

Appendix 1

(Prem)

118 -122 Brick Lane
London
E1 6RL

Licensable Activities authorised by the licence

The sale by retail of alcohol
The provision of regulated entertainment

See the attached licence for the licence conditions

Signed by

Jacqueline Randall _____
Licensing Services Manager

Date: 3rd August 2010

- Licence amended on 11th January 2011
- Licence varied following the licensing sub-committee hearing of 21st July 2011
- Licence amended following the licensing sub-committee review hearing of 6th October 2011



Part A - Format of premises licence

Premises licence number

15901

Part 1 - Premises details

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

(Preem)
118-122 Brick Lane

Post town
London

Post code
E1 6LR

Telephone number



Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol
The provision of regulated entertainment

The times the licence authorises the carrying out of licensable activities

Sale of Alcohol

- Monday to Saturday from 12:00 hours to 23:00 hours
- Sunday from 12:00 hours to 22:30 hours

The Provision of Regulated Entertainment - (Recorded music only)

- Monday to Saturday from 12:00 hours to 23:00 hours
- Sunday from 12:00 hours to 22:30 hours

The opening hours of the premises

- Monday to Saturday from 12:00 hours to 23:30 hours
- Sunday from 12:00 hours to 23:00 hours

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

On and off sales

Part 2

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

Mr Azmal Hussain

[REDACTED]

[REDACTED]

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

N/A

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

Mr Azmal Hussain

[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

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

at a time where there is no designated premises supervisor in respect of the premises licence, or

at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

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

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;

(iii) 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.

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.

Annex 2 - Conditions consistent with the operating Schedule

1. No nudity or semi nudity permitted.
2. Any customers under the age of 18 years must be accompanied by a person over the age of 18 years.

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

1. No regulated entertainment is to be provided except low key background music only. A noise limiter is to be installed, the settings (maximum music noise levels generated) of which are to be set and agreed beforehand with the Environmental Protection Service, and the agreed level be made available to the public on request.
2. To ensure, as far as reasonably practical, that patrons who enter and exit the premises especially late at night will act quietly and considerately at all times by ensuring prominent and clearly legible notices to be displayed at all exits of the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
3. The premise is required to have CCTV cameras installed, covering the premises internally and externally.

4. That the CCTV system should incorporate a recording facility and any recording should be retained and stored in a suitable and secure manner for a minimum of 31 days. A system should be in place to maintain the quality of the recorded image and a complete audit trail maintained. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
5. No food or drink will be allowed to be consumed outside the premises.
6. There will be no early morning (before 08:00 hours) or late night (after 19:00 hours) deliveries of food and drink to the premises. No bottles or refuse will be placed outside the premises after 21:00 hours.

(Conditions added after Review Hearing on 11th January 2011)

7. No person shall be employed to solicit for custom or be permitted to solicit for custom for business for the premises in any public place within a 500 metres radius of the premises.
8. Clear signage to be placed in the restaurant windows stating that the premises supports the Council's 'No Touting Policy'.

(Condition added after Review Hearing on 6th October 2011)

9. A CCTV camera to be installed so that it captures images of persons entering the premise via the front entrance.

Annex 4 - Plans

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

22nd June 2010

[The licences area is the ground floor of 118 & 120-122 referred to in the plan marked: Job No. 210610/118~122 BL-E1. Drawing No. **A1(02)** 001 Rev. 01.

The basement area is NOT licensed, however, a plan of the basement is included in the file: Job No. 210610/118~122 BL-E1. Drawing No. **A1(01)** 001 Rev. 01 refers, in order to show the access between 118 & 120-122 via the basement which is relevant to the managerial control of the premises].



Part B - Premises licence summary

Premises licence number

15901

Premises details

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

(Preem)
118-122 Brick Lane

Post town
London

Post code
E1 6LR

Telephone number
020 7247 3469

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 regulated entertainment

The times the licence authorises the carrying out of licensable activities

Sale of Alcohol

- Monday to Saturday from 12:00hrs to 23:00hrs
- Sunday from 12:00hrs to 22:30hrs

The Provision of Regulated Entertainment
(Recorded music only)

- Monday to Saturday from 12:00hrs to 23:00hrs
- Sunday from 12:00hrs to 22:30hrs

The opening hours of the premises

- Monday to Saturday from 12:00hrs to 23:30hrs
- Sunday from 12:00hrs to 23:00hrs

Name, (registered) address of holder of premises licence

Mr Azmal Hussain



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

On and off sales

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

N/A

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

Mr Azmal Hussain

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

No restrictions

Appendix 2



required information

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="Preem"/>	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?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name	<input type="text" value="Azmal M."/>
* Family name	<input type="text" value="Hussain"/>
* E-mail	<input type="text" value="REDACTED"/>
Main telephone number	<input type="text"/>
Other telephone number	<input type="text"/>

Include country code.

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. 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

Agent Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

* Is your business registered in the UK with Companies House? Yes No

* Is your business registered outside the UK? Yes No

* Business name If your business is registered, use its registered name.

* VAT number Put "none" if you are not registered for VAT.

* Legal status

* Your position in the business

Home country The country where the headquarters of your business is located.

Continued from previous page...

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

* Building number or name

* Street

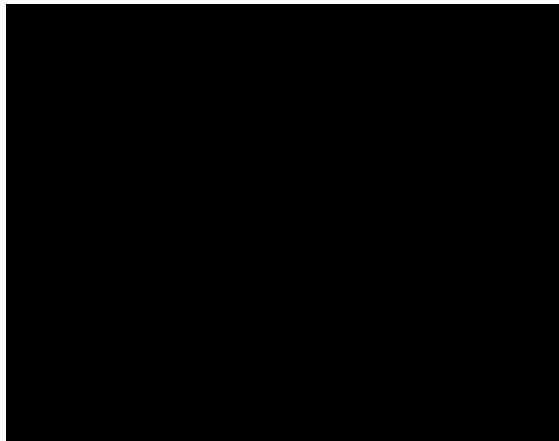
District

* City or town

County or administrative area

* Postcode

* Country



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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name	Preem 118-122
Street	Brick Lane
District	
City or town	London
County or administrative area	
Postcode	E1 6RL
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	66,000

Section 3 of 19**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an 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 of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

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

Section 4 of 19**INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Azmal M.

Family name

Hussain

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text"/>
Street	<input type="text" value="Brick Lane"/>
District	<input type="text"/>
City or town	<input type="text" value="London"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
	<input type="button" value="Add another applicant"/>

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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 period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

Restaurant

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

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PROVISION OF PLAYS

Will you be providing plays?

Yes

No

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PROVISION OF FILMS

Will you be providing films?

Yes

No

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PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

Yes

No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

Yes

No

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PROVISION OF LIVE MUSIC

Will you be providing live music?

Yes

No

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PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music 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.

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PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Yes

No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes

No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

The provision of hot food and drink for consumption on the premises and for take away sales for consumption off the premises

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 the premises will be used for the supply of late night refreshments 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.

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:30"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on 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 exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol 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.

Continued from previous page...

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

Name

First name

Family name

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

None

Continued from previous page...

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

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.

Continued from previous page...

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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.

All new mandatory conditions relevant to specific premises.

b) The prevention of crime and disorder

CCTV covering the inside and outside of the premises shall be installed. It shall be capable of taking a head and shoulders shot of persons entering the shop and of storing images for a period of at least 31 days. The CCTV shall be in operation during all the hours that the premises are open to the public. A member of staff capable of downloading images for Police or Authorised Council Officers shall be on duty at all times the premises are open to the public.

No person will be employed to solicit for custom or be permitted to solicit for custom in any public place within a 500 metre radius of the premises.

