

# Appendix 1


Ground Floor and Basement  
60 - 62 Commercial Street  
London  
E1 6LT

**Licensable Activities authorised by the licence**

The sale by retail of alcohol  
The provision of late night refreshment

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

**Signed by**

**John McCrohan**   
**Trading Standards and Licensing Manager**

**Date: 25<sup>th</sup> October 2012**



**Part A - Format of premises licence**

Premises licence number

16782

**Part 1 - Premises details**

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

Ground Floor and Basement  
60 - 62 Commercial Street

**Post town**

London

**Post code**

E1 6LT

**Telephone number**

None

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

N/A

**Licensable activities authorised by the licence**

The sale by retail of alcohol  
The provision of late night refreshment

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

#### **Alcohol**

- Monday to Thursday, from 10:00 hours to 23:30 hours
- Friday and Saturday, from 10:00 hours to midnight
- Sunday, from 12:00 hours to 23:30 hours

#### **Late Night Refreshment**

- Sunday to Thursday, from 23:00 hours to 23:30 hours
- Friday and Saturday, from 23:00 hours to midnight

#### Non-standard timings

- Bank Holidays until midnight

### **The opening hours of the premises**

- Monday to Thursday, from 08:00 hours to midnight
- Friday and Saturday, from 08:00 hours to 00:30 hours
- Sunday, from 12:00 hours to midnight.

#### Non-standard timings

- Bank Holidays until midnight

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

On and sales

## **Part 2**

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

Calita Ltd  
[REDACTED]

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

Limited Company: 07659858

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

Julian Lodeiro Martinez  
[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**

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

## Annex 1 - Mandatory conditions

Effective from 6<sup>th</sup> April 2010

1.

- (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;

- (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
- 2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

**Effective from 10<sup>th</sup> October 2010:**

- 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.
- 5. The responsible person shall ensure that;
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) customers are made aware of the availability of these measures.

6. 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
7. 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. No nudity or semi nudity permitted

## **Annex 3 - Conditions attached after a hearing by the licensing authority** Conditions attached following the Licensing Subcommittee hearing of the 425<sup>th</sup> October 2012:

1. CCTV camera system covering both internal and external to the premises shall be installed and maintained:
  - a. The CCTV recordings are shall be maintained for 31 days and to be provided upon request to either a Police Officer or an officer of any other Responsible Authority.
  - b. At all times the premises is open, a person who can operate the CCTV system must be present on the premises.

## **Annex 4 - Plans**

The plans are those submitted to the licensing authority on the following date:

3<sup>rd</sup> September 2012 - Ground Floor (Drawing No: 008062, dated 24/08/2011)  
Basement (Drawing No: 008062, dated 24/08/2011)





**Part B - Premises licence summary**

**Premises licence number**

16782

**Premises details**

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

Ground Floor and Basement  
60 - 62 Commercial Street

**Post town**

London

**Post code**

E1 6LT

**Telephone number**

None

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol  
The provision of late night refreshment


The times the licence authorises the carrying out of licensable activities

|  |
|--|
| <p><b>Alcohol</b></p> <ul style="list-style-type: none"><li>Monday to Thursday, from 10:00 hours to 23:30 hours</li><li>Friday and Saturday, from 10:00 hours to midnight</li><li>Sunday, from 12:00 hours to 23:30 hours</li></ul> <p><b>Late Night Refreshment</b></p> <ul style="list-style-type: none"><li>Sunday to Thursday, from 23:00 hours to 23:30 hours</li><li>Friday and Saturday, from 23:00 hours to midnight</li></ul> <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"><li>Bank Holidays until midnight</li></ul> |
|--|

The opening hours of the premises

|   |
|---|
| <ul style="list-style-type: none"><li>Monday to Thursday, from 08:00 hours to midnight</li><li>Friday and Saturday, from 08:00 hours to 00:30 hours</li><li>Sunday, from 12:00 hours to midnight.</li></ul> <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"><li>Bank Holidays until midnight</li></ul> |
|---|

Name, (registered) address of holder of premises licence

|   |
|---|
| Calita Ltd<br> |
|---|

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

|              |
|--------------|
| On and sales |
|--------------|

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

|          |
|----------|
| 07659858 |
|----------|

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

|                         |
|-------------------------|
| Julian Lodeiro Martinez |
|-------------------------|

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

|                 |
|-----------------|
| No restrictions |
|-----------------|

# Appendix 2

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 CALITA LTD  
 (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 | 16782 |
|-------------------------|-------|

Part 1 – Premises Details

|  |                         |  |  |
|--|-------------------------|--|--|
| Postal address of premises or, if none, ordnance survey map reference or description | 60-62 COMMERCIAL STREET |  |  |
|--|-------------------------|--|--|

|           |        |          |        |
|-----------|--------|----------|--------|
| Post town | LONDON | Postcode | E1 6LT |
|-----------|--------|----------|--------|

|                                       |     |
|---------------------------------------|-----|
| Telephone number at premises (if any) | N/A |
|---------------------------------------|-----|

|   |                     |
|---|---------------------|
| Non-domestic rateable value of premises | £ 70,000 ⇒ FEE £315 |
|---|---------------------|

Part 2 – Applicant details

|   |                         |          |        |
|---|-------------------------|----------|--------|
| Daytime contact telephone number                          | [REDACTED]              |          |        |
| E-mail address (optional)                                 | [REDACTED]              |          |        |
| Current postal address if different from premises address | 60-62 COMMERCIAL STREET |          |        |
| Post town   | LONDON                  | Postcode | E1 6LT |

**LBTH**  
 TRADING STANDARDS  
 28 NOV 2013  
 LICENSING

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?  Yes

No

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

|    |    |      |
|----|----|------|
| DD | MM | YYYY |
|    |    |      |

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

EXTENSION OF TERMINAL HOUR  
SO AS TO PERMIT THE SALE OF  
HOT FOOD AND HOT DRINK, AND  
THE SALE OF ALCOHOL, UNTIL  
01:00 MONDAY TO SUNDAY.

EXTENSION OF HOURS TO 03:00 ON  
EVERY NEW YEARS EVE INTO  
NEW YEARS DAY.

