APPENDIX 1



Tower Hamlets
Application for a premises licence
Licensing Act 2003

For help contact licensing@towerhamlets.gov.uk

Telephone: 020 7364 5008

W.

required information

Section 1 of 19				
You can save the form at a	ny time and resume it later. You do not need to			
System reference	Not Currently In Use	This is the unique reference for this application generated by the system.		
Your reference		You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.		
Are you an agent acting on	behalf of the applicant?	Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.		
		He - 1		
Applicant Details		et a		
* First name	RAMESHCHANDRA GORDHANLAL	To the state of th		
* Family name	SHAH	- dimension — Section — 1		
* E-mail				
Main telephone number		Include country code.		
Other telephone number		7		
Indicate here if the a	pplicant would prefer not to be contacted by tel	lephone		
Is the applicant:		45.30		
C Applying as a busine	ss or organisation, including as a sole trader	A sole trader is a business owned by one person without any special legal structure.		
Applying as an individual		Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.		

Continued from previous page			
Address			
*Building number or name			
*Street			
District			
*City or town			
County or administrative area			
* Postcode			
*Country	A CONTRACTOR OF THE CONTRACTOR		
Agent Details			
* First name	GEMMA		
* Family name	GOODWIN		
* E-mail			
Main telephone number		Include country code.	
Other telephone number	Transfer was a state of the second	The state of the s	
☐ Indicate here if you wou	ld prefer not to be contacted by telephone	- pater a contract of	
Are you:			
An agent that is a busine	ess or organisation, including a sole trader	A sole trader is a business owned by one person without any special legal structure.	
A private individual actir	ng as an agent	parameters, opening against action of	
Agent Business			
* Is your business registered in the UK with Companies House?			
* Registration number	05822732		
* Business name	LICENSING MATTERS LTD	If your business is registered, use its registered name.	
*VAT number -	NONE	Put "none" if you are not registered for VAT.	
* Legal status	Private Limited Company		
* Your position in the business	ADMIN ASSISTANT		
Home country	United Kingdom	The country where the headquarters of your business is located.	

Continued from previous page		
Agent Registered Address		Address registered with Companies House.
* Building number or name	TIME TECHNOLOGY PARK	
* Street	BLACKBURN RD	
District		
* City or town	SIMONSTONE	
County or administrative area		
* Postcode	BB12 7TW	11.5
* Country	United Kingdom	
Section 2 of 19		
PREMISES DETAILS		
	oply for a premises licence under section 17 of the premises) and I/we are making this application of the Licensing Act 2003.	
Premises Address		
Are you able to provide a post	al address, OS map reference or description of t	:he premises?
Address C OS ma	p reference C Description	
Postal Address Of Premises		
Building number or name	MILE END POST OFFICE	
Street	UNIT 2 BLEADON HOUSE, 13 BURDETT RD	
•District		
City or town	LONDON	His.
County or administrative area		
Postcode	E3 4TU	
Country	United Kingdom	
Further Details		
Telephone number		+
Non-domestic rateable value of premises (£)	0	
	1	

Secti	on 3 of 19		
APPL	ICATION DETAILS		
In wh	at capacity are you apply	ing for the premises licence?	
\boxtimes	An individual or individu	als	
	A limited company		
	A partnership		
	An unincorporated associ	ciation	
	A recognised club		
	A charity		•
	The proprietor of an edu	cational establishment	
	A health service body		
	· -	ed under part 2 of the Care Standards Act in independent hospital in Wales	
	A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England		
	The chief officer of police	e of a police force in England and Wales	
	Other (for example a statutory corporation)		
Con	firm The Following		
	I am carrying on or proporthe use of the premises f	osing to carry on a business which involves or licensable activities	
	I am making the applicat	tion pursuant to a statutory function	
	I am making the applicat virtue of Her Majesty's po	tion pursuant to a function discharged by rerogative	
Secti	ion 4 of 19		
INDI	VIDUAL APPLICANT DET	AILS	
V 1 1	licant Name		
Is the name the same as (or similar to) the details given in section one?		nilar to) the details given in section one?	If "Yes" is selected you can re-use the details from section one, or amend them as required.
•	Yes	∩ No	Select "No" to enter a completely new set of details.
First name		RAMESHCHANDRA GORDHANLAL	
Family name		SHAH]
is the applicant 18 years of age or older?			
•	Yes	○ No	

