hard to monitor. The licence holder concerned cannot keep track of transactions and would not be able to prevent alcohol being sold to minors. The restaurants also might supply alcohol to restaurant customers who are already drunk and the licence holder would have no control over this. The Brick Lane area already suffers from high levels of anti-social behaviour resulting from indiscriminate use of alcohol and granting this application would risk exacerbating this problem.

One of the biggest problems we face is from drunkenness and anti-social behaviour directly caused by this business which encourages people to buy alcohol cheaply and to drink it on the street, with all the nuisances of shouting, arguing and swearing outside our home. As people are often drinking large quantities outside they are then left with no toilet facilities and consequently urinate (and worse) in doorways.

The applicant is already known to have flouted the conditions of his original licence that expressly forbid touting for business and has thus shown himself as a person who is unlikely to control remote sales of alcohol in a responsible manner.

We therefore ask the Licensing Sub-Committee to reject this application.

Mark and Suzanne Lancaster  


# Appendix 12

Trading Standards and Licensing  
Services Manager

Mulberry Place  
5 Clove Crescent

London E14 2BG

September 8th 2013  
Sunday

RE: Licensing Act 2003 and Brick Lane Off  
Licence 114 Brick Lane London

Dear Sir or Madame

I am writing about Brick Lane  
Off Licence of 114 Brick Lane after having  
visited Mulberry Place and spoken to Kathy  
Driver.

I would prefer the restaurants to  
have licenses for alcohol. If the Off Licence  
was allowed to distribute alcohol via  
external trafficking this would destabilize  
the region.

This means I am against the above  
proposal.

Kathy Driver gave me information to

Suggest that many restaurants did not have licenses for alcohol and would be forced to use the external supply of the Off license. This would be difficult to control as extra strange people would be involved who would enter the restaurant. The age of the customers could not be verified, if instead of entering the restaurant waiters entered the Off license to buy for customers.

Yours Sincerely  
and Respectfully

C. I. Palmer

Claude Irene Palmer





# Appendix 13

## Mohshin Ali

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**From:** Alex Lisowski  
**Sent:** 19 September 2013 09:12  
**To:** Mohshin Ali  
**Subject:** FW: variation of licence for 114 Brick Lane E1 6RL

Mohshin,  
One for you.  
Alex.

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**From:** Matt Piper [<mailto:> [REDACTED]]  
**Sent:** 18 September 2013 23:18  
**To:** Licensing  
**Subject:** variation of licence for 114 Brick Lane E1 6RL

Dear Sir/Madam,

I would like to object to the application to vary the licence for 114 Brick Lane.

The proposal is that an off-licence be allowed to deliver alcohol to customers at the tables of local restaurants. This is tantamount to giving licences to all those restaurants on Brick Lane that are currently unlicensed and would invariably lead to an increase in crime and disorder.

The night time economy causes many problems for residents on the streets off Brick Lane. My family's sleep is regularly disturbed by drunken shouting and screaming, banging on doors, ringing doorbells, and other alcohol-related noise. We regularly wake to find people have urinated, vomited or defecated on our doorstep. We have also, in the last year, twice suffered damage to our property caused by people who were drunk.

To give you an idea of how much anti-social behaviour affects our lives, these are some excerpts from a diary I have been keeping. Please note that all of these incidents took place on one single day.

### **Saturday 10th August**

*1am: 2 men wandered along the street. Both were heavily intoxicated, staggering from side to side, and were shouting to each other as they attempted to walk along the pavement without falling over. They were drinking from cans. They were white and approximately 25 years old. The noise they caused was enough to wake my family.*

*6.50am: We were woken at 6.50am when someone rang our doorbell. I went to the door and found someone slumped against our house, again heavily drunk. He admitted he had rung the doorbell but could not offer any explanation as to why. He was white, about 25-30 years old and wearing a blue and white striped top. He spoke with a European accent. The doorbell also woke my family.*

*6.52am: A man, approximately 25 years old and wearing a white top, urinated against the wall of Christ Church, opposite number 9 Fournier Street.*

*9pm: At approximately 9pm a white male, 30-35 years old, with possibly a South African accent, urinated against my house, into the light-well and against my kitchen window. He was wearing a white top. This is disgusting and a health-hazard. When I chased him off he finished by urinating against another house. He then left in the direction of Brick Lane.*

*10.05pm: A man urinated in public between parked cars on Brushfield Street, near the junction with Commercial Street, close to Barclays Bank. He was 20-25 years old, wearing a dark T-shirt and dark shorts.*

*11.50pm: At 11.50pm I witnessed a man urinating in public at the north end of Wilkes Street, near its junction with Hanbury St. He was black, about 20 years old, and wearing a dark T-shirt and jeans.*

Making alcohol more easily available across a wide range of possible restaurants will only exacerbate all of these problems.