Clear signage is to be placed in the restaurants window stating that the premises supports the Council's 'No Touting Policy'.

Photo identification badges must be worn by staff at all times and surrendered to an Officer of the Responsible Authority upon request.

c) Public safety

At all times ensure that at least two trained security staff will be on duty within the premises with one on door control to maintain good order and public safety.

The management will offer customers complimentary teas or coffees after a meal to positively promote leaving the premises in an orderly manner and to not cause any problems relating to anti-social behaviour.

d) The prevention of public nuisance

No regulated entertainment is to be provided except low key background music only. A noise limiter is to be installed, the settings (maximum music noise levels generated) of which are to be set and agreed beforehand with the Environmental Protection Service.

To ensure, as far as reasonably practical, that patrons that enter and exit the premises, especially late at night will act quietly and considerately at all times. No anti-social behaviour (shouting and screaming) or other forms of anti-social behaviour will be tolerated.

No food or drink to be allowed to be consumed immediately outside the premises in the street.

Patrons will be encouraged to leave the premises quietly and considerately especially late at night. A dedicated taxi or mini cab service will be made available and offered to assist patrons on leaving the premises quietly as required. They will be asked to wait at the table until a taxi or other transport arrives in order to discourage patrons from standing and talking

Continued from previous page...

loudly outside the premises late at night/in early hours of the morning.

There will be no deliveries of food or drink to the premises between the hours of 19:00 hrs and 08:00 hrs each day. That is NO night time deliveries.

No bottles or refuse will be placed outside the premises into the street after 21:00 hours.

Notices will be displayed inside the premises reminding patrons of the need to respect their neighbours and local residents and to leave the premises quietly.

After the premises closes at night, members of staff shall clean up the premises quietly and considerately and leave the premises in a similar manner.

No members of the public or staff will be allowed to congregate outside the premises late at night but will be encouraged to leave the premises in a considerate manner.

e) The protection of children from harm

No nudity or semi nudity permitted.

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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 you 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 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Continued from previous page...

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

315.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

DECLARATION

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

[REDACTED] ANTHONY O'CONNELL

* Capacity

Duty authorised agent - A & R CONVEYANCE

Date (dd/mm/yyyy)

6-12-2013

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking to file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/tower-hamlets/apply-1> to upload this file and continue with your application

Don't forget to make sure you have all your supporting documentation to hand.

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



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Planning
Architecture
Interior
Construction

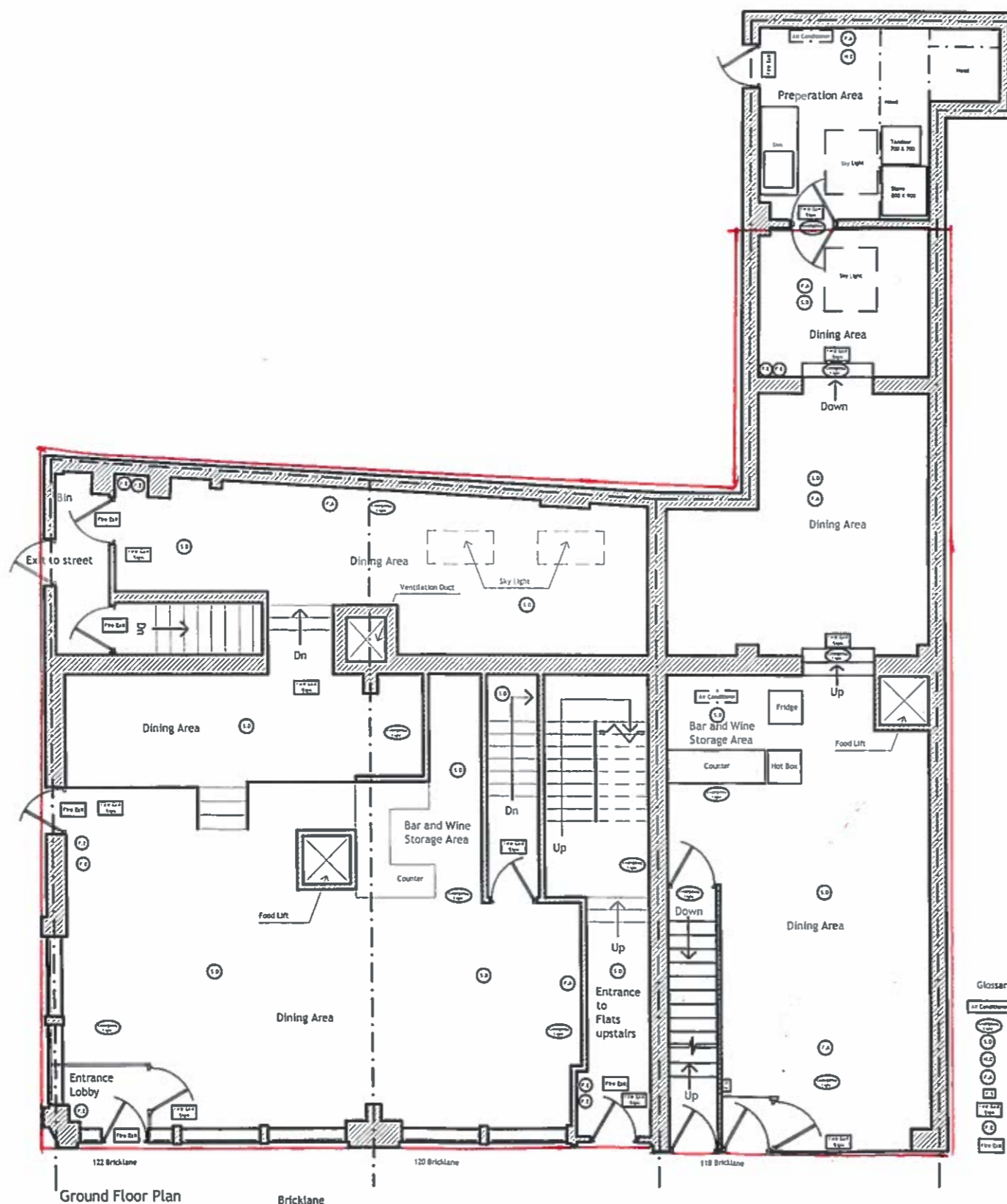
Client
Mr A. Hussain
Project
Restaurant
Location
118,120,122 Brick Lane, E1

Job No.
210610/118~122 BL_E1
Dwg No.
A1(02)001
Rev.
01

Title
Ground Floor Plan

Date
21/06/10
Drawn
MM/MS
Check
MM
Status
Submission
Scale
1:100 @ A3

Contact
07786244205
Email
info@m-i-d-i.co.uk
Web
www.m-i-d-i.co.uk

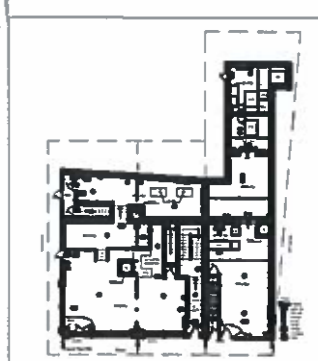


Glossary

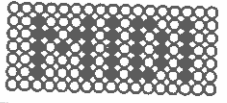
	Air Conditioner
	Emergency Light
	Smoke Detector
	Heat Detector
	Fire Alarm
	Fire Switch
	Fire Exit Sign
	Fire Extinguishers
	Fire Exit

