

# Appendix 1

**(The Coborn Arms)**  
8 Coborn Road  
London  
E3 2DA

**Licensable Activities authorised by the licence**

The sale by retail of alcohol

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

**Signed by**

**John Cruse** \_\_\_\_\_  
**Team Leader Licensing**

**Date: 03 October 2005**



TOWER HAMLETS

LICENSING ACT 2003

**THIS LICENCE HAS BEEN AMENDED DUE TO AN APPEAL TO THE  
MAGISTRATES COURT**

**Part A - Format of premises licence**

Premises licence number

11167

**Part 1 - Premises details**

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

8 Coborn Road

**Post town**

London

**Post code**

E3 2DA

**Telephone number**

██████████

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

N/A

**Licensable activities authorised by the licence**

The sale by retail of alcohol

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

**The sale by retail of alcohol:**

- a) Monday, Tuesday and Wednesday from 08:00 hours until 23:30 hours
- b) Thursday, Friday and Saturday from 08:00 hours until midnight
- c) Sunday from 10:00 hours to 23:00 hours.
- d) On no more than 15 non standard timings per year including Bank Holidays from 10:00 hours until 02:00 hours. 7 clear days notice to be given to the Police, Licensing Authority and Environmental Health who will advise on noise limiting. Police will have right to veto.

Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.

**The opening hours of the premises**

- a) On Monday, Tuesday and Wednesday from 08:00 hours until midnight
- b) On Thursday, Friday and Saturday from 08:00 hours until 00:30 hours the following day
- c) On Sunday from 10:00 hours until 23:30 hours
- d) On no more than 15 non standard timings per year including Bank Holidays from 10:00 hours until 02:30 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**

Young and Co.'s Brewery PLC  
Riverside House  
26 Osiers Road  
London SW18 1NH

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

32762

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

Peter Roland Footman

[REDACTED]  
[REDACTED]  
[REDACTED]

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

**Personal licence Number:** [REDACTED]

**Issuing Authority:** [REDACTED]

## **Annex 1 - Mandatory conditions**

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

1.

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

behaviour or to refer to the effects of drunkenness in any favourable manner.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

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

4.
  - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
  - (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
5. The responsible person shall ensure that;
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) customers are made aware of the availability of these measures.

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

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

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

**The sale by retail of alcohol:**

- a) Monday, Tuesday and Wednesday from 08:00 hours until 23:30 hours
- b) Thursday, Friday and Saturday from 08:00 hours until midnight
- c) Sunday from 10:00 hours to 23:00 hours.

Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.

**Door Supervisors:**

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, such individuals must be licensed with the Security Industry Authority.

This does not apply to premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001, (premises with premises licences authorising plays or films), or

in respect of premises in relation to-  
any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or  
any occasion within paragraph 8(3)(d) of Schedule 2 (occasions prescribed by regulations under that Act) unless the Licence specifically states otherwise.

Security activity means an activity to which paragraph 2(1)(a) of Schedule 2 of the Private Security Industry Act 2001 of that schedule applies, and Paragraph 8(5) of Schedule 2 (interpreting of references to an occasion) applies as it applies in relation to paragraph 8 of Schedule 2 of the Private Security Industry Act 2001

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

- 1) No children under licensable age shall be permitted on the premises after 21:00 hours unless accompanied by an adult or guardian.

**Annex 3 – Agreed conditions attached after a hearing by the licensing authority**

- 1) That the beer garden be closed to patrons from 23:00 hours Monday to Sunday with all alcohol consumed after this time inside the premises.
- 2) That the playing of music be restricted to inside the premises at all times.
- 3) Alcohol may only be supplied between 08:00 and 10:00 hours Monday to Saturday if there is a major sporting event being screened or if a private function has been organised and any person supplied with alcohol during such hours shall be partaking in a table meal.



- 4) If regulated entertainment is to be provided pursuant to any temporary event notice then music (either live or recorded) shall be subject to control of a suitable noise limiter set to a level as reasonably recommended by the Environmental Health Department of the London Borough of Tower Hamlets.

#### **Annex 4 - Plans**

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

6<sup>th</sup> July 2005



**Part B - Premises licence summary**

**Premises licence number**

11167

**Premises details**

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

8 Coborn Road

**Post town**

London

**Post code**

E3 2DA

**Telephone number**

[REDACTED]

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

- a) Monday, Tuesday and Wednesday from 08:00 hours until 23:30 hours
- b) Thursday, Friday and Saturday from 08:00 hours until midnight
- c) Sunday from 10:00 hours to 23:00 hours.

The opening hours of the premises	<ul style="list-style-type: none"> <li>a) On Monday, Tuesday and Wednesday from 08:00 hours until midnight</li> <li>b) On Thursday, Friday and Saturday from 08:00 hours until 00:30 hours the following day</li> <li>c) On Sunday from 10:00 hours until 23:30 hours.</li> </ul>
Name, (registered) address of holder of premises licence	<p>Young and Co.'s Brewery PLC  Riverside House  26 Osiers Road  London SW18 1NH</p>
Where the licence authorises supplies of alcohol whether these are on and / or off supplies	<p>On and off sales</p>
Registered number of holder, for example company number, charity number (where applicable)	<p>32762</p>
Name of designated premises supervisor where the premises licence authorises for the supply of alcohol	<p>Peter Roland Footman</p>
State whether access to the premises by children is restricted or prohibited	<p>No restrictions</p>

# Appendix 2

**London Borough of Tower Hamlets**

**Application to vary a premises licence under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

You may wish to keep a copy of the completed form for your records.

We Young and Co's Brewery PLC

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


<b>Premises licence number</b> 11167
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**Part 1 – Premises Details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>			
Coborn Arms 8 Coborn Road			
<b>Post town</b>	London	<b>Post code</b>	E3 2DA

<b>Telephone number at premises (if any)</b>	[REDACTED]
<b>Non-domestic rateable value of premises</b>	£65,750.00

**Part 2 – Applicant details**

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

**Part 3 - Variation**

Please tick yes

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

**FROM THE DATE ON WHICH THE COUNCIL ARE NOTIFIED THAT THE WORKS HAVE BEEN COMPLETED**

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

Day	Month	Year

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

To vary the layout of the premises in accordance with plans supplied by the applicant. All licensable activities, permitted hours and opening hours to remain as existing.