Continued from previous page.	***	
Applicant Postal Address		
Is the address the same as (o	or similar to) the address given in section one?	If "Yes" is selected you can re-use the details
	C No	from section one, or amend them as required. Select "No" to enter a completely new set of details.
Building number or name	= =	
Street	-	
District		
City or town		
County or administrative are	2a	
Postcode		
Country		
Applicant Contact Details		
Are the contact details the sa	rame as (or similar to) those given in section one?	If "Yes" is selected you can re-use the details from section one, or amend them as
C Yes	No No	required. Select "No" to enter a completely new set of details.
E-mail		
Telephone number		
Other telephone number		
1	Add another applicant	
Section 5 of 19		
OPERATING SCHEDULE		
When do you want the premises licence to start?	dd mm yyyy	
If you wish the licence to be valid only for a limited perior when do you want it to end	od, / / /	
Provide a general description	n of the premises	
licensing objectives. Where	mises, its general situation and layout and any otl your application includes off-supplies of alcohol a upplies you must include a description of where t	and you intend to provide a place for
IS RE-LOCATING TO NUMBER	PPERATING MILE END POST OFFICE AT NUMBER 11 R 13 TO A BIGGER PREMISES WHERE IN ADDITION ONVENIENCE GOODS. THE STORE WILL BE RE-BRA	TO THE POST OFFICE THE PREMISES WILL

Continued from previous page	
If 5,000 or more people are	
expected to attend the premises at any one time,	
state the number expected to	
attend	
Section 6 of 19	
PROVISION OF PLAYS	
Will you be providing plays?	The second secon
C Yes	No
Section 7 of 19	
PROVISION OF FILMS	
Will you be providing films?	
C Yes	€ No
Section 8 of 19	
PROVISION OF INDOOR SPOR	TING EVENTS
Will you be providing indoor sp	porting events?
○ Yes	€ No
Section 9 of 19	
PROVISION OF BOXING OR WI	RESTLING ENTERTAINMENTS
Will you be providing boxing o	r wrestling entertainments?
1000	© No
Section 10 of 19	
PROVISION OF LIVE MUSIC	
Will you be providing live musi	c?
○ Yes	♠ No
Section 11 of 19	
PROVISION OF RECORDED MU	JSIC
Will you be providing recorded	music?
○ Yes	No
Section 12 of 19	
PROVISION OF PERFORMANC	ES OF DANCE
Will you be providing performa	ances of dance?
C Yes	€ No
Section 13 of 19	
PROVISION OF ANYTHING OF DANCE	A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF
Will you be providing anything performances of dance?	similar to live music, recorded music or
	G. No.
○ Yes	© No

Continued from previous page	•	
Will the sale of alcohol be for	consumption:	If the sale of alcohol is for consumption on
C On the premises	Off the premisesBoth	the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.
State any seasonal variations		
For example (but not exclusiv	ely) where the activity will occur on additional d	lays during the summer months.
column on the left, list below	the premises will be used for the supply of alcolers, where you wish the activity to go on longer	
State the name and details of licence as premises supervisor	the individual whom you wish to specify on the	
Name		
First name	RAMESHCHANDRA GORDHANLAL	
Family name	SHAH	
Enter the contact's address		
Building number or name		
Street		
District		
City or town		
County or administrative area		
Postcode	3000000	
Country		
Personal Licence number (if known)		
Issuing licensing authority (if known)	- AGO BOTO CONTINUE	