LBTH
TRADING STANDARDS
10 DEC 2013
LICENSING

- Notes:
- Please check the site for any further information
 - Dimensions are measured to nearest possible
 - Accurate measure can be fractional difference
 - The units used in the measurement is mm
 - The term sqm stands for square metre
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Ground Floor Plan
Bricklane



midi LTD

Planning
Architecture
Interior
Construction

Client
Mr A. Hussain
Project
Restaurant
Location
118,120,122 Brick Lane, E1

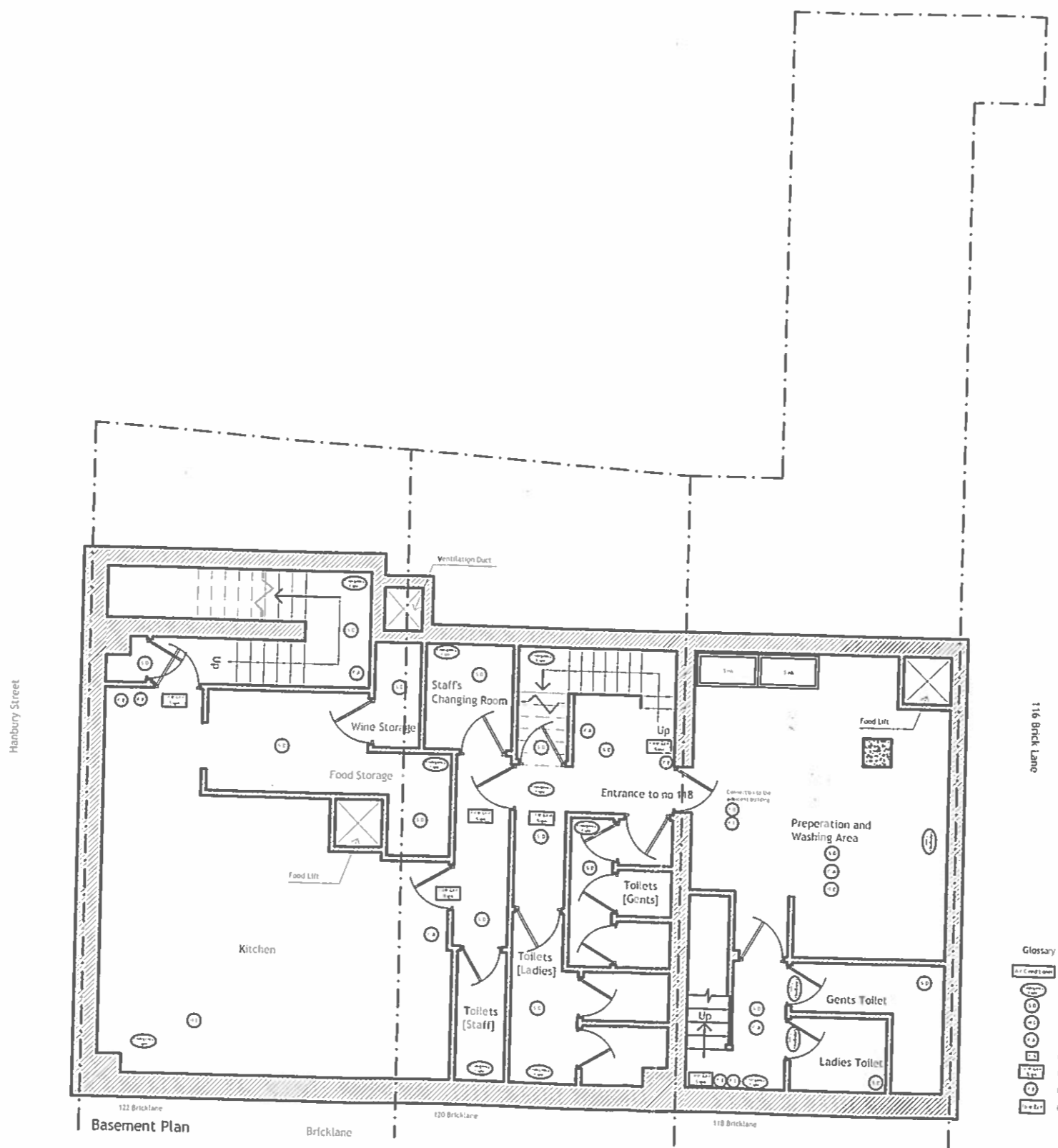
Job No.
210610/118~122 BL_E1
Dwg No.
A1(01)001
Rev.
01

Title
Basement Floor Plan

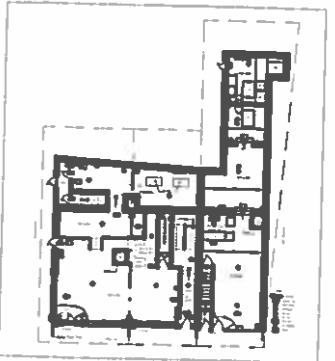
Date
21/06/10
Drawn
MM/MS
Check
MM
Status
Submission
Scale
1:100 @ A3

Contact
07786244205
Email
info@m-i-d-i.co.uk
Web
www.m-i-d-i.co.uk

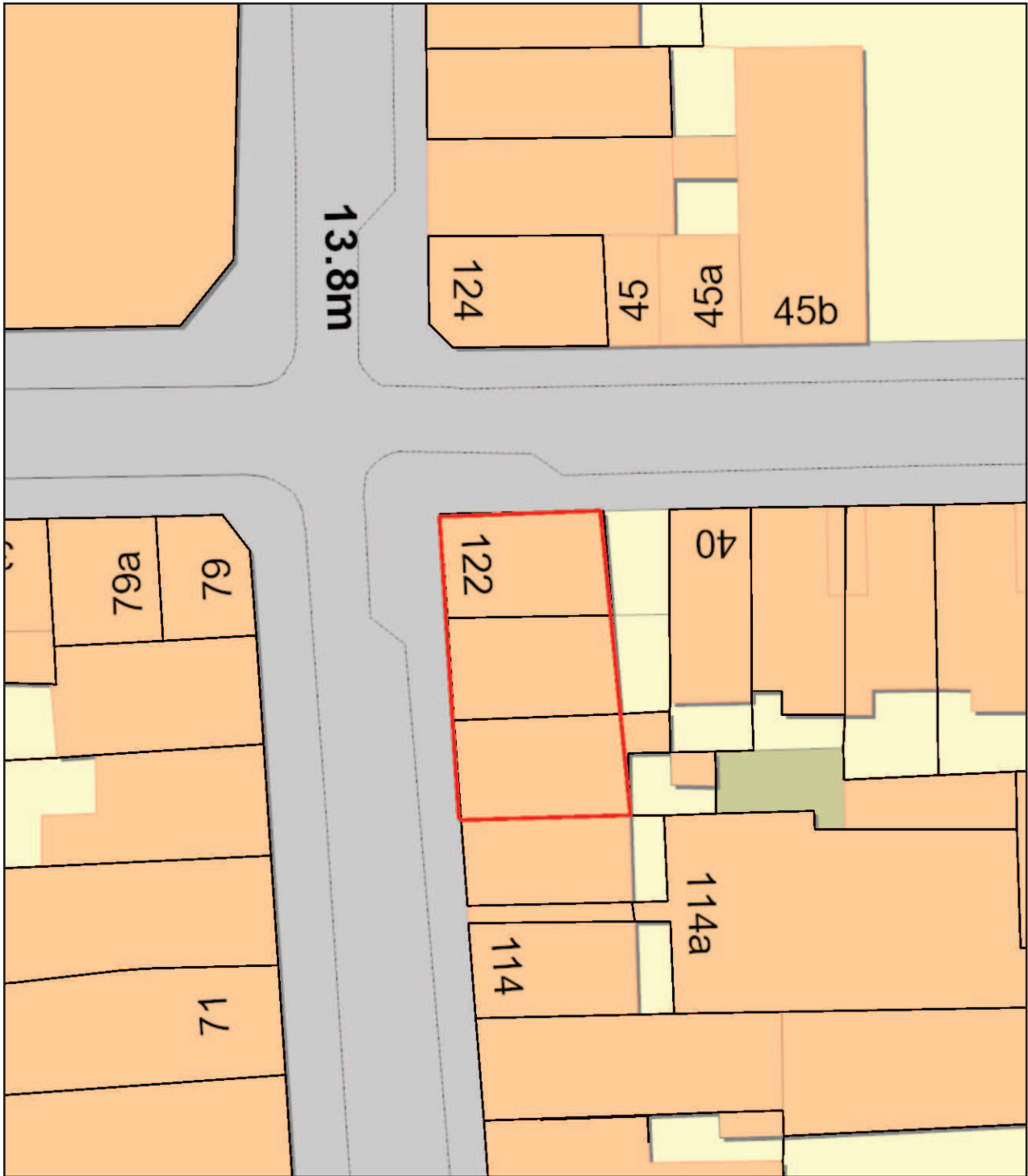
Notes:
- Please check the site for any further information
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- Glossary
- Air Conditioner
 - Emergency Light
 - Smoke Detector
 - Heat Detector
 - Fire Alarm
 - Fire Switch
 - Fire Exit Sign
 - Fire Extinguisher
 - Fire Exit