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:

|     |
|-----|
| N/A |
|-----|

**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 all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)

- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

**Sale by retail of alcohol** (if ticking yes, fill in box J)

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

A

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

B

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



C

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

D

| Boxing or wrestling entertainments<br>Standard days and timings<br>(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  | <input type="checkbox"/> |
|--|-------|--------|---|----------|--------------------------|
| Day  | Start | Finish |   | Outdoors | <input type="checkbox"/> |
|  |       |        |   | Both     | <input type="checkbox"/> |
| Mon  |       |        | <u>Please give further details here</u> (please read guidance note 3)   |          |                          |
|  |       |        |   |          |                          |
| Tue  |       |        | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)  |          |                          |
|  |       |        |   |          |                          |
| Wed  |       |        | <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) |          |                          |
|  |       |        |   |          |                          |
| Thur   |       |        |   |          |                          |
| Fri  |       |        |   |          |                          |
| Sat  |       |        |   |          |                          |
| Sun  |       |        |   |          |                          |

E

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

F

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

G

| Performances of dance<br>Standard days and timings<br>(please read guidance note 6) |       |        | <b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)<br>Indoors <input type="checkbox"/><br>Outdoors <input type="checkbox"/><br>Both <input type="checkbox"/> |
|---|-------|--------|--|
| Day   | Start | Finish |  |
| Mon   |       |        |  |
| Tue   |       |        |  |
| Wed   |       |        | <b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)   |
| Thur  |       |        |  |
| Fri   |       |        | <b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)                            |
| Sat   |       |        |  |
| Sun   |       |        |  |

H

|  |       |        |   |          |                          |
|--|-------|--------|---|----------|--------------------------|
| <p><b>Anything of a similar description to that falling within (e), (f) or (g)</b><br/>                 Standard days and timings<br/>                 (please read guidance note 6)</p> |       |        | <p>Please give a description of the type of entertainment you will be providing</p>   |          |                          |
| Day  | Start | Finish | <p><b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)</p>   | Indoors  | <input type="checkbox"/> |
| Mon  |       |        |   | Outdoors | <input type="checkbox"/> |
|  |       |        |   | Both     | <input type="checkbox"/> |
| Tue  |       |        | <p><b><u>Please give further details here</u></b> (please read guidance note 3)</p>   |          |                          |
| Wed  |       |        |   |          |                          |
| Thur   |       |        | <p><b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)</p>  |          |                          |
| Fri  |       |        |   |          |                          |
| Sat  |       |        | <p><b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)</p> |          |                          |
| Sun  |       |        |   |          |                          |

| Late night refreshment<br>Standard days and timings<br>(please read guidance note 6) |       |        | <u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)   | Indoors  | <input type="checkbox"/>            |
|--|-------|--------|--|----------|-------------------------------------|
|  |       |        |  | Outdoors | <input type="checkbox"/>            |
|  |       |        |  | Both     | <input checked="" type="checkbox"/> |
| Day  | Start | Finish | <u>Please give further details here</u> (please read guidance note 3)  |          |                                     |
| Mon  | 23.00 | 01.00  |  |          |                                     |
| Tue  | 23.00 | 01.00  |  |          |                                     |
|  |       |        | <u>State any seasonal variations for the provision of late night refreshment</u><br>(please read guidance note 4)  |          |                                     |
| Wed  | 23.00 | 01.00  | EXTENSION TO 03:00 ON EVERY<br>NEW YEARS EVE INTO NEW YEARS DAY  |          |                                     |
| Thur   | 23.00 | 01.00  |  |          |                                     |
|  |       |        | <u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5) |          |                                     |
| Fri  | 23.00 | 01.00  |  |          |                                     |
| Sat  | 23.00 | 01.00  |  |          |                                     |
| Sun  | 23.00 | 01.00  |  |          |                                     |

J

| Supply of alcohol<br>Standard days and timings<br>(please read guidance note 6) |       |        | Will the supply of alcohol be for consumption – please tick (please read guidance note 7)   | On the premises   | <input type="checkbox"/>            |  |
|---|-------|--------|---|---|-------------------------------------|--|
| Day   | Start | Finish |   | Off the premises  | <input type="checkbox"/>            |  |
| Mon   | 10.00 | 01.00  | <u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)<br><br>EXTENSION OF HOURS TO 03.00<br>ON EVERY NEW YEARS EVE<br>INTO NEW YEARS DAY | Both  | <input checked="" type="checkbox"/> |  |
| Tue   | 10.00 | 01.00  |   |   |                                     |  |
| Wed   | 10.00 | 01.00  |   |   |                                     |  |
| Thur  | 10.00 | 01.00  |   | <u>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</u> (please read guidance note 5) |                                     |  |
| Fri   | 10.00 | 01.00  |   |   |                                     |  |
| Sat   | 10.00 | 01.00  |   |   |                                     |  |
| Sun   | 12.00 | 01.00  |   |   |                                     |  |

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).

NIL

L



| Hours premises are open to the public<br>Standard days and timings<br>(please read guidance note 6) |       |        | <u>State any seasonal variations</u> (please read guidance note 4)   |
|---|-------|--------|--|
| Day   | Start | Finish |  |
| Mon   | 08.00 | 01.00  | <u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u><br>(please read guidance note 5)<br><br>NEW YEARS EVE INTO<br>NEW YEARS DAY UNTIL<br>03:00 |
| Tue   | 08.00 | 01.00  |  |
| Wed   | 08.00 | 01.00  |  |
| Thur  | 08.00 | 01.00  |  |
| Fri   | 08.00 | 01.00  |  |
| Sat   | 08.00 | 01.00  |  |
| Sun   | 08.00 | 01.00  |  |
|   |       |        |  |

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.

NIL

Please tick as appropriate

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

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

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

n/a

**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 and e) (please read guidance note 9)**

ALL EXISTING CONDITIONS TO REMAIN

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

LAST ENTRY TO THE PREMISES ON ANY DAY NO LATER THAN 00:30

**c) Public safety**

\_\_\_\_\_ " \_\_\_\_\_

**d) The prevention of public nuisance**

\_\_\_\_\_ " \_\_\_\_\_

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

\_\_\_\_\_ " \_\_\_\_\_

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have sent copies of this application and the plan 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 SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

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

Signature of 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.