Continued from previous	page	
Section 14 of 19		
LATE NIGHT REFRESH	MENT	
Will you be providing la	ite night refreshment?	700
C Yes	No	
Section 15 of 19		
SUPPLY OF ALCOHOL		
Will you be selling or su	pplying alcohol?	
 	C No	
Standard Days And Ti	mings	
MONDAY		Character to up to 24 hours aloub
	Start 08:00	Give timings in 24 hour clock. End 19:00 (e.g., 16:00) and only give details for the days
	Start	of the week when you intend the premises
	Start	End to be used for the activity.
TUESDAY		
	Start 08:00	End 19:00
	Start	End
WEDNESDAY		
	Start 08:00	End 19:00
	Start	End
THURSDAY		
IHORSDAT	C+ 00:00	End 19:00
	Start 08:00	
	Start	End []
FRIDAY		
	Start 08:00	End 19:00
	Start	End
SATURDAY		
	Start 08:00	End 19:00
	Start	End End
	Jian	
SUNDAY		
	Start 08: 0 0	End 19:00
	Start	End

of the same of

Continued from previous	· ·		
	FED PREMISES SUPERVISOR		
How will the consent for be supplied to the auth	form of the proposed designation fority?	ated premises supervisor	
C Electronically, by	the proposed designated pr	remises supervisor	
As an attachment	t to this application		
Reference number for of form (if known)	consent		If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.
Section 16 of 19			
ADULT ENTERTAINME	:NT		
premises that may give Give information about rise to concern in respe	e rise to concern in respect o It anything intended to occu	of children or at the premises or ancilla whether you intend childs	ent or matters ancillary to the use of the ary to the use of the premises which may give ren to have access to the premises, for example a gambling machines etc.
NONE			
Section 17 of 19	THE PARTY OF THE P		
HOURS PREMISES ARE	E OPEN TO THE PUBLIC		
Standard Days And Ti	imings		
MONDAY			Give timings in 24 hour clock.
	Start 07:00	End 19:00	(e.g., 16:00) and only give details for the days
	Start	End	of the week when you intend the premises to be used for the activity.
TUESDAY			
	Start 07:00	End 19:00	
	Start	End	
MEDMECDAY			_
WEDNESDAY	2	5 1 1000	¬
	Start 07:00	End 19:00	
	Start	End	_
THURSDAY			
	Start 07:00	End 19:00	
	Start	End	
FRIDAY		_	_
	Start 07:00	End 19:00	
	Start	End	i

Continued from previous page
SATURDAY
Start 07:00 End 19:00
Start End
SUNDAY
Start 07:00 End 19:00
Start End
State any seasonal variations
For example (but not exclusively) where the activity will occur on additional days during the summer months.
Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below
For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
To example (but not exclusively), where you wish the detivity to go on longer on a particular day eig. emotings ever
Section 18 of 19
LICENSING OBJECTIVES
Describe the steps you intend to take to promote the four licensing objectives:
a) General – all four licensing objectives (b,c,d,e)
List here steps you will take to promote all four licensing objectives together.
THE PREMISES WILL BE MANAGED IN LINE WITH THE FOUR LICENSING OBJECTIVES & GOVERNMENT LEGISLATION.
b) The prevention of crime and disorder
1)a)A CCTV camera system covering both internal and external to the premise is to be installed, & images will be of
evidential quality. (b) The CCTV recordings are to be maintained for 31 days and will be provided to RA's upon request, or in any case within 24
hours.
c) The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
2) An incidents/ challenges/ refusals register will be maintained at the premises. This will be signed off by the DPS/ duty
manager at the end of every week.
2) There will be no single sales of can of beers larger & cider These products will be sold as a minimum of 3 yessels

Continued from previous page...

There will be no sales of cans of beers, lager & cider with an abv above 6.5%.

c) Public safety

1) Working in partnership with the Police, the store will not sell alcohol to customers who have been identified to the management of the premises by the Police; that have committed acts of crime & disorder in the area.

d) The prevention of public nuisance

As per b & c

e) The protection of children from harm

- 1) The premises will operate a challenge 25 policy. Whenever a person looks or appears to be under the age of 25, they will be challenged for ID to prove that they are over the age of 18.
- 2) The only types of ID to be accepted are passports, photo card driving licences & government approved cards bearing the PASS logo.