Many of the people who carry out this anti-social behaviour use off-licences to buy cheap alcohol and drink it on the streets. Allowing an off-licence to extend the scope of its business will only make the problems worse.

I urge you to reject the application.

Many thanks for your help,

Matthew Piper

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

# Appendix 14

## Mohshin Ali

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**From:** Jon Shapiro [REDACTED]  
**Sent:** 04 October 2013 22:18  
**To:** Mohshin Ali; Licensing  
**Cc:** John Mccrohan  
**Subject:** Variation: (Brick Lane Off Licence), 114 Brick Lane, London E1 6RL

**Importance:** High

Dear Sir or Madam,

I am writing to document my objection to the above application from the Off-Licence at 114 Brick Lane, E1 to vary the terms of its licence to include remote sales of alcohol.

I am objecting both on my own account as a resident of Spitalfields, and also as the Chair of SPIRE which is an “umbrella” body representing the interests of 600+ local residents of Spitalfields belonging to six major community and residents’ groups within Spitalfields. Many of our 600+ members reside in the immediate vicinity of 114 Brick Lane, and suffer appalling ASB – particularly in the early hours of the morning when it is only the off-licences that are fuelling the supplies of alcohol to unruly drinkers.

I understand that this off-licence has been delivering alcohol to customers of local restaurants in Brick Lane without any licence for so doing, and is now asking for the appropriate licence to authorise their hitherto illegal activity.

I do not believe that people who behave illegally should then be “rewarded” with a licence to authorise their previously their illegal activity!

However, more importantly I believe that authorising delivery of alcohol to unspecified restaurants is effectively a subversion of Licensing Regulations. If a restaurant wishes to supply alcohol, then the restaurant itself should apply for the appropriate licence. That way the Licensing Authority is in a position to decide whether the particular restaurant is worthy of such a licence.

I understand that one or more of the local restaurants has very properly had their licence revoked by LBTH Licensing. If 114 Brick Lane is given a licence to supply alcohol to unspecified restaurants, then the off-licence would effectively be usurping the authority of LBTH Licensing to decide which restaurants should be able to supply alcohol to their customers. Indeed the off-licence would be able to supply alcohol to customers of a restaurant which LBTH Licensing might have decided was unfit to supply alcohol to their customers.

The absurdity of the application is further demonstrated by the request to supply alcohol to restaurants up until midnight. Which Brick Lane restaurant has customers sitting down to dine at midnight?

I believe that such an outrageous circumvention of proper Licensing Policy should not be allowed, and that the application should be rejected.

The off-licences in Brick Lane are a major supplier of the alcohol that fuels so much of the ASB in the early hours in Brick lane – an area already recognised by Tower Hamlets police as the “number one policing problem in Tower Hamlets” – to quote our Borough Commander. No extension to any existing licence should be granted to any Brick Lane off-licence ..... and particularly not to one that has already been contravening Licensing Regulations.

Yours faithfully,  
Jon Shapiro.

(Resident of Spitalfields, and Chair of SPIRE)

[REDACTED]

# Appendix 15

**From:** shainul shah [REDACTED]  
**Sent:** 21 September 2013 21:57  
**To:** Andrew Heron  
**Subject:** RE: TSS/LIC/L1U:070187

Dear Mr Heron,

Thank you for your email I accept the following to be added to my licence

1. No person shall be employed to solicit for custom or be permitted to solicit for custom for business for the premises in any public place within a 500 metre radius of the premises as shown edged in red on the attached plan. Clear signage to be placed in the restaurant windows stating that the premises supports the Councils 'No Touting Policy'.
2. During remote sales, individuals appearing under the age of 25 must produce on request (before being served alcohol) identification bearing their photograph, date of birth, and a holographic mark. Examples of acceptable ID include photo card driving licences, passports or proof of age cards bearing the PASS hologram.
3. A day book recording all remote orders to be kept on the premises stating:
  - The name and address
  - The quantity, description and price of the alcohol
  - Whether ID was asked for and if the sale was refused as a result.