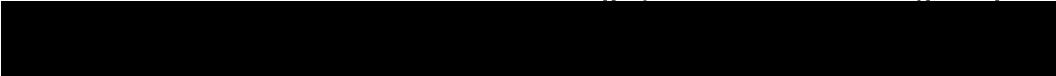
|           |  |
|-----------|--|
| Signature |  PHILIP DOYLE |
| Date      | 27TH NOVEMBER 2013   |
| Capacity  | LICENSING AGENT - PDL CONSULTANTS LTD  |



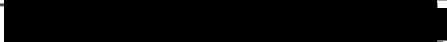

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

|           |  |
|-----------|--|
| Signature |  |
| Date      |  |
| Capacity  |  |

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

PHILIP DOYLE  
PDL CONSULTANTS LTD

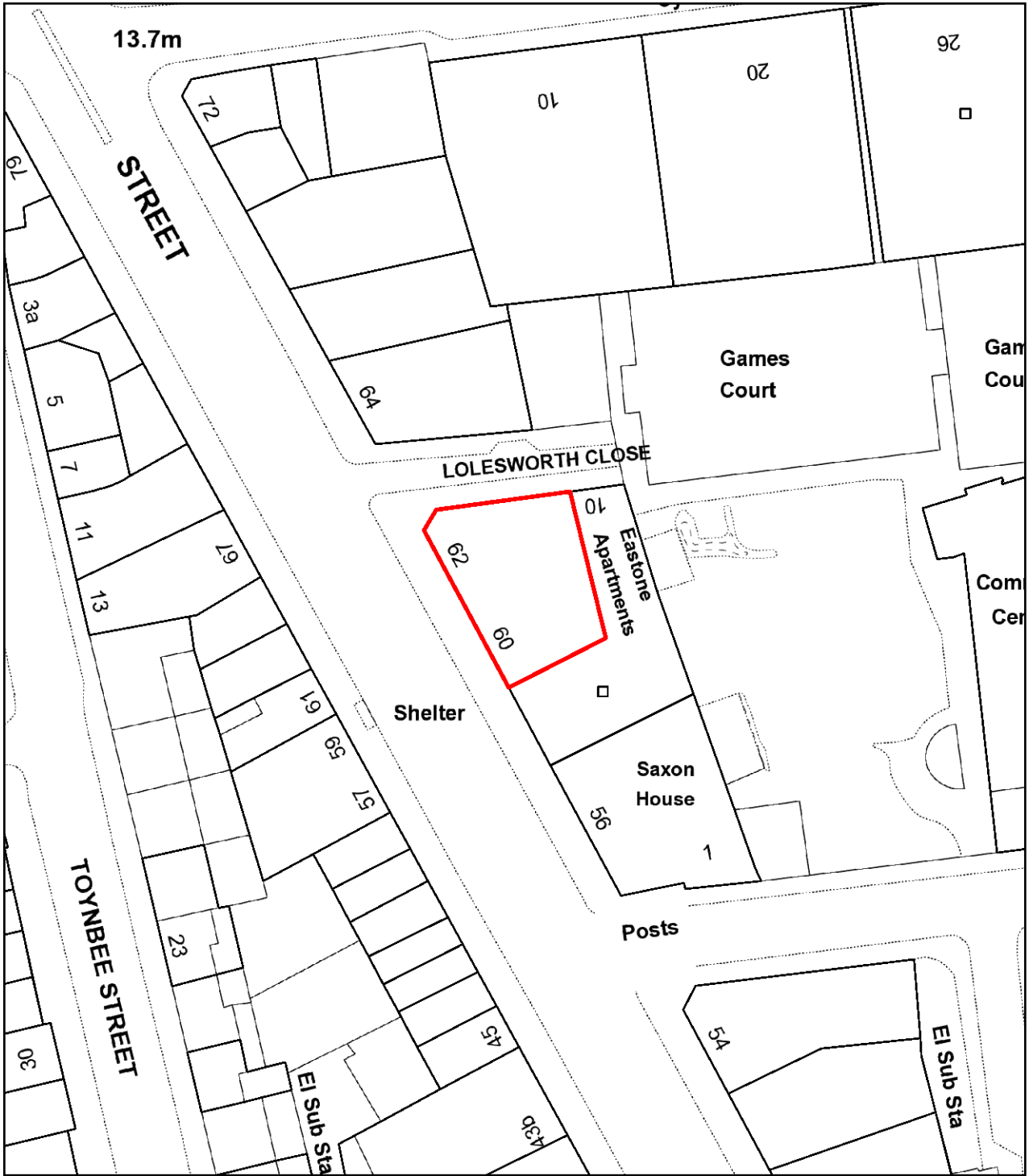


|   |  |           |   |
|---|--|-----------|---|
| Post town   |  | Post code |  |
| Telephone number (if any)   |  |           |   |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) |  |           |   |
|     |  |           |   |