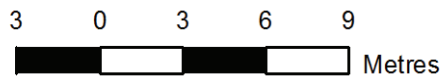
Appendix 3

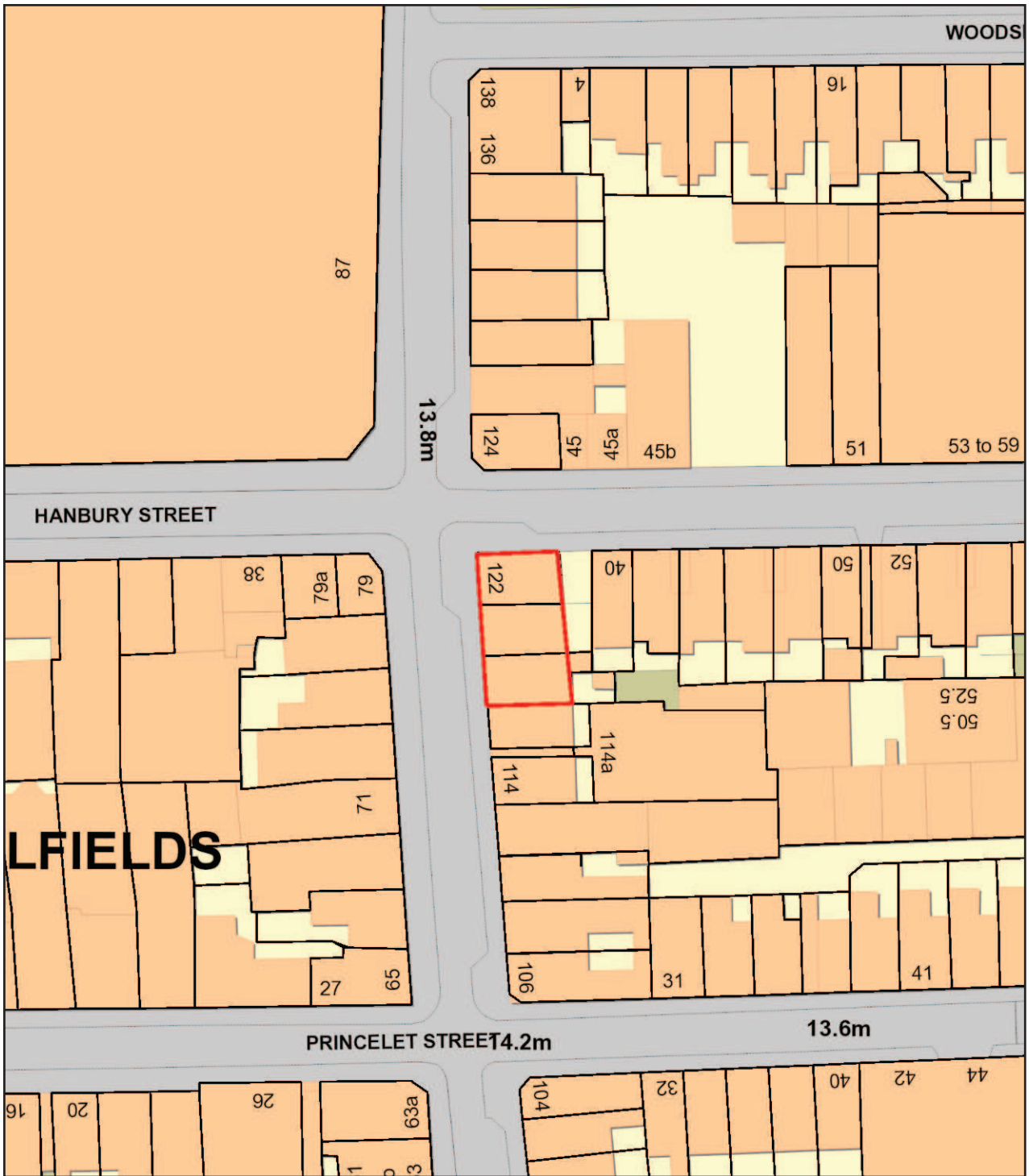


118-122 Brick Lane Map 1



Scale 1:334

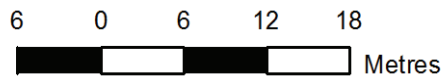




118-122 Brick Lane Map 2



Scale 1:668



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

Mohshin Ali

From: Andrew Heron
Sent: 19 December 2013 15:31
To: Mohshin Ali
Cc: [REDACTED]
Subject: Brick Lane 118-122 - Application for a new premises licence
Attachments: BrickLane118-122.2013.LARep.AH.pdf

Dear Mr Ali and Mr O'Connell,

Please find attached a representation against the application.

Regards,

Andrew Heron
Licensing Officer

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

Communities, Localities & Culture
Safer Communities

Head of Consumer and Business Regulations
David Tolley

LBTH Licensing Authority

Licensing Section
Mulberry Place
5 Clove Crescent
London E14 2BG

Tel **020 7364 2665**
Fax **020 7364 0863**
Enquiries to **Andrew Heron**
Email **andrew.heron@towerhamlets.gov.uk**

19th December 2013

www.towerhamlets.gov.uk

My reference: TSS/LIC/73686

Your reference:

Dear Sir / Madam,

Licensing Act 2003

**Re: New Premises Licence Application – Preem, Ground Floor and
Basement, 118-122 Brick Lane, London, E1 6RL**

I am writing in relation to the above application. The Licensing Authority is now a Responsible Authority in terms of the Licensing Act 2003. I am therefore writing to make representation against this application on the grounds of the prevention of public nuisance and the prevention of crime and disorder.

The owner of the premises is Mr Azmal Mert Hussain, a gentleman well known to me and my colleagues in both Trading Standards and Licensing. Unfortunately, this knowledge is not because Mr Hussain is a responsible member of the business community, but rather that more time is spent dealing with various offences on his premises than with any other restaurateur in the Brick Lane area.

There is an existing premises licence at 118-122 Brick Lane, for which Mr Hussain is the premises licence holder and Designated Premises Supervisor. The hours granted for licensable activities are as follows:

Sale of Alcohol:

- Monday to Saturday from 12:00hrs to 23:00hrs
- Sunday from 12:00hrs to 22:30hrs

The Provision of Regulated Entertainment (Recorded music only)

- Monday to Saturday from 12:00hrs to 23:00hrs

- Sunday from 12:00hrs to 22:30hrs

Therefore this application effectively extends the period during which alcohol can be sold, the length of recorded music and adds late night refreshment until 3am every day. This Authority already receives complaints that the premises already opens until 3am without the appropriate licence.