Section 19 of 19

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/ business rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1.905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment only where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8.000.00

Capacity 30000-39000 £16,000.00

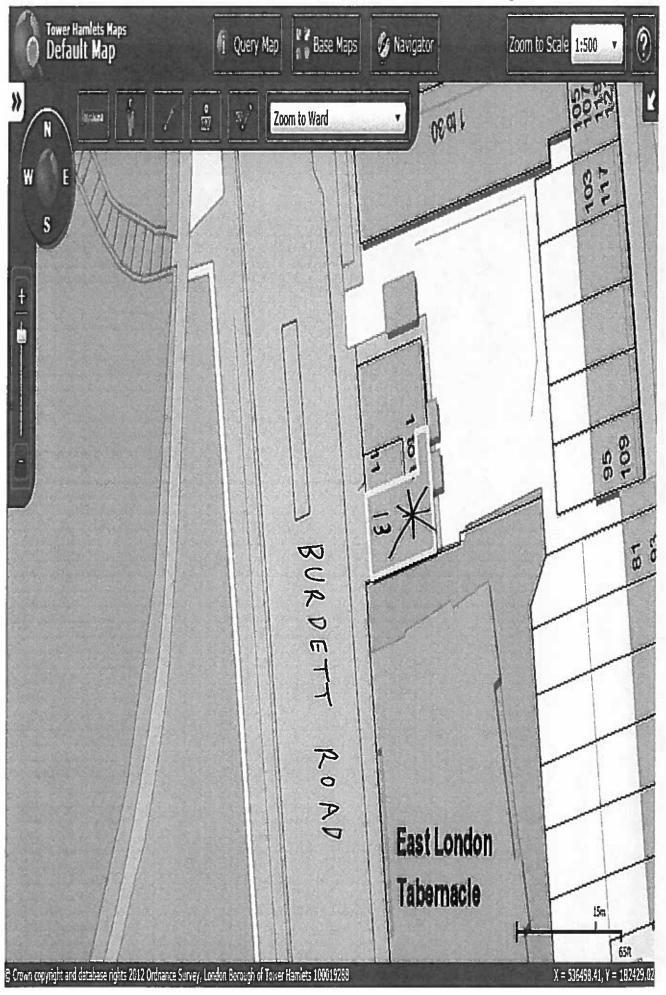
Capacity 40000-49999 £24,000.00

Capacity 50000-S9999 £32,000.00

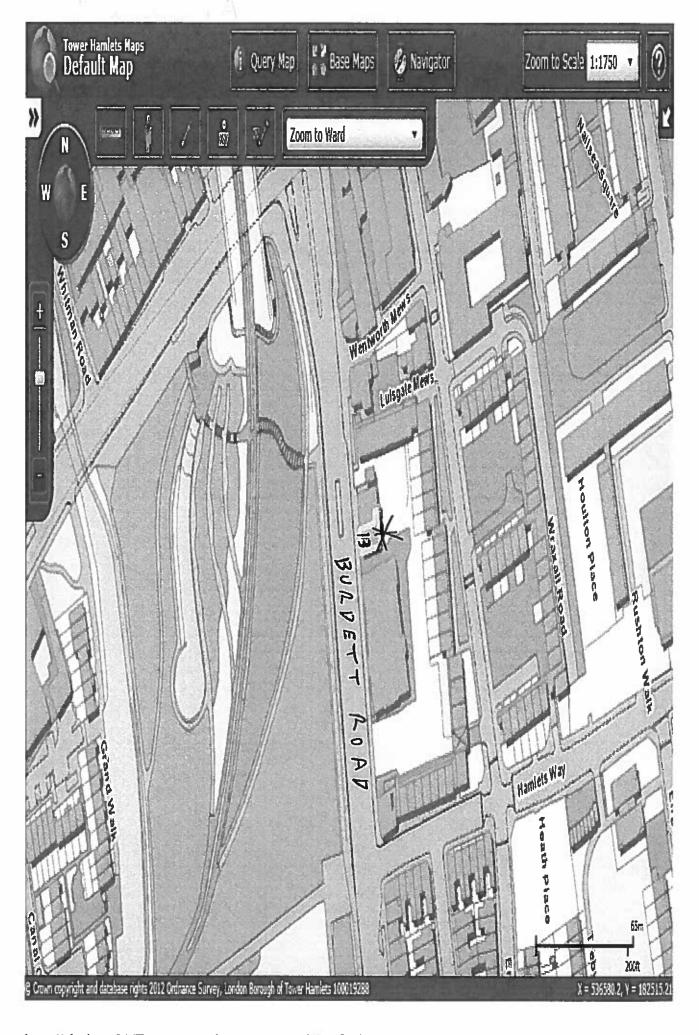
Capacity 60000-69999 £40,000.00

Continued from previous page	
Capacity 70000-79999 £48,000	.00
Capacity 80000-89999 £56,000	
Capacity 90000 and over £64,0	
Capacity 20000 and over 20 1/0	
* Fee amount (£)	100.00
ATTACHMENTS	
AUTHORITY POSTAL ADDRES	S
Address	
Building number or name	
Street	
District	
City or town	
County or administrative area	
Postcode	
Country	United Kingdom
DECLARATION	
	rce, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the false statement in or in connection with this application.
☐ Ticking this box indicat	es you have read and understood the above declaration
This section should be comple behalf of the applicant?"	ted by the applicant, unless you answered "Yes" to the question "Are you an agent acting on
* Full name	
* Capacity	
Date (dd/mm/yyyy)	
	Add another signatory
2. Go back to https://www.gov continue with your application	outer by clicking to file/save as 7.uk/apply-for-a-licence/premises-licence/tower-hamlets/apply-1 to upload this file and

APPENDIX 2



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Appendix 3

Section 182 Advice by the Home Office

Updated October 2010

Relevant, vexatious and frivolous representations

- 9.8 A representation would only be "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 businessman which argued that his business would be commercially damaged by a new licensed premises would not be relevant. On the other hand, a representation that nuisance caused by the new premises would deter customers from entering the local area and the steps proposed by the applicant to control that nuisance were inadequate would be relevant. There is no requirement for an interested party or responsible authority to produce a recorded history of problems at a premises to support their representations, and in fact this would not be possible for new premises. Further information for interested parties about the process for making representations is available in "Guidance for interested parties: Making representations" which can be found on the Home Office website.