**Notes for Guidance**

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

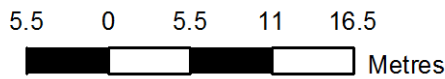
# Appendix 3

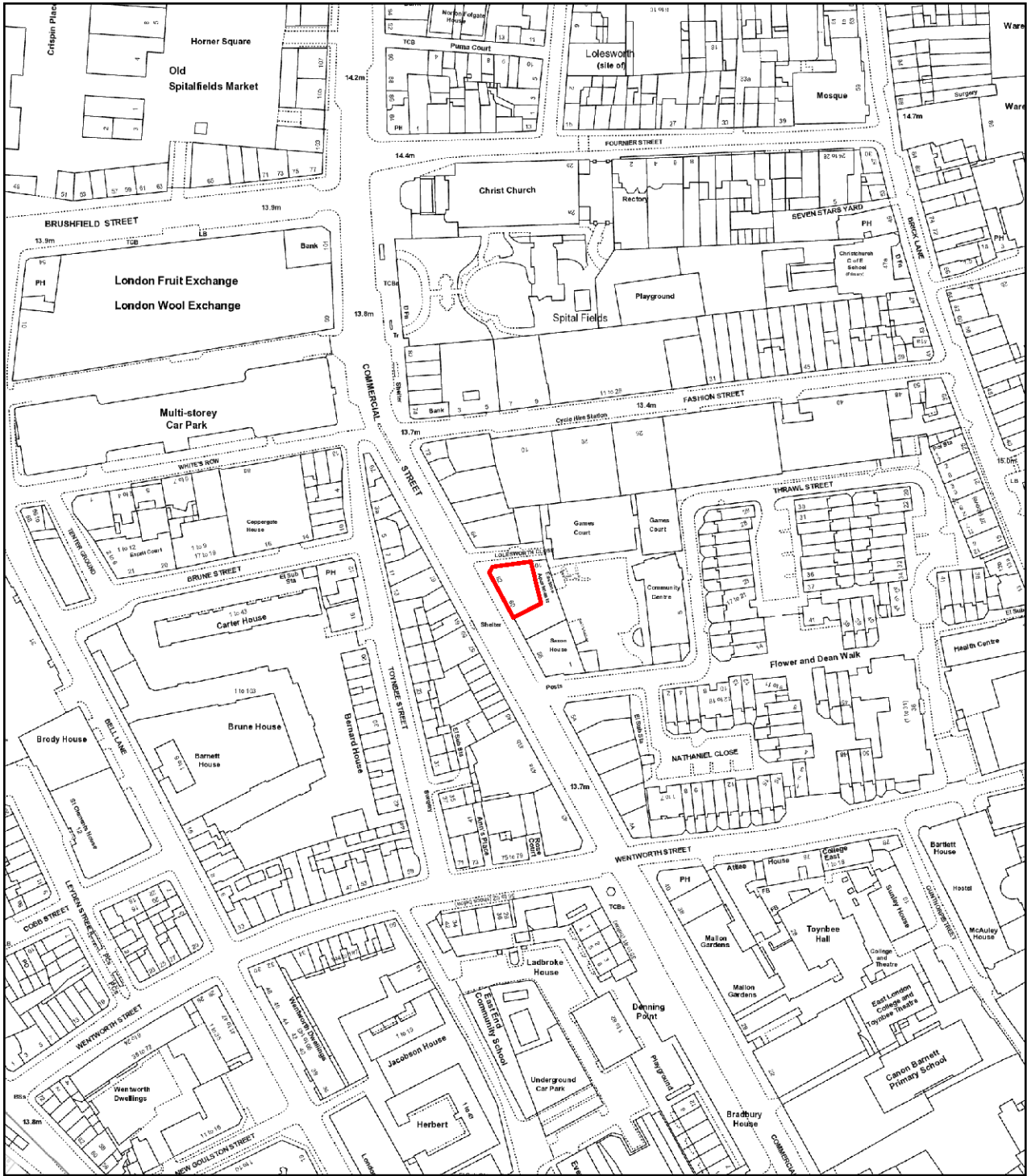


# 60-62 Commercial Steet



Scale 1:622

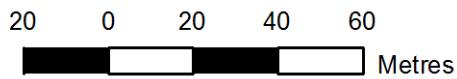




# 60-62 Commercial Steet



Scale 1:2176



# Appendix 4



## Section 182 Advice by the Home Office

Updated June 2013

### Relevant, vexatious and frivolous representations

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

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

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

# Appendix 5

**Communities, Localities & Culture  
Consumer & Business Regulations**

Head Of Service **David Tolley**

Licensing Section  
Mulberry Place  
5 Clove Crescent  
London E14 2BG

Tel **020 7364 5171**

Fax **020 7364 0863**

Enquiries to **Kathy Driver**

Email **kathy.driver@towerhamlets.gov.uk**

**www.towerhamlets.gov.uk**

Calita Ltd  


18<sup>th</sup> December 2013

Your reference  
My reference CLC/CBR/LIC/73504

Dear Sirs,

**RE: Lupita, 60-62 Commercial Street, London E1 6LT**

On 1<sup>st</sup> November 2013, Tower Hamlets adopted a cumulative impact policy in the Brick Lane Area. The Council has recognised that because of the number and density of licensed premises selling alcohol, on and off the premises and the provision of late night refreshment (sale of hot food after 11pm) within the Brick Lane Area, there might be exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect.

The Licensing Authority recognises that there is a wide diversity of premises requiring a licence and will have full regard to the differing impact these will have on the local community. It therefore also recognises that, within this policy, it may be able to approve licences that are unlikely to add significantly to the saturation, and will consider the circumstances of each individual application.

The Licensing Authority may consider that the imposition of conditions is unlikely to address these problems and may consider the adoption of a special policy of refusing new licences because the area is saturated with licensed premises and the granting of any more would undermine one of the licensing objectives.

The Licensing Authority will consider representations based on the impact on the promotion of the licensing objectives in the Borough generally of the grant of the particular application in front of them.

M:\Licensing\Word97\2003 Lic Act\_Committee\CASEWORK\CommercialSt60-62\LARep.KD.docx Corporate Director

Communities, Localities & Culture  
**Stephen Halsey**

The Licensing Authority is now of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the Brick Lane Area as having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone.

The effect of this Special Cumulative Impact Policy is to create a rebuttable presumption for applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity). Where the premises are situated in the cumulative impact zone and a representation is received, the licence will be refused. To rebut this presumption the applicant is expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced. This policy does not act as an absolute prohibition on granting/varying new licences in the Cumulative Impact Zone.

The Licensing Authority feel that by increasing the hours from 11:30pm on Monday to Thursday and midnight on Friday and Saturday to a later time of 1:00am Monday to Sunday will impact on the area. The increase in hours for New Years Eve until 3am will also add to the numbers of people already in the area.

The applicant has failed to provide any supporting evidence in the operating schedule to show that the extension of hours will not add to the impact.

Therefore the Licensing Authority is making representation against the above application on the grounds of the prevention of crime and disorder and the prevention of public nuisance.

Yours faithfully,



**Kathy Driver**  
**Principal Licensing Officer**

c.c. Philip Doyle, 

M:\Licensing\Word97\2003 Lic Act\_Committee\CASEWORK\CommercialSt60-62\LARep.KD.docx Corporate Director

Communities, Localities & Culture  
**Stephen Halsey**

# Appendix 6

## Mohshin Ali

---

**From:** Alan.D.Cruickshank@met.pnn.police.uk  
**Sent:** 19 December 2013 11:56  
**To:** Mohshin Ali  
**Cc:** Licensing  
**Subject:** 60-62 Commercial St, E1  
**Attachments:** 60- 62 Commercial St, E1.doc

Dear Mohshin

Please find my representation re: the above venue.