Touting is a significant issue in the Brick Lane area and a common public nuisance. Every time I walk past 118-122 Brick Lane, I see gentlemen that I know to be employees of Mr Hussain standing by the door. I have regularly seen them approach passers-by who were not looking for a meal. I have witnessed this at all premises owned by Mr Hussain. Mr Hussain was keen to sign up to the Tower Hamlets Anti-Touting Code of Practice, which included having an anti-touting condition placed on each premises licence. Despite this, touting has continued at all premises, which can only reflect Mr Hussain's disingenuous regard for the scheme.

Complaints in relation to 118-122 Brick Lane

19.12.2013	Complaint that cheap lager is being passed off as Cobra branded lager
25.02.2013	Complaint of the premises selling alcohol during its suspension period
22.02.2013	Complaint of the premises opening until 3am, serving hot food and drinks
30.01.2013	Complaint of touting
30.01.2013	Second complaint about touting
01.11.2012	PC Mark Taylor witness customers in the restaurant eating food and drinking glasses of beer at 01:25am
02.08.2012	Complaint of touting
11.07.2012	Complaint of touting
14.06.2012	Complaint of touting
13.06.2012	Complaint of touting
12.06.2012	Complaint of touting
08.05.2012	Complaint of touting
05.04.2012	Complaint of touting
30.03.2012	Complaint of touting
22.03.2012	Complaint of touting
23.03.2012	Complaint of touting

In September 2012, Tower Hamlets Trading Standards reviewed the premises licence as a result of continued touting. The licence was suspended from 6th February 2013 to 5th March 2013. The premises was found to be serving alcohol during that period, for which a warning letter was issued by Trading Standards.

Mr Hussain applied to extend the hours of the licence, including the sale of alcohol in February 2013. This was refused by the Tower Hamlets Licensing Sub Committee.

In January 2013 Mr Hussain received a fine of £1000 from Thames Magistrates Court as a result of touting offences at the premises.

Mr Hussain also owns 108 Brick Lane and 124-126 Brick Lane (on the opposite side of the road from this application). Again, we get regular complaints in relation to touting and opening beyond hours. I regularly witness Mr Hussain's employees at these premises approaching members of the public, contrary to the principles of the Tower Hamlet Anti-Touting Code of Practice and contrary to his licensing conditions. These other premises have also received prosecutions and suspensions from the Sub Committee as a result of Licensing Act breaches. I believe that Mr Hussain regards these fines and suspensions simply as part of his business' financial overheads. As a result of the above, I believe that Mr Hussain has total disregard of many of his legal obligations under the Licensing Act 2003.

Lastly, on 1st November 2013, Tower Hamlets adopted a Cumulative Impact Policy (CIP) 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 Authority may therefore 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 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 CIP 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 CIZ and a representation is received, the licence will be objected to by the Authority. 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 CIZ.

The Licensing Authority is therefore making representation against the above application on the grounds of the prevention of crime and disorder and the prevention of public nuisance as the premises lies within the CMZ. If the applicant is unable to prove to the Licensing Sub Committee, through the implementation of appropriate conditions within the Operating Schedule, that the granting of the application will not affect the cumulative impact of the area; then I ask the Committee to reject the application in full.

In consideration of all the above, including the presence of the premises within the CIZ, the history or criminality at the premises and Mr Hussain's repeated demonstration of legislative ignorance, I ask the Committee to reject the application in full.

Yours sincerely,

A black rectangular redaction box covering the signature of Andrew Heron.

Andrew Heron
Licensing Officer

Appendix 6

Mohshin Ali

From: Alex Lisowski on behalf of Licensing
Sent: 02 January 2014 11:27
To: Mohshin Ali
Subject: FW: Preem, 118BL
Attachments: Preem 118BL objection (Dec 13).doc

Mohshin,
For you.
Alex.

From: Alan.D.Cruickshank@met.pnn.police.uk [<mailto:Alan.D.Cruickshank@met.pnn.police.uk>]
Sent: 30 December 2013 12:50
To: Licensing
Subject: Preem, 118BL

Dear Licensing

Please accept my representation re: the above new licence application.

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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Facebook: [Facebook.com/metpoliceuk](https://www.facebook.com/metpoliceuk)
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**

Mobile: [REDACTED]

Email: Alan.Cruickshank@met.police.uk

Your ref:

30th December 2013

Dear Mr McCrohan,

Re: Application for a Premises Licence

Preem, 118-122 Brick Lane, E1 6RL

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 : 1200 - 2330

Sunday : 1200 - 2230

Late night refreshments:

Monday - Sunday : 2300 - 0300

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.

This venue 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.

One more late night opening venue will only compound the problems in Brick Lane.

The applicant must be aware that there is now a saturation policy and the late hours applied for do not reflect the concerns that have led to the implementation of a CIZ.

Even without a saturation policy, Tower Hamlets Police Licensing Unit would be objecting to such late hours.

I believe that the hours applied for are excessive. The hours exceed the vast majority of other restaurants' hours in Brick Lane. If the licence was to be granted, I believe there would be a number of other restaurants that would apply for similar hours. The applicant is a well known figure in Brick Lane and there is already tension in Brick Lane between restaurants, which has led to fighting between their staff / "touts".

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.

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

The hours applied for falls into 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: London Ambulance Service call outs to binge drinking

Ward	No of Incidents 2011/12	No of Incidents 2012/13	% Change over 2011/12 to 2012/13
Spitalfields & Banglatown	145	175	+ 21%
Weavers	82	89	+21%
Tower Hamlets ward 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 Admission 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?

I have requested a statement from the local policing team in relation to their concerns over this application.

Late night refreshments have been applied for until 0300. Although the alcohol hours will mostly stop at 2330, it is likely that most people who attend after 2330 will request alcohol. How will the applicant deal with this demand?

By remaining open until 0300 , it is likely that a good percentage of their customers will be under the influence of alcohol. The applicant states that the public will not be allowed to congregate outside and “will be encouraged to leave the premises in a considerate manner”. How will this be done?

More people in the CIZ at these late hours 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 then I would ask that all licensable activities finish at 2230 and have a half hour “drinking up” time, closing at 2300

Conditions.

If the licence is to be granted past 2300, to ensure that “No anti-social behaviour (shouting and screaming) or other forms of anti-social behaviour will be tolerated”

Two SIA staff to be employed from 2300 until closing, all week.

Alan Cruickshank PC 189HT

Appendix 7

Mohshin Ali

From: Ian Moseley
Sent: 18 December 2013 11:47
To: Alex Lisowski; Licensing
Subject: Representations ref application for 118-122 Brick Lane
Attachments: 118brickreps.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Alex

Please find attached a scanned copy.

Will you be sending this to the applicant or should I do it directly?