Main changes:-

- Bringing existing garden area inside the premises.
- Increasing the bar area inside by way of the Orangery.
- Removing existing toilets and re-locating them into what is currently an outbuilding.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

N/A
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**Part 4 Operating Schedule**

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

**Provision of regulated entertainment**

Please tick yes

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

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

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

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

I

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

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption</b> (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon	No Change		<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) No Change		
Tue	No Change				
Wed	No Change				
Thur	No Change		<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5) No Change		
Fri	No Change				
Sat	No Change				
Sun	No Change				

K

<p><b>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children</b> (please read guidance note 8)</p> <p><b>None</b></p>
---

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4) No Change
Day	Start	Finish	
Mon	No Change		
Tue	No Change		
Wed	No Change		
Thur	No Change		<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5) No Change
Fri	No Change		
Sat	No Change		
Sun	No Change		

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking  
None

Please tick yes

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

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

Reasons why I have failed to enclose the premises licence or relevant part of premises licence  
Licence has been misplaced – fee of £10.50 sent for replacement.

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

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

We have considered the impact of the proposed alterations and do not feel that there will be any increased risk. No further steps will be necessary to promote the licensing objectives and the existing measures will continue



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

See box a) above

**c) Public safety**

See box a) above

**d) The prevention of public nuisance**

See box a) above

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

See box a) above

**Please tick yes**

- I have made or enclosed payment of the fee or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

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

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

Signature	
Date	17 December 2013
Capacity	Poppleston Allen – Solicitors for & on behalf of the applicant

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

Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)</b>			
Vicki Caress Popleston Allen Solicitors 37 Stoney Street The Lace Market			
<b>Post town</b>	Nottingham	<b>Post code</b>	NG1 1LS
<b>Telephone number (if any)</b>	[REDACTED]		
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b>			
[REDACTED]			

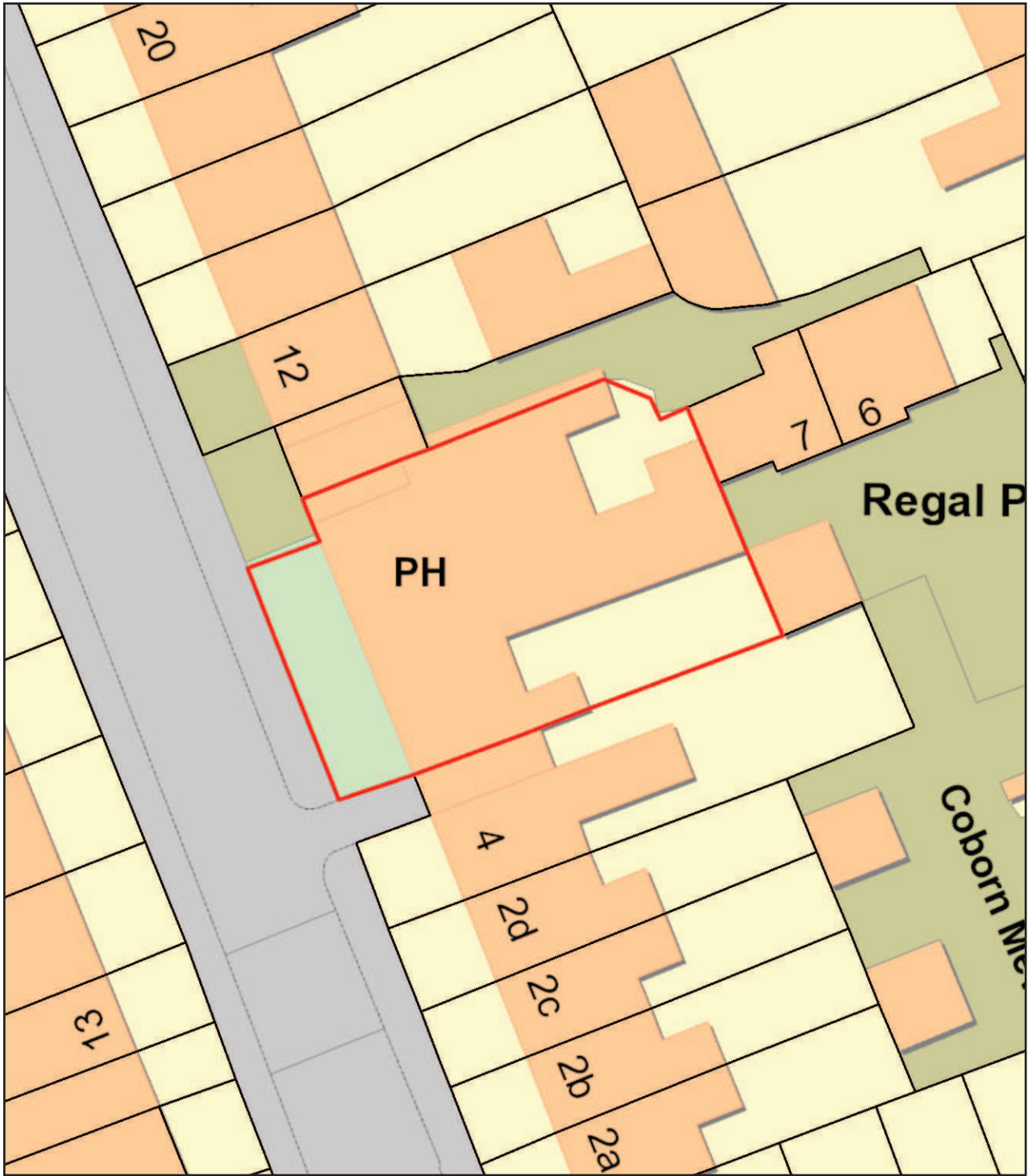
#### Notes for Guidance

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

1. Describe 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.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please 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.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please 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 or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.