Regards

Alan Cruickshank PC 189HT

**Total Policing is the Met's commitment to be on the streets and in your communities to catch offenders, prevent crime and support victims. We are here for London, working with you to make our capital safer.**

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**Twitter: [@metpoliceuk](https://twitter.com/metpoliceuk)**

John McCrohan  
London Borough of Tower Hamlets  
Licensing Section  
Mulberry Place  
5 Clove Crescent  
London  
E14 2BG

**Limehouse Police Station,  
27, West India Dock Road,  
London,  
E14 8EZ**

Office: **020 7275 4950/4911**  
[REDACTED]

Email: Alan.Cruickshank@met.police.uk

Your ref:

19th December 2013

Dear Mr McCrohan,

**Re: Application to vary a Premises Licence**  
**60-62 Commercial St, E1 6LT**

I write with reference regarding the above application. Please accept this letter as notification that the police as a responsible authority wish to object to this application on the following two licensing objectives.

**The prevention of crime and disorder**

**The prevention of public nuisance**

The applicant has applied for the following hours in relation to alcohol:

Monday - Saturday : 1000 - 0100

Sunday : 1200 - 0100



Late night refreshments reflect the above hours.

LBTH has recently adopted a Saturation Policy / Cumulative Impact Policy for the Brick Lane Area. This policy was adopted due to the concerns about the number of licensed premises in such a small area and the resulting number of ASB calls and the potential for disorder.

With regards to this policy, the licensing authority will normally refuse any new applications or any **variation** of these in the cumulative impact zone; **unless the applicant can demonstrate there will be no negative cumulative impact on one or more of the licensing objectives.**

Commercial Street falls within the Cumulative Impact Zone (CIZ) and also the Shoreditch Triangle, featuring the busiest parts of Tower Hamlets, Hackney and Islington. There has been a steady increase in bars, restaurants and fast food premises. There are already a considerable amount of licensed premises in Commercial Street

One more late night opening venue will only compound the problems that this area faces. The availability of alcohol until 0100 will mean more people staying for longer within the CIZ, with the potential for ASB and violence.

This area suffers from a high amount of anti-social behaviour, to the extent that police statistics show that between 22:00 hours on Friday and 02:00 hours on Monday the London Borough of Tower Hamlets is second only to Westminster (West End/Soho/Covent Garden) for Anti-Social Behaviour (ASB) calls to Police in London.

The premises also falls within the 'Shoreditch Triangle', which comprises of the tri-borough wards of Haggerston ward (Hackney), Weavers and Spitalfields & Banglatown wards (Tower Hamlets) and Bunhill Ward (Islington) are four wards which are high crime generators for their respective boroughs especially around Theft Person and the Night Time Economy. Tower Hamlets wards contribute 38% of all Theft Person Offences.

Peak times are between Friday 20:00 hours to Saturday 04:00 hours and Saturday 20:00 hours to Sunday 04:00 hours and these 16 hours are responsible for 21% of all the offences.

25% of all crime in Spitalfields and Banglatown ward is committed between 20:00 hours to 02:00 hours Friday to Sunday.

**The hours applied for falls i. to the above peak hours.**

Further to this, two negative effects of the “Night Time Economy” are demonstrated in the data provided by the Director of Public Health. This information was provided to the full Licensing Committee in October 2013.

The data in table 1 highlights both Spitalfields and Banglatown and Weavers wards They both have higher than average ambulance calls out to binge drinking.

**Table 1: Lo. do. Ambula. ce Service call outs to bi. ge dri. ki. g**

| Ward                          | No of I. cide. ts<br>2011/12 | No of I. cide. ts<br>2012/13 | % Cha. ge over<br>2011/12 to 2012/13 |
|-------------------------------|------------------------------|------------------------------|--------------------------------------|
| Spitalfields & Banglatown     | 145                          | 175                          | + 21%                                |
| Weavers                       | 82                           | 89                           | +21%                                 |
| Tower Hamlets ward<br>average | 57                           | 71                           | +25%                                 |

Table 2 shows that both wards are considerably higher than the national average for alcohol related hospital admissions.

**Table 2: Alcohol Attributable Admissio. Rates 2011/2012**

| Ward                      | Rate per 100,000 |
|---------------------------|------------------|
| Spitalfields & Banglatown | 3170             |
| Weavers                   | 2718             |
| England Average           | 1974             |
|                           |                  |
|                           |                  |

Can they reassure the committee that they will not contribute to ASB when their patrons leave the venue?

Can the applicant provide evidence that the operation of the premises will not add to the negative cumulative impact already being experienced in this area?

More people in the CIZ will increase the likelihood for ASB and disorder. I therefore ask the committee to refuse this application as it falls within the CIZ. I understand however that each application is scrutinized by the committee on an individual basis.

If they are to consider granting a licence, I would ask that they consider removing the seasonal variations. Police resources are already stretched over this period and the possibility of a venue remaining open until 0300 is of concern.

The applicant can apply for a TEN and this allows the police to monitor and scrutinize this and other TEN applications in the CIZ

#### Conditions

1. F696 to be completed if there are outside promoters or DJs

Alan Cruickshank PC 189HT

# Appendix 7

## Mohshin Ali

---

**From:** Alex Lisowski on behalf of Licensing  
**Sent:** 02 January 2014 10:32  
**To:** Mohshin Ali  
**Subject:** FW: application to vary the licence for 60-62 Commercial St  
**Attachments:** ASB diary.pdf

Mohshin,  
One of yours.  
Alex.

---

**From:** Matt Piper [mailto: [REDACTED]]  
**Sent:** 12 December 2013 14:10  
**To:** Licensing  
**Cc:** Alan Cruickshank  
**Subject:** application to vary the licence for 60-62 Commercial St

Dear Sir/Madam,

I wish to object to the application to vary the licence for 60-62 Commercial St, E1.

Our area is already saturated with restaurants, bars and clubs that operate late into the night. Local residents, including my own family, suffer nightly from the effects of this saturation. Noise, drunken screaming and shouting, vomiting, urination, defecation, littering and vandalism are common-place, affecting our ability to get a good night's sleep and damaging or property and its environment. I have kept a diary of such incidents for the last few months and attach it here as evidence for the detrimental effect of the night-time economy on those who live in Spitalfields.