Ian Moseley
Trading Standards
020 7364 6840

For information on Trading Standards in Tower Hamlets please see
www.tradingstandards.gov.uk/towerhamlets

London Borough of Tower Hamlets

**Preem
"Ground & Basement", 118-122 Brick Lane, London**

Ref Application for the Review of the Premises Licence under Section 51 of the
Licensing Act 2003

London Borough of Tower Hamlets – Trading Standards Service

REPRESENTATIONS

1. The Trading Standards Service, as the Local Weights and Measures Authority is designated a 'responsible authority' for the purposes of the Act and it making representations in relation to the prevention of public nuisance and the prevention of crime and disorder.
2. The Trading Standards Service is aware that, although this is an application for a new license, there is an existing licence covering the ground floor only and this has been subject to two previous reviews by Trading Standards, relating in the main to concerns over touting from the premises. The first in May 2011 resulted in a suspension of licence for 2 weeks and the second, in August 2012, in a suspension for 4 weeks, taking place from 6/2/2013 to 5/3/2013. During this period there was a sale of alcohol in breach of the suspension, for which a warning letter was issued.
3. The applicant, Mr Azmal Mert Hussain has been involved in the ownership and management of other premises in the Brick Lane area. In the case of Prithi, 124-126 Brick Lane, these premises have also been reviewed by Trading Standards with regard to touting from the premises. In the case of 108 Brick Lane (Preem FC) Mr Hussain was prosecuted for unlicensed sales of late night refreshment. During the investigation the premises were found displaying fake versions of the blue notice relating to licence applications. In the case of premises at 45-47 Hanbury Street records

indicate that an illegal Shisha bar, since demolished, was in operation and unlicensed sales of alcohol and LNR took place on the premises.

4. In the opinion of the Trading Standards Service, managerial control at the premises is not adequate. The erection of an illegal extension, the use of fake blue notices and sales of alcohol during a suspension indicate a disregard for legal requirements. The extension of capacity and hours compared to the existing licence represents a risk of additional strain on the management resulting in further breaches of the law and an increase in public nuisance in the area.
5. In view of these concerns the Trading Standards Service respectfully requests that Members refuse the application.



Ian David Moseley

**Senior Trading Standards Officer
London Borough of Tower Hamlets**

Appendix 8

Name	Address1	Address2	Address3	Appendix
Nicholas Hodsdon	[REDACTED]	London	[REDACTED]	9
Conor McLernon	[REDACTED]	London	[REDACTED]	10
Mark Lancaster	[REDACTED]	London	[REDACTED]	11
Jon Shapiro	[REDACTED]	London	[REDACTED]	12
James Imrie	[REDACTED]	London	[REDACTED]	13
Matthew Piper (SCG)	[REDACTED]	London	[REDACTED]	14
Spitalfields Society (S Crithley)	[REDACTED]	London	[REDACTED]	15
Caroyne Fuest	[REDACTED]	London	[REDACTED]	16
Pat Jones	[REDACTED]	London	[REDACTED]	17
Dick Tyler	[REDACTED]	London	[REDACTED]	18

Appendix 9

Mohshin Ali

From: Nicholas Hodsdon [REDACTED]
Sent: 18 December 2013 14:00
To: Licensing
Subject: Preem license extension objection

Follow Up Flag: Follow up
Flag Status: Completed

Dear sir/madam

I would like to object in strong terms to the below license applications:

1. Preem FC, 108 Brick Lane, E1 6RL
applying for:
-sale of alcohol: 12:00-23:30 Mon-Sat, 12:00-22:30 Sun
-regulated entertainment: 12:00-03:00 Mon-Sun
-late night refreshment: 12:00-03:00 Mon-Sun

2. Preem, 118-122 Brick Lane, E1 6RL
applying for sale of alcohol, regulated entertainment and late night refreshment, 12:00-03:00 Mon-Sun

The sale of alcohol late in to the night on Brick Lane has caused serious problems with anti social behaviour, intimidation and noise, and a detrimental impact on the local environment for residents through littering and public urination/vomiting. The council clearly accepts this to be a major problem, as evidenced by the recent adoption of a saturation policy in the area. Entertainments would only add to the existing late night noise problems caused by rowdy behaviour so is also unacceptable.

I would add that the licensees must be well known to various departments of the council and the police for their flouting of existing license conditions, including the extraordinarily brazen operation of an entirely unlicensed and illegal open air bar on the premises, which are almost adjacent to our property, over the summer. Allowing this application would legitimise this behaviour and surely increase future problems.

Yours sincerely,

Nicholas Hodsdon
[REDACTED]

Appendix 10

Mohshin Ali

From: Alex Lisowski on behalf of Licensing
Sent: 23 December 2013 16:27
To: Mohshin Ali
Subject: FW: Objection to licensing application for Preem, 118-122 Brick Lane

Follow Up Flag: Follow up
Flag Status: Flagged

Mohshin,

One of yours.
Alex.

From: [REDACTED]
Sent: 22 December 2013 21:55
To: Licensing
Subject: Objection to licensing application for Preem, 118-122 Brick Lane

Dear Sir/ Madam,

I am the resident at [REDACTED] and I write to you to object to the licensing application for Preem at 118-122 Brick Lane.

I feel this establishment stands out as one of the most problematic for the night time economy around Brick Lane.

I have routinely seen the restaurant opened beyond its agreed closing time, with touts constantly shouting and obstructing the pavement for business. This severely damages the quality of local amenity for nearby residents.

I understand that the restaurant has been investigated many times by the Licensing team, particularly in terms of sticking to its licensed hours, and touting.

Given that these 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.

The illegal shisha bar at the back of this location operated all the way throughout the summer, and was not brought under control despite the lack of license. The proprietor has shown that he is perfectly happy to destroy the peace and quiet of the area with loud music into the night already.

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. This premises has been linked to many previous problems and this request, if approved would certainly not help.

5. the premises as already operated is as a public nuisance, regularly staying open after its licensed hours, which I note are outside the core hours as defined by the Saturation policy.

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.

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.

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.

These are all desirable businesses that add both to the economy and the attractiveness of the area. What we don't need are more restaurants open until 3am.

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,

Appendix 11

Mohshin Ali

From: Andrew Heron
Sent: 19 December 2013 12:22
To: Mohshin Ali
Subject: FW: Ref TSS/LIC/073686, Preem Restaurant 118-122 Brick Lane

Yours...

From: Mark Lancaster [REDACTED]
Sent: 19 December 2013 12:20
To: Andrew Heron
Subject: Ref TSS/LIC/073686, Preem Restaurant 118-122 Brick Lane

Dear Andrew Heron

I am writing to object to the above referenced licence application. I understand that in outline the proposal is as follows;

Supply of Alcohol: from Monday to Saturday from 12:00hrs to 23:30hrs, Sunday to 22:30hrs – both on and off premises

Late Night Refreshment: from Monday to Sunday from 23:00hrs to 03:00hrs – both indoors and outdoors

Regulated entertainment: from Monday to Sunday from 12:00hrs to 03:00hrs

My wife and I live opposite this restaurant and have noticed on many occasions it is open until 3 or even 4 o'clock in the morning already. The touting by this restaurant is probably the worst on Brick Lane, with four to five (or more) touts placed along the length of the frontage. These touts not only approach people walking by but shout across the road and disturb people walking on the other side of the road with absolutely no interest in going in to the restaurant.

The proposals above I believe would be harmful to the prevention of crime and disorder and to causing of public nuisance. The owner of this restaurant flouts all the regulations at present imposed on him. This would mean that whenever the other off licences are closed on Brick Lane Preem would be able to serve alcohol. Because these premises flout the current regulations it seems likely that he would serve young people, people who are already drunk and people who are vulnerable, such as the homeless with alcohol.

It is often forgotten that Brick Lane and the surrounding streets are also a residential area. We are frequently disturbed by street drinkers, who shout, swear become aggressive with passers by, urinate in the street, sometimes fight and create other Anti- Social behaviour. This would be worsened by the ready availability of alcohol from these premises. Regulated entertainment until 3am would also create noise and disturbance making it impossible for local people to get a good night's sleep

Revellers making their way home from these premises well into the night would also create even more antisocial behaviour and noise as they went home.