# Appendix 3

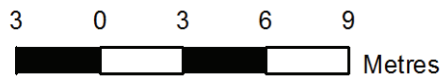


# 8 Coborn Road

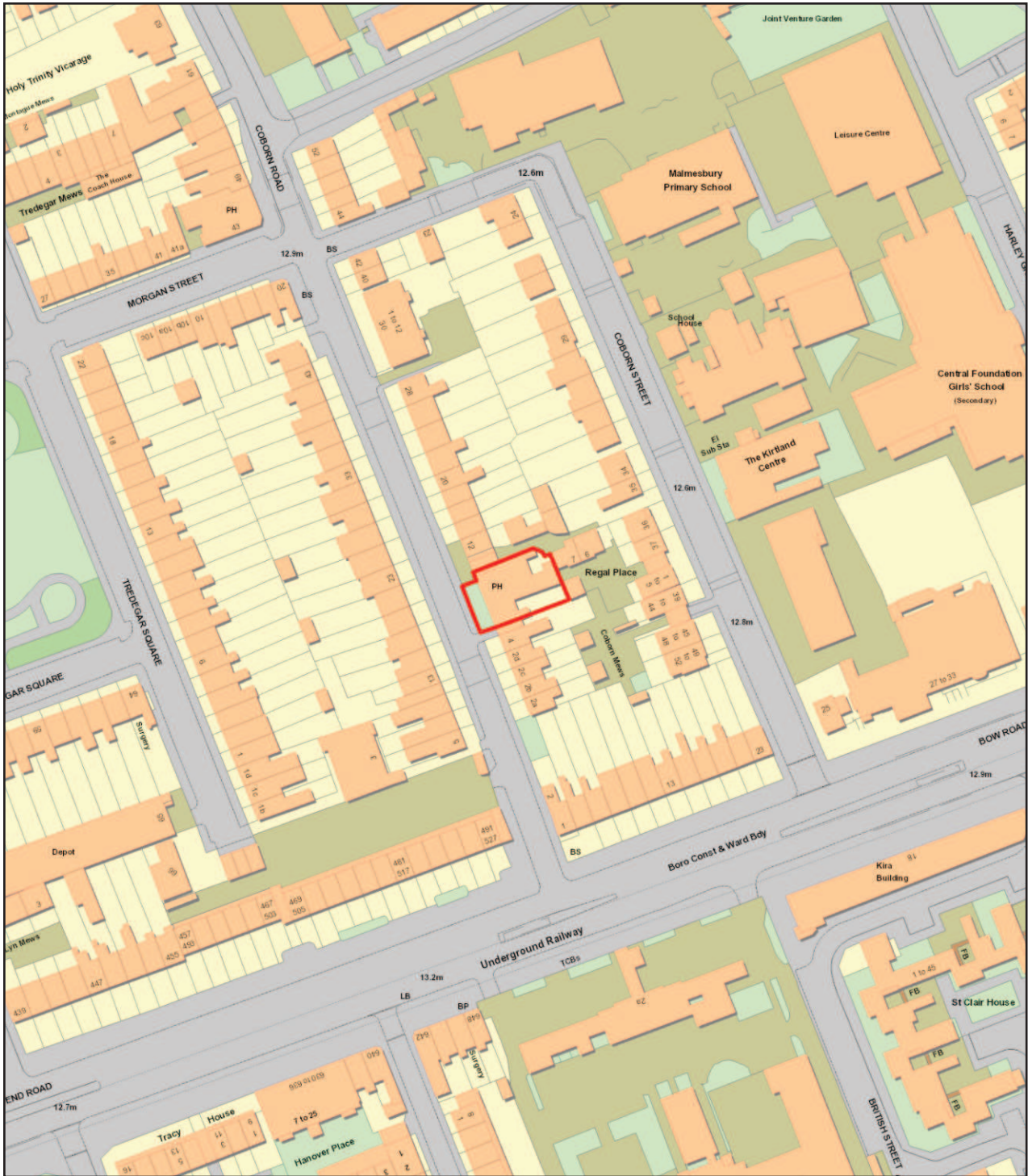
## Map 1



Scale 1:334





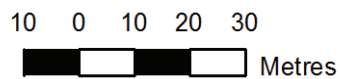


# 8 Coborn Road

## Map 3



Scale 1:1669



# Appendix 4



### Section 182 Advice by the Home Office

Updated October 2012

#### Relevant, vexatious and frivolous representations

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

for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared by officials for consideration by the sub- committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.

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

# Appendix 5

10<sup>th</sup> January 2014



Mr. John McCrohan  
Trading Standards & Licensing Services Manager  
5 Clove Crescent  
LONDON E14 2BG



Dear Mr McCrohan,

**RE: Licensing Act 2003 and Coborn Arms,  
8 Coborn Road,  
LONDON E3 2DA**

Thank you for your letter of 18<sup>th</sup> December about the application for the Coborn Arms to have a variation of their licence.

In reference to the four objectives set out in the Tower Hamlets Website, "the prevention of public nuisance alarms me most and I therefore wish to state my objections to the application.

The Coborn Arms is not in a High Street but in a residential area. Consequently, it is the residents in their homes who will be affected by the noise, extra traffic and pollution.

Coborn Road is already experiencing problems with traffic. Many evenings neighbours can hear irate drivers hooting horns and behaving badly as they try to approach each other from opposite direction on what is a narrow road. The variation application, if it is successful, will, worsen the problem with extra inflow of traffic.

Another public nuisance which affects the immediate neighbours of the pub is the loud, crashing noise of bottles being emptied into containers. This can be frightening as it always happens without warning. The volume of bottles, cans etc. will be increased if application is successful.

Yours sincerely,

  
Jasmin Beckford

# Appendix 6

Toby Bennett

Licensing Section  
Mulberry Place (AH)  
6th Floor  
5 Clove Crescent  
London, E14 2BG

Friday 10<sup>th</sup> Jan 2014

**Re: Application for License variation, Coborn Arms, 6-8 Coborn Road, E3**

I am writing to object to the license variation for these premises on the grounds that the increased capacity that would result from the proposed expansion would be a very significant intensification likely to lead to a correspondingly significant increase in public nuisance. I am therefore objecting on the basis of the licensing objective "the prevention of public nuisance". The nuisance would result from the increased numbers of people arriving and leaving, the increased use of the forecourt area in front of the pub, and increased customer road traffic and deliveries in this narrow street.

*Background*

Coborn Road is a narrow, residential street that is already heavily marked by the presence of the pub; any increased impact would be extremely detrimental to the lives of local residents. The Coborn Arms was originally a much smaller and more appropriately sized pub. However, it has already grown due to the acquisition of and extension into a neighbouring property in the 1980s. The effects on local families have been further increased twice through an extension to its opening hours in 2005 and increased use of the forecourt following the smoking ban in 2007.