The extended hours applied for in this application will only serve to exacerbate this problem late at night, at exactly the most sensitive time. No conditions applied to the licence can hope to control the behaviour of the drunk patrons who leave the premises.

I therefore urge you to reject this application.

Many thanks for your help in this matter.

Matt

Matthew Piper  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

| Date      | Time  | Type             | Street          | Location                     | Description   |
|-----------|-------|------------------|-----------------|------------------------------|---|
| 7/13/2013 | 23:00 | noise            | Brick Lane      | Seven Stars pub              | Drumming and other noise from party on roof terrace. Continued until 5am. Audible inside properties at west end of Fournier St.   |
| 7/14/2013 | 1:00  | noise            | Brick Lane      | Seven Stars pub              | Fireworks set off from cul-de-sac behind pub. Audible throughout area.  |
| 8/3/2013  | 18:00 | urination        | Wilkes St       | at junction with Fournier St | A white male, approx 35 years old, urinated in broad daylight against no 1 Wilkes St. Several people could have or did witness it. When I pointed out that he was urinating against someone's house he just laughed and walked off, north along Wilkes Street.  |
| 8/10/2013 | 1:10  | noise            | Fournier Street | opposite no 11               | 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.  |
| 8/10/2013 | 6:52  | banging on doors | Fournier Street | no 11.5                      | We were woken at 6.52am 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. |
| 8/10/2013 | 6:52  | urination        | Fournier Street | opposite no 9                | A man, approximately 25 years old and wearing a white top, urinated against the wall of Christ Church, opposite number 9 Fournier Street.   |
| 8/10/2013 | 21:00 | urination        | Fournier Street | no 11.5                      | 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.                    |
| 8/10/2013 | 22:05 | urination        | Brushfield St   | near Barclays                | At 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.   |
| 8/10/2013 | 23:50 | urination        | Brushfield St   | north end of street          | 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.  |

|           |       |                  |                   |                            |  |
|-----------|-------|------------------|-------------------|----------------------------|--|
| 8/11/2013 | 12:00 | banging on doors | Fournier Street   | no 11.5                    | At approximately noon a couple of women, one clearly very drunk, sat on our doorstep. When our dog heard them and started barking, they banged on our front door, upsetting the dog further and also our 2 year old daughter. My wife asked them to move and one of them refused to do so, only eventually moving after further antagonising the dog and scaring our daughter further. They eventually moved off in the direction of Brick Lane. |
| 8/12/2013 | 1:00  | urination        | Fournier Street   | at junction with Wilkes St | At approximately 1am this morning a group of 7 people, all aged 20-25 and speaking with European accents, walked east along the street. There were 4 men and 3 women. One of the men turned to the women and said "Stop, we need to pee". The 4 men then all proceeded to urinate against properties in Fournier Street and at the end of Wilkes Street.   |
| 8/12/2013 | 9:00  | urination        | Commercial Street | Christ Church gardens      | A cyclist rode into Christ Church gardens and urinated through the fence into the grounds of Christ Church school. He was 20-25 years old, white, and wearing cycling gear. This happened in full view of my 2 year old daughter.  |
| 8/13/2013 | 22:00 | defecation       | Fournier Street   | opposite no 5              | Someone has defecated between parked cars in the residents' parking bays.  |
| 8/16/2013 | 0:00  | urination        | Fournier Street   | no 13                      | Someone has urinated against the house.  |
| 8/17/2013 | 17:30 | urination        | Fournier Street   | opposite no 11.5           | 3 men (possibly drugs dealers) loitering on corner of Wilkes/Fournier St. One crossed the road and urinated against Christ Church. In broad daylight and in full view of many passersby, including our whole family.   |
| 8/17/2013 | 22:30 | noise            | Fournier Street   | whole street               | several groups of drunk people (mainly men) shouting and chanting aggressively as they left Brick Lane   |
| 8/18/2013 | 0:30  | noise            | Fournier Street   | whole street               | several groups of drunk people (mainly men) shouting and chanting aggressively as they left Brick Lane   |
| 8/23/2013 | 18:30 | urination        | Commercial Street | Christ Church gardens      | a Spanish-speaking man urinated in the gardens. He was one of a group of approximately 10 people drinking in the gardens. The large tree in the south east corner of the gardens is a public toilet. There is always a urine splash and faeces are regularly there.  |
| 8/24/2013 | 0:00  | vomiting         | Fournier Street   | no 19                      | someone has vomited against the door of no 19  |
| 8/25/2013 | 22:00 | noise            | Fournier Street   | no 1                       | group of youths gathered outside number 1 drinking from cans. Screaming and shouting as they plays drinking games.   |
| 9/3/2013  | 12:30 | urination        | Fournier Street   | opposite no 11             | a woman urinated between parked cars, in full view of a walking tour   |
| 9/14/2013 | 23:30 | banging on doors | Fournier Street   | no 11.5                    | 2-3 men rang our doorbell late and night and ran away screaming  |
| 9/15/2013 | 0:00  | noise            | Fournier Street   | whole street               | a group of drunk women slowly made their way along the street, shouting, screaming and causing a disturbance.  |