For all the above reasons and more I believe the granting of this licence application would be detrimental to the prevention of crime and disorder, to the prevention of public nuisance, to the protection of children from harm and to public safety and that the application should be refused.

Sincerely

Mark Lancaster



Appendix 12

Mohshin Ali

From: Andrew Heron
Sent: 19 December 2013 15:06
To: Mohshin Ali
Subject: FW: Alcohol Licence Application by "Preem Restaurant", 118-122 Brick Lane, E1

From: Jon Shapiro [REDACTED]
Sent: 19 December 2013 15:05
To: Licensing
Cc: [REDACTED]
Subject: RE: Alcohol Licence Application by "Preem Restaurant", 118-122 Brick Lane, E1

Dear Sir or Madam,

I believe that Preem Restaurant at **118-122 Brick Lane** has applied for a licence to sell alcohol **until 03.00 AM** Given that these premises are in the Brick Lane area "Cumulative Impact Zone" I believe any such application to extend their licensing hours to such an hour of the morning is **outrageous** and should be refused by the LBTH Licensing Committee.

These premises are in Brick Lane, an 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.

In particular I believe that these premises on no account should be allowed any extension of their existing licence as I am told by local residents that they already flout their existing hours and stay open later than permitted.

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.

I am raising this objection (if I may) in three capacities;

- 1) As a resident of Spitalfields
- 2) As Chair of the Spitalfields & Banglatown Police Ward Panel
- 3) As Chair of SPIRE (the ASB Working Group) – an umbrella organisation representing over 600 households in the Brick Lane area who are members of the six major local community groups.

Please would you acknowledge receipt of this email.

Yours faithfully,
Jon Shapiro.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Appendix 13

Mohshin Ali

From: Alex Lisowski on behalf of Licensing
Sent: 02 January 2014 11:17
To: Mohshin Ali
Subject: FW: Recent Licensing Applications in the Brick Lane Area

Follow Up Flag: Follow up
Flag Status: Completed

Mohshin,
One of yours.
Alex.

From: James Imrie Gmail [REDACTED]
Sent: 27 December 2013 10:48
To: Licensing
Cc: [REDACTED]
Subject: RE: Recent Licensing Applications in the Brick Lane Area

Dear Sir/ Madam,

As a local resident of the Spitalfields area I would like to OBJECTS to the application for a variation of a premises licence at "[Preem Restaurant](#)" at 118-122 Brick Lane, E1

The application for 03:00 hour closing time seven days a week is excessive and inappropriate in an area already identified as being blighted by a culture of excessive alcohol consumption and the public nuisance and disturbance which this consumption entails.

Many people visiting the restaurants, bars and clubs of Commercial Street, Brick Lane, Spitalfields Market and the Old Truman Brewery will pass by the premises open until 03:00 hours Mon – Sun, will encourage revellers to buy alcohol and consume it as they walk, a common phenomenon that creates antisocial behaviour, such as screaming, shouting and swearing, and urinating and vomiting in residents' light wells and on front doorsteps.

Street drinking in this area already causes unwanted noise and nuisance, litter and ASB. Street urination as a result of street drinking is a growing and is a recognised problem!

There are growing incidences of loss of residential amenities due to alcohol being made readily available to the rough sleeper community associated with the cluster of homeless hostels around the southern end of Brick Lane/Osborne Street nearby. Sales of food and alcohol will undoubtedly contribute to public nuisance.


For these reasons I would like to OBJECTS to the variation of the premises licence at the above

Kind Regards,

James Imrie
[REDACTED]

This is non binding and Subject to Contract.

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 please don't print this e-mail unless you really need to.

From: Jon Shapiro [REDACTED]
Sent: 19 December 2013 15:28
To: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: Recent Licensing Applications in the Brick Lane Area

Dear All,

As you may already be aware there are two Licensing Applications currently on process and open for objections by residents:

60-62 Commercial Street, E1 6LT

The Mexican Restaurant which already has a licence to midnight on Thursday to Saturday has applied for a licence until 01.00 hours

Even the existing licence to midnight is beyond “core hours”, and SPIRE believes any extension to their licence is unnecessary and would add to and impact:

- Crime and disorder
- Public nuisance
- Public safety

Three of the four grounds for objecting to licensing applications

Objections to LBTH Licensing need to be in by COB on 26th December

“Preem Restaurant” at 118-122 Brick Lane, E1

Preem which already has a licence to 23.30 (Mon to Sat) and 23.00 (Sun) has applied for a licence until 03.00 hours seven days a week!

Even the existing licence to 23.30/23.00 is beyond “core hours”, and SPIRE believes any extension to their licence is unnecessary and would add to and impact:

- Crime and disorder
- Public nuisance
- Public safety

Three of the four grounds for objecting to licensing applications.

SPIRE believes this licence application is particularly objectionable as local residents regularly report that Preem pays no attention to the requirements of its existing licence

Objections to LBTH Licensing need to be in by COB on 7th January

Both these premises are within the “Cumulative Impact Zone (CIZ)” (ie: the area covered by the “Saturation Policy”), and SPIRE would strongly encourage all concerned residents to submit objections to
'licensing@towerhamlets.gov.uk'

To be valid, all such objections must give the full postal address of the objector.

In the meantime I am told by LBTH Licensing that the other Preem application for 108 Brick Lane was incorrectly raised and has been returned for correction. No objections to the application for those premises can be made until a corrected application is received by LBTH Licensing.

With all best wishes,
Jon.

Appendix 14

Mohshin Ali

From: Spitalfields Community Group [REDACTED]
Sent: 16 December 2013 23:02
To: Licensing
Cc: Alan Cruickshank
Subject: licensing application at Preem Restaurant, 118 - 122 Brick Lane E1

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam,

Spitalfields Community Group OBJECTS to the licensing application at Preem Restaurant, 118 - 122 Brick Lane E1, for sale of alcohol and provision of late night refreshment until 0300, 7 days a week.

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

Brick Lane has an excessive concentration of licensed premises currently, jeopardising the quality of life of surrounding residents, and of other non-licensed businesses operating in the area. Indeed, LBTH recently designated a "Cumulative Impact Zone" in recognition of the saturation of licensed premises in the area. Preem lies at the heart of this Cumulative Impact Zone.

Residents living in this zone face problems of noise, nuisance, street urination and vomiting, litter and vandalism as a result of these premises and the unmanageable number of visitors they attract. LBTH is insufficiently resourced to enforce these premises and so fails to protect residents' right to the peaceful enjoyment of their homes, and that of local businesses to operate unhindered.

Preem Restaurant is inappropriately sited close to off licences which open late and attract excessive numbers of customers who drink and eat in the street outside, causing a public nuisance and often erupting into affray and violence, necessitating police attendance. The combination of alcohol and takeaway food available excessively late into the night inevitably causes ASB and disorder.

Furthermore local residents have routinely witnessed Preem Restaurant operating in breach of its current licensed permitted hours of 1200 – 2330 Mon – Sat and 1200 – 2300 Sun, with associated issues of ASB. SCG have received complaints from local residents regarding noise from an unlicensed "Shisha Bar" operating behind, but part of, the Preem premises. This wilful disregard on the part of the licensee demonstrates irresponsibility towards the community in which the restaurant operates, and is indicative of an inappropriate attitude towards the upholding of the licensing objectives.

Given the contribution to ASB in Brick Lane which this premises makes, and its owner's history of flouting regulations set by LBTH, Spitalfields Community Group OBJECTS to the licensing application at Preem Restaurant, 118 – 122 Brick Lane E1.