Despite strong local opposition, and I believe against the advice of the council's environmental health office, Young's were granted longer opening hours in 2005 following the introduction of the 2003 Licensing Act. The hours are currently

- a) On Monday, Tuesday and Wednesday from 08:00 hours until midnight
- b) On Thursday, Friday and Saturday from 08:00 hours until 00:30 hours the following day
- c) On Sunday from 10:00 hours until 23:30 hours

As you will see, on most nights of the week this means that people are coming and going well into the night, and into the early morning.

Following the smoking ban Young's have exploited the large forecourt area intensively through:

- a) the introduction of more seating
- b) installation of large umbrella coverings (which are effectively permanent never having been moved since their introduction)
- c) installation of outdoor heating and
- d) installation of partially glazed sidewalls.

This has resulted in many more people using the forecourt area and its use throughout the year rather than just the summer months as was previously the case. At times the forecourt is very busy and very noisy, and at times customers spill out into the street. The forecourt is used by drinkers until 11.00pm, as set out in the premises license, but continues to be used by smokers and others until the closure of the premises at a much later time.

This has a considerable impact on neighbouring families (some with young children) in this narrow street with bedroom and living room windows very close by.

#### *Extent of the increased capacity*

As explained above this is already a large pub for a residential area having been expanded previously and containing a large forecourt seating area.

The further increase in size of the Coborn Arms that is set out in the planning application is huge, and this would result in a substantial increase in potential capacity. Based on the floor areas on the plans provided in the planning application I estimate that the increase in internal public floor area (not including toilets) will be around 88%. The accompanying shaded versions of the current and proposed plans well illustrate this massive increase in a visual way.

According to the planning application the size of the premises will increase from 307 to 418.5 sqm, an increase of 36%, however due to the changing space utilisation the increase in public drinking areas is much greater. In an accompanying letter they also state

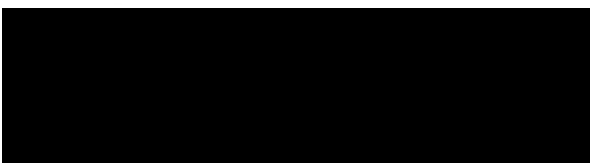
“The current license allows for a 200 person capacity based on floor area alone. The current dining area holds between 70 and 80 customers. With the increased area the capacity will increase to about 250 with approximately 120 of these dining.”

This suggests an increase of only 25% (which in itself would be bad enough), I presume this is because Young’s hope that more people will be dining under the new layout. However, this is purely conjecture and it could just as well be that the pub will attract more drinkers and much higher numbers with the seating being adapted accordingly.

#### *Conclusion*

Whilst I am not opposed to, indeed I support, the updating and refurbishment of this pub in a sympathetic manner, I assert that any intensification through an increase in capacity is very likely to result in increased public nuisance. Currently, the balance between the pub use and local amenity has been managed despite the intensification that has taken place in recent years, however it is difficult to see how this can continue if this further substantial intensification is permitted.

Yours sincerely



Toby Bennett





# Appendix 7

LBTH  
TRADING STANDARDS  
13 JAN 2014  
LICENSING

  
10 January 2014

Dear Mr McCrohan,

RE: Licensing Act 2003 and Coborn Arms, 8 Coborn Road, LONDON, E3 2DA

Thank you for your letter of 18 December about the application for the Coborn Arms to have a variation of their licence.

Of the four licensing objectives set out in the advice on the Tower Hamlets website it is "the prevention of public nuisance" which raises most concern. I therefore wish to record my objections to the application.

The Coborn Arms is in the middle of a residential district; it is not in an urban High Street where its neighbours are shops. Consequently, it is people in their homes and gardens who will be affected.

Presumably, it is in the evening when the majority of people will be at the Coborn Arms having a good night out eating, drinking and talking. Because of concerns about drinking and driving many will wisely decide to take a taxi home. When a taxi arrives, the driver does not usually go looking for his clients, perhaps because he cannot park and he has to wait in the only free lane in the road and so blocks traffic in both directions (Coborn Road is narrow and has parking on both sides, especially in the evening, leaving only one lane free for traffic in both directions) or he doesn't feel like getting out of his cab. For whatever reason it is the residents who suffer because the driver usually announces his arrival by sounding the horn long and frequently enough for people in the pub to hear. Residents trying to get a good night's sleep ready for work the next day are rightly annoyed at this disturbance. When customers driving their own cars leave, more often than not they too sound the horn, this time to say goodbye. Whichever way they travel it usually involves noise late at night, upsetting and annoying residents and preventing them from getting a good night's sleep.

Another nuisance created by people leaving the Coborn Arms late at night is that they rightly wish to continue chatting on the pavement before they get into their taxi or car. In the still of the night it is surprising how far voices travel. The sufferers are those residents hoping for a night of unbroken sleep.

One other public nuisance which will be greatly increased affects the immediate neighbours of the pub. It is an unpleasant one which, if the license variation application is successful, will be greatly increased. It is the smell of other people's cooking. Sitting or working in the garden one can be overcome by a stomach-turning smell telling you what is on that day's menu. The only escape is to go indoors and be denied the use of the garden. Although it does not affect all residents, that does not lessen its unpleasantness and consequences.

Yours sincerely,

  
Kenneth Blakeley

Mr John McCrohan   
Trading Standards and Licensing Services Manager  
5 Clove Crescent  
E14 2BG

# Appendix 8

## Andrew Heron

---

**From:** Alex Lisowski on behalf of Licensing  
**Sent:** 13 January 2014 09:54  
**To:** Andrew Heron  
**Subject:** FW: Coborn Arms E3 Licence Variation Application

Andrew,  
One of yours.  
Alex.

---

**From:** Sarah Chase [mailto: [REDACTED]]  
**Sent:** 12 January 2014 23:16  
**To:** Licensing  
**Subject:** Coborn Arms E3 Licence Variation Application

Dear Sir/Madam,

I understand that in order to potentially cover the increased capacity following a recent planning proposal, the Coborn Arms (8 Coborn Road, E3 2DA) has applied to vary the terms of its licence.

I would like to formally state my objection to this variation.

### **The Prevention of a Public Nuisance**

The pub is located on a narrow, residential street. As a resident, I am aware of existing pressure points including the noise caused by deliveries to and rubbish collections from the pub, noise from the pub's customers in the front beer garden area and on leaving, traffic congestion and parking difficulties.