|                            |                   |                           |   |
|----------------------------|-------------------|---------------------------|---|
| 9/19/2013 23:30 noise      | Fournier Street   | whole street              | a group of drunk women were shouting, screaming, and generally causing a disturbance.   |
| 9/20/2013 23:00 noise      | Fournier Street   | junction with Wilkes St   | a group of German youths gathered with a hand-held stereo turned up to high volume. When asked to turn it down they only partially did so, reluctantly. They remained there for 15 minutes  |
| 9/21/2013 0:00 urination   | Fournier Street   | no 14                     | Someone has urinated against the house.   |
| 9/21/2013 1:30 noise       | Brick Lane        | Seven Stars pub           | extremely loud music being played from an open window at the back of the building. Audible from our bedroom at the west end of Fournier Street and therefore across the whole neighbourhood.  |
| 9/21/2013 20:30 noise      | Fournier Street   | no 11.5                   | a group of youths gathered on our doorstep, drinking, smoking and shouting. When asked to move on they only went as far as the doorstep next door where they carried on as before, keeping our children awake. They were there for approx 1 hr.   |
| 9/21/2013 21:30 urination  | Fournier Street   | opposite no 11            | two women urinated between parked cars opposite number 11, in full view of several passersby. They were 20-25 years old with dark hair and English accents.   |
| 10/4/2013 1:00 vomiting    | Fournier Street   | opposite no 11            | someone has vomited on the pavement alongside Christ Church   |
| 10/5/2013 23:55 noise      | Fournier Street   | opposite no 13            | a car parked outside number 13 blaring loud bass music for approximately 10 minutes before moving on reluctantly when asked. The noise was enough to wake our youngest daughter. There were 4 occupants of the car, 2 men and 2 women. The women had Essex accents. The car was a Golf-type car, black with heavily tinted windows. |
| 10/6/2013 1:00 vomiting    | Fournier Street   | outside no 11.5           | someone has vomited in the street   |
| 10/6/2013 1:00 vomiting    | Fournier Street   | outside no 9              | someone has vomited in the street(possibly the same person as above)  |
| 10/6/2013 9:50 urination   | Commercial Street | Christ Church gardens     | two men with Eastern European accents walked into the gardens. One proceeded to urinate against the wall in full view of any passerbys by. He was approximately 45 years old and dressed in pale denim.   |
| 10/19/2013 9:50 urination  | Commercial Street | Christ Church gardens     | a man of Asian descent, aged about 50 and with a heavy limp, urinated against the gravestones on the south wall of the gardens in full view of several people   |
| 10/20/2013 22:15 fireworks | Commercial Street | junction with Fournier St | someone threw a lit firework into the road. A car drove over it while it was exploding.   |
| 10/20/2013 22:20 urination | Fournier Street   | number 9                  | a group of youths (4 female, 2 males) walked down the street shouting and drinking from cans. One of the males urinated against number 9.   |
| 10/23/2013 14:00 excrement | Wilkes St         | opposite number 3         | there are several piles of human faeces between the parked cars on the east side of Wilkes St   |

|                           |                   |                         |  |
|---------------------------|-------------------|-------------------------|--|
| 11/2/2013 23:00 noise     | Fournier Street   | junction with Wilkes St | a couple of young men were throwing and kicking a black bin-liner full of rubbish around. This caused a lot of noise and a trail of litter on the pavement and road.   |
| 11/2/2013 23:30 noise     | Fournier Street   | number 11.5             | some youths were drinking on the street and generally causing a disturbance. They left a number of empty bottles and glasses on our doorstep.  |
| 11/5/2013 0:30 urination  | Fournier Street   | number 11.5             | a man, roughly 30 years old and wearing blue trousers and a blue hoodie urinated against the house and into the lightwell outside the kitchen window. When challenged he walked off.   |
| 11/7/2013 21:00 urination | Fournier Street   | opposite number 5       | About half an hour ago I witnessed a woman, aged about 40 with short dark hair and wearing blue trousers and a blue jacket, urinating between two parked cars opposite number 5 Fournier Street. This was in full view of several passerby by and a visiting walking tour. |
| 11/19/2013 0:00 graffiti  | Fournier Street   | number 11.5             | somebody has written graffiti on our shutters. It doesn't properly scrub off and repainting is required.   |
| 11/29/2013 3:18 noise     | Fournier Street   | outside number 11       | a white woman aged about 40 with long dark hair was lying on the pavement shoulding and screaming at an unseen man. This went on for several minutes and woke most of the residents of the west end of Fournier St.  |
| 12/1/2013 9:30 urination  | Commercial Street | Christ Church gardens   | a Veolia employee, wearing an LBTH high-visibility jacket, urinated in the gardens against some tomb-stones. My 2year old daughter was present at the time.  |
| 12/6/2013 0:00 urination  | Fournier Street   | number 11.5             | somebody has urinated against our front door.  |

# Appendix 8

## Mohshin Ali

---

**From:** Andrew Heron  
**Sent:** 19 December 2013 14:55  
**To:** Mohshin Ali  
**Subject:** FW: Alcohol Licence Application by 60-62 Commercial Street, E1 6LT

**Importance:** High

---

**From:** Jon Shapiro [REDACTED]  
**Sent:** 19 December 2013 14:55  
**To:** Licensing  
**Cc:** David Tolley; John Mccrohan; [Alan.D.Cruickshank@met.police.uk](mailto:Alan.D.Cruickshank@met.police.uk); Andrew Heron;  
[MARK.J.Perry@met.pnn.police.uk](mailto:MARK.J.Perry@met.pnn.police.uk)  
**Subject:** Alcohol Licence Application by 60-62 Commercial Street, E1 6LT  
**Importance:** High

Dear Sir or Madam,

I believe that **60-62 Commercial Street** has applied for a licence to sell alcohol **beyond midnight** ..... Given that these premises are within the Brick Lane area "Cumulative Impact Zone" I believe any such application to extend their hours beyond their existing licence should be refused by the LBTH Licensing Committee.

These premises are very close to the Brick Lane area long-recognised by the Metropolitan Police as being the number one policing problem in Tower Hamlets. I do not believe that any premises in the Cumulative Impact Zone should be allowed to extend their licence hours which would almost inevitably contribute to worsening the problems already encountered by the Police.

I consider that this application would heavily impact:

- Crime and disorder
- Public nuisance
- Public safety

(three out of the four grounds for rejecting such applications) and on these grounds I would like to take this opportunity to request any Licensing Hearing to completely reject this application **on the grounds of endangering crime and disorder, public nuisance and public safety.**

ASB in the Brick Lane area, fuelled by alcohol, is already well known with endless reports by local residents of drunken behaviour, street urination, screaming and shouting, litter and vandalism and aggressive and intimidating behaviour. This application, which potentially would exacerbate an already intolerable situation should be refused by the Licensing Committee.

Please would you acknowledge receipt of this email.

Yours faithfully,  
Jon Shapiro.

[REDACTED]

Mobile: [REDACTED]

# Appendix 9

## Mohshin Ali

---

**From:** Alex Lisowski  
**Sent:** 23 December 2013 17:21  
**To:** Mohshin Ali  
**Subject:** FW: Objection to licensing application for 60-62 Brick Lane

Mohshin,  
One of yours.  
Alex.