From and on behalf of the Spitalfields Community Group

c/o Matthew Piper, [REDACTED]

Appendix 15

Mohshin Ali

From: Alex Lisowski on behalf of Licensing
Sent: 02 January 2014 11:25
To: Mohshin Ali
Subject: FW: Preem Restaurant, 118-122 Brick Lane, London E1 6RL

Mohshin,
One of yours.
Alex.

From: Critchley [REDACTED]
Sent: 30 December 2013 11:42
To: [REDACTED]
Cc: [REDACTED];
[REDACTED]
Subject: Preem Restaurant, 118-122 Brick Lane, London E1 6RL

Dear Mr Heron, Licensing Officers,

Preem Restaurant, 118-122 Brick Lane, London E1 6RL

The Committee of the Spitalfields Society has asked me to register the Society's objection to the application you have received from the above restaurant to extend its hours for the sale of alcohol, regulated entertainment and late night refreshment until 3.00 am, 7 days a week from the current Monday to Saturday 1200 – 2330, Sunday 1200 – 2300.

We consider the hours applied for to be excessively late, out of line with hours applied to other restaurants in the neighbourhood and highly unlikely to satisfy the objectives of the 2003 Licensing Act. The applicant has already failed at least twice before in his attempts to get these hours extended and nothing has changed since permission was last refused earlier this year. The premises are covered by the Saturation Policy recently introduced for the Brick Lane area which is designed to halt the spread of irresponsible alcohol licences. The restaurant has also had its licence suspended by LBTH at least once for touting.

Residents in the area are already plagued with constant anti-social behaviour from drunken visitors to the area, who urinate against our doors and into our light-wells, defecate in the gutters and scream and shout throughout the night, making it impossible to get a proper night's sleep and also causing us to feel threatened in the streets. Allowing the restaurants in Brick Lane to disgorge their clients any later, much after midnight, would without doubt increase and extend the existing volume of nuisance to residents. We feel that no restaurant in Brick Lane should be serving alcohol beyond midnight.

This application is likely to fail to satisfy at least two of the Four Objectives of the 2003 Licensing Act. It seems to us likely that later hours would increase and extend the risk of Crime and Disorder caused by inebriated customers leaving the licensed premises; and later hours would without doubt make residents the victims of Public Nuisance in the streets adjacent to this restaurant for even longer each night.

Granting this variation would add to the cumulative effect of years of unfettered anti-social behaviour in the Brick Lane area and intensify the intolerable strain already placed on residents. We therefore ask the Licensing Sub-Committee to refuse this application for a variation in licensing hours.

Yours sincerely,

Sandy Critchley
Vice-Chairman, Spitalfields Society

[REDACTED]

Appendix 16

Mohshin Ali

From: Andrew Heron
Sent: 06 January 2014 10:55
To: Mohshin Ali
Subject: FW: Preem Restaurant, 118-122 Brick Lane, London E1 6RL

From: Carolyn Fuest [REDACTED]
Sent: 05 January 2014 10:28
To: Licensing; Andrew Heron; Alex Lisowski
Cc: Spitalfields Society
Subject: Preem Restaurant, 118-122 Brick Lane, London E1 6RL

From Carolyn & David Fuest, [REDACTED]
[REDACTED]

Dear Sirs

Preem Restaurant, 118-122 Brick Lane, London E1 6RL

We are writing to you to OBJECT to the application you have received from the above restaurant to extend its hours for the sale of alcohol, regulated entertainment and late night refreshment until 3.00 am, 7 days a week from the current Monday to Saturday 1200 – 2330, Sunday 1200 – 2300.

We note that this establishment has already applied for, and had refused, license extensions twice this year.

The hours are excessively late and out of line with other restaurants in the area. To grant this will open a flood gate of other applications.

We note that this establishment has already flouted the touting laws. Touting in Brick Lane is still excessive Extending the license hours will only exacerbate the significant antisocial behaviour, noise and litter problems that we suffer from here.

The arguments are well known to you and we are all tired of having continually to write these letters of objection. It seems that as law-abiding, rate paying citizens we have no right to a relatively peaceful night's sleep. I would put forward the theory that many of the people coming in to frequent these establishments would not tolerate this type of behaviour in their own boroughs.

We ask you, please, to REJECT this application.

Yours sincerely
Carolyn & David Fuest

Appendix 17

Mohshin Ali

From: Andrew Heron
Sent: 06 January 2014 11:23
To: Mohshin Ali
Subject: FW: preem restaurant 118-122 brick lane e1 6rl

From: pat jones [REDACTED]
Sent: 02 January 2014 12:44
To: Andrew Heron; Alex Lisowski; Licensing
Subject: preem restaurant 118-122 brick lane e1 6rl

dear sirs - i understand that an application has been made for these premises to extend their hours for the sale of alcohol, entertainment and late night refreshment until 3am 7 days a week. i wish to object in hte strongest terms to this application which will not satisfy the objectives of the licensing act 2003.

the residents already suffer unacceptable levels of anti-social behaviour caused by these premises and others in the brick lane area, also operated by the same people - there is constant urination, defecation,vomiting, screaming fighting and violent disorder in our streets caused by the late night drinking in these establishments which can only be aggravated by extending their hours. Please refuse this application and please take action to ensure that they operate under the current conditions of their consent which they appear to breach , regards pat jones

Appendix 18

Mohshin Ali

From: Andrew Heron on behalf of Licensing
Sent: 06 January 2014 16:19
To: Mohshin Ali
Subject: FW: Preem Restaurant, 118-122 Brick Lane, London E1 6RL

From: TYLER, Dick [REDACTED]
Sent: 06 January 2014 15:29
To: Licensing
Cc: Alex Gordon Shute
Subject: Preem Restaurant, 118-122 Brick Lane, London E1 6RL

Dear Mr Heron, Licensing Officers,

My partner (Alex Gordon Shute) and I live at [REDACTED] and wish to object to the application you have received from the above restaurant to extend its hours for the sale of alcohol, regulated entertainment and late night refreshment until 3.00 am, 7 days a week from the current Monday to Saturday 12:00 – 23:30, Sunday 12:00 – 23:00.

We consider the hours applied for to be excessively late, out of line with hours applied to other restaurants in the neighbourhood and highly unlikely to satisfy the objectives of the 2003 Licensing Act. We understand that the applicant has already failed at least twice before in his attempts to get these hours extended and that nothing has changed since permission was last refused earlier this year. The premises are covered by the Saturation Policy recently introduced for the Brick Lane area, which is designed to halt the spread of irresponsible alcohol licences. We understand that the restaurant has also had its licence suspended by LBTH at least once for touting.

Residents in the area are already plagued with constant anti-social behaviour from drunken visitors to the area, who urinate against our doors and into light-wells, defecate in the gutters and scream and shout throughout the night, making it difficult to get a proper night's sleep and also causing us to feel threatened in the streets. Allowing the restaurants in Brick Lane to disgorge their clients any later, much after midnight, would without doubt increase and extend the existing volume of nuisance to residents. We feel that no restaurant in Brick Lane should be serving alcohol beyond midnight.

We believe that this application is likely to fail to satisfy at least two of the four objectives of the 2003 Licensing Act: it seems to us likely that later hours would increase and extend the risk of crime and disorder caused by inebriated customers leaving the licensed premises; and that later hours would without doubt make residents the victims of public nuisance in the streets adjacent to this restaurant for even longer each night.

Granting this variation would add to the cumulative effect of years of unfettered anti-social behaviour in the Brick Lane area and intensify the intolerable strain already placed on residents. We therefore ask the Licensing Sub-Committee to refuse this application for a variation in licensing hours.

Yours sincerely,

Dick Tyler

[REDACTED]

[REDACTED]

Appendix 19

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 20

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 21

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 22

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.