With the pub at its current size, these issues are all a concern, but currently can be tolerated. However, increased capacity at the pub will, in my opinion, exacerbate the situation and push these pressure points to such a degree that they will become a public nuisance.

I therefore wish to object to the licence variation application.

Yours faithfully,  
Sarah Chase

[REDACTED]

Sent from my iPhone

# Appendix 9

## Andrew Heron

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**From:** Mike Clear [REDACTED]  
**Sent:** 07 January 2014 12:17  
**To:** Licensing  
**Cc:** Alanna Clear  
**Subject:** Coborn Arms Licensing Variation Application: Objection based on the Prevention of Public Nuisance

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

(From the Residents of 4 Coborn Road, E3 2DA)

Dear Sir,

As next-door neighbour to the Coborn Arms, we feel well placed to object to the extensive expansion plans that Youngs have submitted.

While we do not object to updating the facilities, we are extremely concerned that the new proposed size of the pub will create a public nuisance.

As it is we are frequently woken by disturbances outside the pub, often merely intoxicated altercations, but occasionally becoming physical violence that has at times taken place on our property (e.g. on our car parked in front of our house), we are very concerned that the increased capacity will bring with it increased numbers of drinkers, and with it increased numbers of late night incidents.

With a 2 year old son, and another baby on the way in April, our family is particularly sensitive to increased disturbances outside, and we are keen to make our objections heard.

We would be happy to discuss this with a representative from young's, but since the landlord is leaving in the next couple of months, there doesn't seem to be a face to the organisation. As we - and our other neighbours agree - updating the facilities is one thing, but expanding the operation is entirely different.

Please confirm that you have received this objection, and let me know if I can help in any further way.

Yours Sincerely,

Mike

Mike Clear  
[REDACTED]  
[REDACTED]  
[REDACTED]

# Appendix 10

Ms Shirley Day [REDACTED]  
[REDACTED]

27 December 2013

**John McCrohan**  
**Trading Standards and Licensing Services Manager**  
**Tower Hamlets Licensing Section**  
**5 Clove Crescent**  
**E14 2BG**

Dear Mr McCrohan,

**Re: Licensing Act and Coborn Arms 8 Coborn Road E3 2DA**

I am writing to object to this application for a variation of a premises license.

The proposed variation is to enlarge the Coborn Arms public house by 40% from 307 to 418 square metres.

In a letter from Mervyn Brown Associates (on behalf of Youngs) of 11/11/13 it is stated

*The current license allows for a 200 person capacity based on floor area alone. The current dining area holds between 70 and 80 customers. With the increased area the capacity will increase to about 250 with approximately 120 of these dining.*

The impact of the proposed alterations will be to increase public nuisance to the residents of Coborn Road and Regal Place.

There will be greater public nuisance to Coborn Road caused by the increased numbers of people arriving and leaving at all hours up to midnight on Monday, Tuesday and Wednesday and half past midnight on Thursday, Friday and Saturday.

There will be greater nuisance to Regal Place (and especially 7 Regal Place which has a party wall with the rear of the pub/ the area of the proposed orangery) with increased noise from the pub extension into the heart of the Regal Place residential area. Noise from the pub in this quiet residential area is not acceptable all day and up to midnight or half past midnight.

In conclusion, there is an increased risk of failing the licensing objective d) the prevention of public nuisance.

Therefore I object strongly to the proposed license variation.

Yours sincerely

[REDACTED]  
Shirley Day





# Appendix 11

**Andrew Heron**

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**Subject:** FW: Objection to Coborn Arms License Variation Application, 8 Coborn Road  
london E3

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**From:** Serena Jenks [mailto:████████████████████]  
**Sent:** 13 January 2014 14:54  
**To:** Licensing  
**Subject:** Objection to Coborn Arms License Variation Application, 8 Coborn Road london E3

To:  
Licensing Section  
Mulberry Place (AH)  
6th Floor  
5 Clove Crescent  
London E14 2BG

**Coborn Arms License Variation Application**  
**8 Coborn Road london E3**

I write to object to the License Variation application relating to the Coborn Arms pub.

My objection is based in the prevention of public nuisance.

My family and I live directly opposite the pub in Coborn Road. When I first moved here in 2004 it was a quiet 'family pub' which I found to be a positive presence in my street. It was unusual for there to be more than a handful of customers outside the front of the pub, except on Friday lunchtimes in the summer.

Since then I have noticed a steady intensification in the volume of customers, and the number of trucks stopping here to deliver goods and remove rubbish. The combination of extended opening hours (2005, till midnight or half past midnight) and development of an effectively permanent sheltered heated forecourt outside the pub (2007, following the smoking ban) increase the use of this outdoor space by customers, and by adding to the pub's capacity in this way have changed the character of the pub and the local environment.

Customers sometimes linger on this forecourt till 1am or even later, and can be noisy and cause nuisance, particularly late at night.

The application represents a further massive over-intensification of the business of the pub that is inappropriate in this predominately residential street within a conservation area. By varying the license and increasing the indoor capacity as well as the outdoor forecourt space, there will be a further volume of customers, and the nuisance of increased frequency in the deliveries of food, drinks and removal of rubbish.

I am in favour of Young's upgrading the premises in appropriate ways, but not in further enlargement or substantial intensification of use which would lead to further increased customer capacity or longer hours.

Please consider my comments within your consultation process. Thank you.

I'd be grateful if you could acknowledge my letter which I am sending to you by email only.

Yours sincerely,  
Serena Jenks  
████████████████████

# Appendix 12

Hugo Lane

Licensing Section  
Mulberry Place (AH)  
6th Floor  
5 Clove Crescent  
London, E14 2BG

Friday 10<sup>th</sup> Jan 2014

**Re: Application for Licence variation, Coborn Arms, 6-8 Coborn Road, E3**

*I am writing to object to the licence variation for these premises on the grounds that the increased capacity that would result from the proposed expansion would be a very significant intensification likely to lead to a correspondingly significant increase in public nuisance. In particular, I am objecting on the basis of the licensing objective "the prevention of public nuisance". The nuisance would result from the increased numbers of people arriving and leaving, the increased use of the forecourt area in front of the pub, and increased customer road traffic and deliveries in this narrow street, in an otherwise almost exclusively residential area.*

*Background*

Coborn Road is a narrow, residential street that is already heavily marked by the presence of the pub; any increased impact would be extremely detrimental to the lives of local residents. The Coborn Arms was originally a much smaller and more appropriately sized pub. However, it has already grown due to the acquisition of and extension into a neighbouring property in the 1980s. The effects on local families have been further increased twice through an extension to its opening hours in 2005 and increased use of the forecourt following the smoking ban in 2007.