- 9.9 The "cumulative impact" on the licensing objectives of a concentration of multiple licensed premises may also give rise to a relevant representation when an application for the grant or variation of a premises licence is being considered, but not in relation to an application for review which must relate to an individual premises.
- 9.10 It is for the licensing authority to determine whether any representation by an interested party is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. Vexation may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Frivolous representations would be essentially categorised by a lack of seriousness. An interested party who is aggrieved by a rejection of their representations on these grounds may challenge the authority's decision by way of judicial review.
- 9.11 Licensing authorities should not take decisions on whether representations are relevant on the basis of any political judgement. This may be difficult for ward councillors receiving 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 subcommittee before any decision is taken that necessitates a hearing. Any ward councillor who

APPENDIX 4

Burdett Road Business Association 27 Burdett Road London E3 4TN

To Licensing Committee;

I write to you in respond to application made by "Rameshchandra Gordhanlal" for Premises MILE END POST OFFICE, UNIT 2 BLEADON HOUSE, 13 BURDETT ROAD, LONDON E3 4TU

Burdett Road Association is acting on behalf of all businesses in Burdett Road and also the local Residents. We would like to make a representation against the application and request the Licensing department to <u>REFUSE</u> the application.

The property is not suitable for selling alcohol as this is a very high crime area. It's a danger to both public and children's. There are two very busy bus stops in front of the above premises and selling alcohol will attract lots of street drinkers and young youths to buy alcohol and cause troubles. The Licensing committee has already refused an application 3 months ago for the same building, next door, due to high Anti Social Behaviour for premises <u>UNIT 1, BLEADON HOUSE, 11 BURDETT ROAD, LONDON E3.</u> (Please see the last minutes reports from the hearing on 16th July. Report No: LSC 05/134.)