---

**From:** Alex Lisowski **On Behalf Of** Licensing  
**Sent:** 23 December 2013 17:21  
**To:** [REDACTED]  
**Subject:** FW: Objection to licensing application for 60-62 Brick Lane

Conor,  
Thank you for confirming the location. The venue is within the saturation zone. I have passed your representations on to the officer dealing with the application.  
Alex.

---

**From:** Conor McLernon [REDACTED]  
**Sent:** 23 December 2013 17:05  
**To:** Licensing  
**Subject:** RE: Objection to licensing application for 60-62 Brick Lane

Hi Alex - thanks - I meant Commercial Street. This is still within the Saturation Zone isn't it?

Thanks for your help

Conor

On 23 December 2013 16:37:32 Licensing wrote:

Dear Mr McLernon,  
Can you confirm the address of the venue against which you are making representations?  
At present my department hasn't received any applications for 60-62 Brick Lane. However, we do have an application for 60-62 Commercial Street.  
Yours sincerely,  
Mr A. Lisowski,  
Licensing Officer,  
The London Borough of Tower Hamlets.

---

**From:** [REDACTED]  
**Sent:** 22 December 2013 22:24  
**To:** Licensing  
**Subject:** Objection to licensing application for 60-62 Brick Lane

Dear Sir/ Madam,

I am the resident at Hanbury Street, number 51 and I write to you to object to the licensing application for the Mexican restaurant at 60-62 Brick Lane.

The existing opening hours to midnight already exceed the core hours specified in the Saturation Policy, and I do not think that this application is appropriate.

Given that the premises lie both within the Cumulative Impact Zone, and within the zone covered by the Saturation Policy, it would be ridiculous to approve this application. Given the views of the police, I feel there is a willingness to get Brick Lane's night time economy under control.

Accepting this license request would send a terrible message.

My concerns are as follows:

1. the proposed licensing application is not consistent with the Management Guidelines for the Brick Lane and Fournier Street Conservation Area
2. the proposed licence is likely to diminish the right of local residents to safe and pleasant enjoyment of the neighbourhood.
3. there is an impact on public safety, in terms of drunken members of the public being in the area long into the night.
4. likewise there is an impact in terms of crime and disorder.

The area is developing into an attractive upscale destination in accordance with these guidelines. On Hanbury Street opposite Ely's Yard, two exclusive shoe shops have recently opened, an upscale clothing boutique and a number of stylish coffee bars. What is needed is more of the upscale, boutique shops and cafes that are springing up on the streets surrounding the market and in Hanbury Street. YMC, MAC, Gresson, Keep Zero Gravity, Nude, Blitz, Love in a Cup, Doppio Coffee.

This upscaling is lucrative, and makes the area easier to Police and easier for LBTH to administer.

A cursory internet search shows 110 restaurants and bars in the area immediately surrounding Brick Lane. We do not need more restaurants opened till 1am.

#### Rights of local residents to quiet enjoyment

As a member of the Woodseer and Hanbury Residents Association, we are aware that existing alcohol licences in the area are not properly enforced (for example, the illegal shisha bar on Hanbury Street at number 47 remained open, and serving alcohol, even though it has no licence) and the "responsible drinking borough" isn't upheld (the pavement surrounding Ely's Yard is regularly used as a late night hangout for drinking).

What we need is more good business for the area; what we don't need are any more late night drinking dens. Can I ask you to please:

1. decline this application for an alcohol licence on the basis that it is not consistent with the Management Guidelines for the Brick Lane and Fournier Street Conservation Area;
2. properly enforce the conditions of current alcohol licences in the neighbourhood;
3. encourage the police to enforce the "responsible drinking borough".

Kind Regards,  
C McLernon

\*\*\*\*\*

Working Together for a Better Tower Hamlets  
Web site : <http://www.towerhamlets.gov.uk>

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\*\*\*\*\*

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# Appendix 10

## 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 11

## Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

### Comment

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

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

### General Advice

In considering concerns relating to disturbance from egress, Members need to be satisfied that the premises under consideration has been identified as the source of the actual or potential disturbance. If they are satisfied that this is a problem, then proportionate conditions should be considered.

The hours of operation also need to be considered.

If Members believe that there is a substantial problem concerning egress and it cannot be proportionately addressed by licensing conditions, they should refuse the application.

### Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. (**See Section 8.1 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. (**See Section 8.2 of the Licensing Policy**).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 12.10**).

However, while all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. (**See Section 12.10**)

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

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Pool of Conditions relating to the prevention of Public Nuisance. (**See Appendix 2 Annex G of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a “beer garden”, or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly

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

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community. (2.33).

Licence conditions should not duplicate other legislation (1.19).

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

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

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

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.22) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder.

# Appendix 12

## Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

|                     |                      |
|---------------------|----------------------|
| Monday to Thursday  | 06:00hrs to 23:30hrs |
| Friday and Saturday | 06:00hrs to midnight |
| Sunday              | 06:00hrs to 22:30hrs |

(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

# Appendix 13

## Tower Hamlet Cumulative Impact Zone

### **Special Cumulative Impact Policy for the Brick Lane Area**

As with many other London Borough's the majority of late night licensed premises are concentrated within one area of the Borough. Following guidance issued under the Licensing Act 2003 a cumulative impact policy was adopted on 18th September 2013 by the Council.

After consultation the Council recognises that because of the number and density of licensed premises selling alcohol, on and off the premises and the provision of late night refreshment (sale of hot food after 11pm) within the Brick Lane Area as defined in Figure One, there might be exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect.

The Licensing Authority is now of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the area highlighted in Figure One is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone.

The effect of this Special Cumulative Impact Policy is to create a rebuttable presumption for applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity). Where the premises are situated in the cumulative impact zone and a representation is received, the licence will be refused. To rebut this presumption the applicant would be expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced. This policy does not act as an absolute prohibition on granting/varying new licences in the Cumulative Impact Zone.

The Special Cumulative Impact policy will not be used to revoke an existing licence or certificate and will not be applicable during the review of existing licences.

Figure One

**The Cumulative Impact Zone in the Brick Lane area**

The Cumulative Impact Zone is detailed in the map below. The map shows all of the premises (dots) currently licensed under the Licensing Act 2003 in the Brick Lane Area. The Cumulative Impact Zone is defined by the dark line.