Despite strong local opposition, and against the advice of the council's environmental health office, Young's were granted longer opening hours in 2005 following the introduction of the 2003 Licensing Act. The hours are currently:

- a) On Monday, Tuesday and Wednesday from 08:00 hours until midnight
- b) On Thursday, Friday and Saturday from 08:00 hours until 00:30 hours the following day
- c) On Sunday from 10:00 hours until 23:30 hours

As you will see, on most nights of the week this means that people are coming and going well into the night, and into the early morning.

Following the smoking ban Young's have exploited the large forecourt area intensively through:

- a) the introduction of more seating
- b) installation of large umbrella coverings (which are effectively permanent never having been moved since their introduction)
- c) installation of outdoor heating and
- d) installation of partially glazed sidewalls.

This has resulted in many more people using the forecourt area and its use throughout the year rather than just the summer months as was previously the case. At times the forecourt is very busy and very noisy, and at times customers spill out into, and across,

the street. The forecourt is used by drinkers until 11.00pm, as set out in the premises license, but continues to be used by smokers and others until the closure of the premises at a much later time.

This has a considerable impact on neighbouring families (some with young children) in this narrow street with bedroom and living room windows very close by.

*Extent of the increased capacity*

As explained above this is already a large pub for a residential area, having been expanded previously and containing a large forecourt seating area.

The further increase in size of the Coborn Arms that is set out in this variation to the licence - and detailed in the related planning application - is huge, and this would result in a substantial increase in capacity. Based on the floor areas on the plans provided in the planning application the increase in internal public floor area (not including toilets) will be around 88%. The accompanying shaded versions of the current and proposed plans will illustrate this massive increase in a visual way.

According to the planning application the size of the premises will increase from 307m<sup>2</sup> to 418.5m<sup>2</sup>, an increase of 36%. However, due to the changing space utilisation the increase in public drinking areas is much greater. In an accompanying letter they also state

“The current licence allows for a 200 person capacity based on floor area alone. The current dining area holds between 70 and 80 customers. With the increased area the capacity will increase to about 250 with approximately 120 of these dining.”

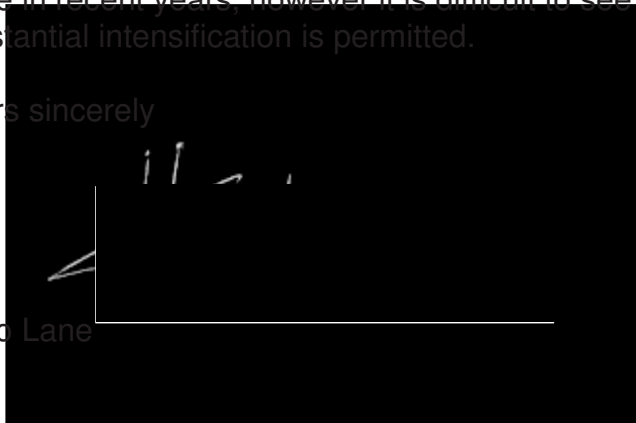
This suggests an increase of only 25% rather than the 36% indicated by the plans. This would be bad enough. Perhaps the lesser percentage is based upon an increase in the proportion of people dining rather than just drinking. However, this is purely conjecture and it could just as well be that the pub will attract more drinkers and much higher numbers with the seating being adapted accordingly. Certainly the potential is there and cannot be ignored.

*Conclusion*

Whilst I am not opposed to, indeed I support, the updating and refurbishment of this pub in a sympathetic manner, I assert that any intensification through an increase in capacity *is very likely to result in increased public nuisance*. Until now, the balance between the pub use and local amenity has been managed despite the intensification that has taken place in recent years, however it is difficult to see how this can continue if this further substantial intensification is permitted.

Yours sincerely

Hugo Lane



# Appendix 13

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
10<sup>th</sup> January 2014

[REDACTED]  
[REDACTED]  
John McCrohan

Licensing Manager, Licensing Section

Tower Hamlets Council

Dear Mr McCrohan

**Objection to application for Licensing variation, the Coborn Arms**

Further to your letter of 18<sup>th</sup> December 2013 I am writing to object to the above application. My objection is based on the impact this application will have on the objective of the **prevention of public nuisance** and I argue that it will in fact **increase public nuisance** because

1. The application, linked to a recent planning application, is based on a near doubling (88% increase) of the size of the internal public areas – excluding toilets - of the pub. There will therefore be up to twice as many people coming into and out of this quiet residential area, utilising taxis etc. late at night and more people make more noise, especially after they have been drinking. So the significant intensification of use will impact positively on the level of **public nuisance**.
2. A bigger pub with more customers will require more servicing and more supplies and this will **increase the public nuisance** by doubling the number of delivery trucks, brewers' drays, and other activity, which takes place outside of opening hours in this quiet residential street. So the **public nuisance created** impacts into the quieter times of the day/week as well as during pub opening hours.
3. The licensing application shows that the front external areas of the pub (on Coborn Road) will be used for dining. This is a new use for these front outside areas, which have previously been subject to tight controls over their use and the hours during which drinkers can populate them, in recognition of the proximity of this pub to established family houses. This again will lead to both increased noise, and to significantly more littering as paper serviettes and other detritus will be blowing about, into the street and into front gardens. A direct impact on the level of **public nuisance**.

I live directly opposite the Coborn Arms and believe that the impact of this application will be to **create public nuisance** which will directly impinge on my quality of life and that of the families living around me. It is inappropriate for a local pub to over-develop itself in this way.

Yours sincerely

J M Moxham

# Appendix 14



[REDACTED]  
[REDACTED]

John McCrohan Esq  
London Borough of Tower Hamlets  
Trading Standards and Licensing Services Manager  
Licensing Section  
Mulberry Place (AH)  
6<sup>th</sup> Floor  
5 Clove Crescent  
E14 2BG

07 January 2014

Dear Mr Mc Crohan,

**Application to Vary Premises Licence at The Coborn Arms**

Thank you for your letter of 18<sup>th</sup> December 2013. I wish to object to the application.