There are number of reasons why we feel that there should be no further shops selling Alcohol. Here is some of the top reason below:

- 1. It is already a very high crime area and the use of Alcohol will influence more unwanted behaviour.
- 2. Drug activities and supplying of drugs, youths disturbing by passers and also fights. (ASB)
- 3. 2 very busy bus stops which are used by young children's, to commute during school days which can be very dangerous if street drinkers make the bus stops as their base.
- 4. Mile End Park is a well enjoyed park with children's, families and other visitors visiting. We don't want the park to be full of youths loitering and disturbing the park users.
- 5. Local Residents and the Residents above disagree with the application made as this will attracts violence and more noise to the surrounding.
- 6. It will put a high risk on people using the post office

The premises is located in a very high crime zone area in Burdett road, where previously many fights and attacks incurred in past. Since 2011 we have worked very closely with the local police and with residents and business to tackle these crimes and seen a dramatic drop in crime. Having another shop selling Alcohol will bring crime back in the area. Also many Elderly people visit post office every day to either deposit or cash large amount of cash, which they may be followed by criminals. It will NOT be safe for supply of Alcohol at this property as this will only raise the risk at a very high level to people's safety, especially children's and elderly people.

These are just few concerns of having a similar Retail in Burdett Road. Already there are 3 wine shops on both side of Burdett Road and 1 in Hamlets Way, Further up in Mile End Road there is Budgens, Low Cost Supermarket and opposite side near station there is a 24 hour retail shop which also sells alcohol.

We would request the Licensing committee to help us to help the community in the area also to help bring crime down. We hope no application for the above premises is to be granted now and in future, Burdett Road has always been and always will remain a <u>RED ZONE</u> for crime. Therefore we should act firmly and make sensible decision so that we are don't allow an increase on ASB.

Already the students from Queens Mary University who comes from far distance and many from different country are frighten to walk through Burdett Road as too many young youths are hanging around that end of Burdett Road.

Kind Regards
Burdett Road Business Association
Mr Didhar Hussain

T.

Anti-Social Behaviour On The Premises

Licensing Policy

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (See Sections 5.2 of the Licensing Policy)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (See Appendix 2 Annex D of the Licensing Policy). In particular Members may wish to consider (this list is not exhaustive):

- Methods of management communication
- Use of registered Door Supervisors
- Bottle Bans
- Plastic containers
- CCTV
- Restrictions on open containers for "off sales"
- Restrictions on drinking areas
- Capacity
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage
- Seating plans
- Capacity

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

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public safety.

Guidance Issued under Section 182 of the Licensing Act 2003.
The Licensing Policy has adopted the recommended Pool of Conditions as permitted (Annex D).

The key role of the police is acknowledged (2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, 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 (S2.7-2.11).

Guidance Issued under Section 182 of the Licensing Act 2003 Conditions can be imposed for large capacity "vertical consumption" premises (10.40).

Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices

Other Legislation

The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.

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 antisocial behaviour committed by adults and young people. These include:

- Anti-Social Behaviour Orders
- Child Curfew Schemes
- Truancy
- Parenting Orders
- Reparation Orders
- Tackling Racism

Appendix 7

Access and Egress problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot Disturbance from patrons arriving/leaving the premises by car Lack of adequate car parking facilities Close proximity to residential properties

Comment

The above have been grouped together as egress problems. Of course the particular facts will be different for each alleged problem.

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.

Planning

An application for a Premises Licence can be made in respect of a premises even where the premises does not have relevant Planning Permission. That application has to be considered and Members can only refuse the application where the application itself does not promote one of more of the Licensing Objectives. Members cannot refuse just because there is no planning permission. Where a Premises Licence is granted and which exceeds what is allowed by the Planning Permission and that Premises then operates in breach of planning then the operator would be liable to enforcement by Planning.

Appendix 9

Licensing Policy relating to hours of trading

All applications have to be considered on their own merits.

The Council has however adopted a set of framework hours as follows:

Sunday to Thursday 06 00 hrs to 23 30 hrs

Friday and Saturday

06 00 hrs to midnight

(see 12.8 Of the licensing policy)

In considering the applicability of frame work hours to any particular application regard should be had to the following

- Location
- Proposed hours of regulated activities, and the proposed hours the premises are open to the public
- The adequacy of the applicants proposals to deal with issues of crime and disorder and public nuisance
- Previous history
- Access to public transport
- Proximity to other licensed premises, and their hours

(see 12.8 of the licensing policy)

Subject to any representations to the contrary in individual cases the following premises are not generally considered to contribute to late night anti-social behaviour and will therefore generally have greater freedom

- Theatres
- Cinemas
- Premises with club premises certificates
- Premises licensed for off sales only