Regarding the letter not being collected I received the copy of the letter at my home address therefore I did not collect the letter is it possible to get any future mail sent just to my home address. Hope go hear from you again.

Thank you

Mr Shah

# Appendix 16



## 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 17

## **Underage drinking or other harm to minors**

### General Advice

If Members hear evidence that gives them cause for concern in relation to the licensing objective of protecting children from harm, and provided it is proportionate they should consider a licence condition that all under 18 year olds are excluded, and that a registered door supervisor is employed to check the age of all customers. This should be done where the activities to be carried on, previous history or lack of effective management justifies it.

There are also other licensing conditions that may be appropriate, as explained below. This may be appropriate where the premises may have children present and it is not primarily a place for consuming alcohol. For example a restaurant or a Cinema.

Of course, it is not necessary to restate the existing law in relation to any licensing conditions.

### Licensing Policy

The policy recognises that children need to be protected (**See Section 9 of the Licensing Policy**).

The Licensing Policy expects applicants to have sought appropriate advice from the Area Child Protection Agency. (**See 9.3**).

The following are examples of premises that will raise concern:

- Where there have been convictions for serving alcohol to minors or with a reputation for underage drinking
- With a known association with drug taking or dealing
- Where there is a strong element of gambling on the premises
- Where entertainment of an adult or sexual nature is provided
- Where irresponsible drinking is encouraged or permitted

(**See 9.4**).

The Licensing Authority expects all applicants who are supplying alcohol to have addressed the issues relating to the protection of children from harm, and to have robust measures in place to protect children. (**See Section 9.9**)

The policy expects all licence holders to comply with the Portman Group Code of Practice, and in particular the Retailer Alert Bulletin. (**See Section 9.8**).

The Licensing Authority will consider attaching conditions to protect children and these may include Conditions drawn from the Model Pool of Conditions relating to Protecting Children from Harm. (**See Appendix 2 Annex H of the Licensing Policy**). In particular Members may wish to consider the following: (this list is not exhaustive):

- Restricting access to premises where heavy or binge or underage drinking is a problem
- Restricting access where significant gambling, or adult entertainment is an issue
- There is a general presumption that where the public are allowed on a premises after 11pm children under 12 will not be allowed unaccompanied by an adult (for example a supermarket)-the applicant can however rebut this
- Restrictions may be applied at particular times, for example when adult entertainment takes place or “happy hours”
- Age restrictions that apply to cinema performances
- Age restrictions for theatres where the entertainment is “adult”
- Conditions relating to the safety of children at performances, or as performers-such as venue, fire safety, special effects and dangerous equipment
- The Portman Code relating to the naming, packaging and promotion of alcoholic drinks

#### Licensing Act 2003 (Part 7)

The Licensing Act 2003 only permits under 16 years olds onto premises exclusively or primarily used for the supply of alcohol when accompanied by adults.

Children under 16 years old must be accompanied by an adult to be present between midnight and 5am on all premises supplying alcohol.

Restaurants may serve wine, beer or cider for consumption to 16-18 year olds with a meal-this is the only significant exception to the prohibition of selling alcohol to minors, and the purchase itself must be by an adult..

The Licensing Act 2003 makes it a criminal offence to serve alcohol to minors (there is however a defence of due diligence). Applicants are always free to exclude minors if they wish to do so.

#### Other Legislation

The Children (Performances) Regulations 1968 sets out the requirements for protecting child performers

# Appendix 18

## Touting

### General Advice

The Council has recognised that touting for restaurant trade is a substantial local problem, and has adopted a local policy. A condition may imposed provided of course that Members are satisfied that it is necessary and proportionate

### Licensing Policy

Where touting is identified as a problem to Members they should insert a condition prohibiting it. **(See 5.7).**

### Other Legislation

Anti-Social Behaviour Act 2003

Council Bye-law on touting