This appears to be not a simple variation of an existing licence, but a new application based on a hoped-for enlargement of the pub by at least 40%. As such this is a substantial variation of physical premises and should be dealt with as a new application.

The application presumes that planning consent will be given for the enlargement of the pub but at present such permission does not exist. Until that matter is settled then it is impossible to say whether or not the application to increase the number of people using the pub is reasonable. So any decision needs to await the verdict of the planning committee.

Whatever the planning committee decide, it will remain the case that The Coborn Arms is on a constricted site. It forms part of a terrace on one side of Coborn Road and is opposite terraced housing on the other. The pub backs on to houses in Coborn Street. In short, the pub is in an entirely residential neighbourhood. Any increase in the licensed capacity is likely to lead to an **increase in public nuisance** as more people use the pub, more deliveries are made to it, and more waste has to be taken away.

Yours sincerely

[REDACTED]

Roy Sully



# Appendix 15

ATTENTION –JOHN MCCROHAN

Trading Standards and Licencing Services Manager  
Licencing Section  
Mulberry Place (AH)  
6<sup>TH</sup> Floor  
5 Clove Crescent  
London  
E14 2BG

January 12, 2014

Dear Sir

**OBJECTION TO: LICENCE VARIATION APPLICATION COBORN ARMS PUBLIC HOUSE**

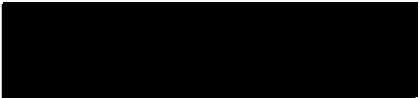
Further to receipt of your letter of December 18, 2014 I wish to object to the Licence Variation Application made by Young and Co Brewery Plc. of Riverside House, 26 Osiers Road, London SW18 1NH, relating to the **Coborn Arms Public House, 8 Coborn Road London E3**. I would refer you to the attached copies of my earlier correspondence with Jerry Bell of Tower Hamlets Development and Renewal in which I have detailed at length my objections to the recent planning applications submitted by the brewery and which appear to have necessitated the licence variation application. To reiterate the Coborn Arms is:

- Situated in a residential street.
- Situated in a conservation area.
- In close proximity to the Morgan Arms which already has an internal and an "al fresco" dining area-the Morgan Arms is an end of terrace location so cannot be used for the purpose of precedent or comparison.
- Forms part of a terrace on one side of Coborn Road.
- Immediately faces terraced housing on the opposite side of the road, some of which is listed.
- Has an outdoor area, which abuts various residential properties in Coborn Street.

The location of the Coborn Arms places upon the owner(s) the burden of balancing commercial need against the wellbeing of local inhabitants. The brewery clearly has no interest in doing this as evidenced by the repeated attempts to change the current character of the pub from that of a local pub designed to serve local use to an increased capacity, commercial behemoth which will need to attract customers from a wider catchment area. The desire to enlarge the Coborn Arms in the manner described in the planning application will mean greater numbers of people and hence greater nuisance (specifically increased noise, rubbish and reduced parking) while the specific intention to create an "Orangery" towards the rear will significantly reduce the quiet enjoyment of their properties currently enjoyed by those whose gardens are in immediate proximity to the new facility. Moreover if their planning application is successful the brewery will inevitably seek to recoup any cost associated with implementation of this application. If legions of dining enthusiasts fail to appear the envisaged new "Orangery" will inevitably fall into disuse becoming simply an additional space for drinkers. The brewery will then have succeeded in turning the Coborn Arms from a quiet "local" pub into something completely different. I would reference the fact that the brewery previously promised that the development of the front of the pub if approved would not result in any significant change to the character of the pub. However almost immediately upon approval being granted large outdoor heaters were put in place and the front of the pub effectively turned, at least initially, into an enormous ashtray. Vertical drinking on warm evenings followed with large number of people gathering outside the front of the pub. The increased number of people using the pub has inevitably resulted in increased altercations like the one which recently took place at 12pm one evening when a group of at least ten young men "squared up" to each other prior to some kind of physical altercation taking place on the Mile End Road. As representatives of the brewery were not present to police the event local inhabitants were the ones who suffered the associated nuisance. Even without the ever present possibility of increased violence increased numbers of people means an increased amount of noise late into the night which cannot be considered to be in the interest of the local inhabitants.

On the basis that prevention of public nuisance must be considered when granting either an initial licence or a variation to same I am opposed to the above application.

Yours faithfully

  
Tina Williams

ATTENTION -JERRY BELL

Applications Team Leader  
Tower Hamlets Development and Renewal  
Town Hall  
5 Clove Crescent  
London  
E14 2BG

COPY

October 20, 2013

Dear Sir

**OBJECTION TO: Planning Application PA/13/02287**

I wish to strenuously object to the above planning application which I understand has been submitted, on behalf of Young and Co Brewery Plc. of Riverside House, 26 Osiers Road, London SW18 1NH, and which relates to the **Coborn Arms Public House, 8 Coborn Road London E3.**

With reference to my letter of July 18, 2013, a copy of which is attached, I see nothing in respect of the amended/resubmitted application that would alleviate any of the concerns I detailed therein. The brewery appear to my, admittedly untrained eye, have simply resubmitted their original plan albeit with the addition of a glass roof over the external area previously described as an "Al Fresco" dining area now designated as an "Orangery".

I would reiterate the Coborn Arms is:

- Situated in a residential street.
- Situated in a conservation area.
- In close proximity to the Morgan Arms which already has an internal and an "al fresco" dining area-the Morgan Arms is an end of terrace location so cannot be used for the purpose of precedent or comparison.
- Forms part of a terrace on one side of Coborn Road.
- Immediately faces terraced housing on the opposite side of the road, some of which is listed.
- Has an outdoor area, which abuts various residential properties in Coborn Street.

The location of the Coborn Arms therefore places upon the owner(s) the burden of balancing commercial need against the wellbeing of local inhabitants. The brewery clearly has no interest in doing this as evidenced by the repeated attempts to change the current character of the pub from that of a local pub designed to serve local use to an increased capacity, commercial behemoth designed to attract customers from a wider catchment area and moreover individuals who, coming from further afield, will have no investment in the residential nature of the surrounding area.

**This would appear to directly contravene the council's core planning strategies of concentrating mixed use around Mile End Station and of allowing extensions to existing social facilities only to the extent they are local in nature and scale and where local need can be demonstrated. I and many others have yet to be convinced there is any such local need.** As the Planning Department knows the area is already serviced by the Morgan Arms, the Lord Tredegar, The Greedy Cow, The Grove, Palmers, The Olive and the numerous other dining opportunities within walking distance.

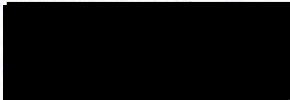
The desire to enlarge the Coborn Arms in the manner described in the application will mean greater numbers of people and will inevitably mean greater nuisance (specifically increased noise, rubbish and reduced parking) while the specific intention to create an "Orangery" towards the rear will inevitably and significantly reduce the quiet enjoyment of their properties currently enjoyed by those whose gardens are in immediate proximity to the new facility To summarise:

1. Except when sporting occasions are televised the pub rarely seems to operate at full capacity. The Coborn Arms therefore needs no increase in size to enhance the local amenity aspect -this application is driven purely by (potential) future, commercial considerations associated with increasing the pubs catchment area not local need. The pub is clearly large enough as it is to service local need.
2. The current character of the pub is distinct from the "gastro pub" character of the Morgan Arms which difference should be celebrated for providing choice to local residents. If the owners wish to re-characterize the Coborn Arms a more sensible course of action would be to restructure and refurbish the interior of the Coborn Arms without recourse to increasing the square footage associated with dining.
3. The pub already has a large square footage dedicated to dining both inside and outside the front of the building. Any further enlargement of the area so dedicated contravenes the stated position of the local authority to protect residential amenity.

4. Approval of the application will create additional nuisance via increased noise and rubbish on the streetscape also reductions in available parking at any given time. We can also look forward to increased deliveries being made, no doubt at the same unsocial hours as present, and no doubt increased problems with drains and odours. The continual, running of air conditioning units to ventilate the property will create an increased nuisance.
5. Local residents whose properties and gardens border the "Orangery" dining area will have the quiet enjoyment of their properties and gardens greatly diminished.
6. If successful the brewery will inevitably seek to recoup any cost associated with implementation of this application. If legions of dining enthusiasts fail to appear the envisaged new external area will inevitably fall into disuse as a dining area becoming simply an additional space for drinkers. The brewery will then have succeeded in turning the Coborn Arms from a quiet "local" pub into something completely different. The other alternative which I suspect the brewery may seek to obtain permissions for will be the use of the pub as a "live music" venue. My recollection is that an application of this kind was made previously and I have no doubt, given the contempt shown by the brewery for residential amenity, a further application will be made in due course. I would reference the fact that the brewery promised that the development of the front of the pub if approved would not result in any significant change to the character of the pub. However immediately upon completion large outdoor heaters were put in place and the front of the pub effectively turned into an enormous ashtray. Vertical drinking on warm evenings followed suit with large number of people gathering outside the front of the pub. The increased number of people using the pub has inevitably resulted in increased altercations like the one which took place outside my home at 12pm on Wednesday or Thursday of last week when a group of at least ten young men "squared up" to each other prior to some kind of physical altercation taking place on the Mile End Road. As representatives of the brewery were not present to police the event local inhabitants were the ones who suffered.

As I stated in my previous letter I am opposed to the above application as I believe many of my neighbours will be. I believe the local community has no objection to a pub that is "local" in character and has I believe not only acquiesced to changes to the local public houses to date but mostly welcomed them. This latest application however is one I believe should be denied.

Yours faithfully

  
Tina Williams

**ATTENTION -JERRY BELL**

Applications Team Leader  
Tower Hamlets Development and Renewal  
Town Hall  
5 Clove Crescent  
London  
E14 2BG

COPY

July 18 2013

Dear Sir

**OBJECTION TO: Planning Application PA/13/01476**

I wish to strenuously object to the above planning application which I understand has been submitted, on behalf of Young and Cos Brewery Plc. of Riverside House, 26 Osiers Road, London SW18 1NH, by Mervyn Brown Associates Ltd and which relates to the **Coborn Arms Public House, 8 Coborn Road London E3**. I have lived in Coborn Road in excess of twenty years so have personal experience of the way in which the Coborn Arms and the Morgan Arms public houses have changed over time and the impact this has had on the local area. To date any impact may be considered to have been mostly beneficial but I feel a tipping point has been reached.

The Coborn Arms is:

- Situated in a residential street.
- Situated in a conservation area.
- In close proximity to the Morgan Arms which already has an "al fresco" dining area-the Morgan Arms is an end of terrace location so cannot be used for the purpose of precedent or comparison.
- Forms part of a terrace on one side of Coborn Road.
- Immediately faces terraced housing on the opposite side of the road, some of which is listed.
- Has an outdoor area, which abuts various residential properties in Coborn Street.

The location of the Coborn Arms therefore places upon the owner(s) the burden of balancing commercial need against the wellbeing of local inhabitants.

The motto of the pub is "an oasis in a changing world" -a constantly changing oasis it would appear. The pub was built in the mid-18<sup>th</sup> century subsequent to which sometime during 1984 the applicant purchased it and then so I understand proceeded to extend into the house next door. Not content with this extension to the footprint of the building an application was submitted during May 2003 to have the 310 square feet in front of the property turned into what was described as a "Trade Garden". Garden in this context being slightly disingenuous. Local inhabitants were invited to submit objections and attend a meeting so their concerns could be addressed. We were told noise would not be an issue as, due to the inclement British weather, the numbers of people sitting in the area at any one time would be minimal and that departures from the pub after closing time would be closely managed to ensure noise pollution would be kept to a minimum. As I recall a suggestion was made by a representative from the brewery that if things didn't work out people could upgrade their window furnishings. Putting aside any associated cost this solution was clearly unavailable to the owners of nearby listed properties who are subject to planning restrictions. I mention this to emphasise the lack of consideration previously demonstrated by the applicant in pursuit of economic self-interest. Despite opposition the application was granted, outdoor heaters appeared followed in short order by significant numbers of people now able to gather outside the front of the pub all through the year rather than just during summer evenings.

I do not dispute that the Manager of the Coborn Arms manages the pub in a competent and professional manner but at the end of the day he cannot police the behaviour of everybody who patronises his venue-for example the individual who exited the pub, got into his car and reversed at speed from a static position into my car thereby wrecking the front of it. Nor can he impose himself on individuals who express what a lovely evening they have had by chatting loudly, shouting or sometimes singing loudly at the top of their voices as they leave. I particularly enjoy this on the evenings preceding the morning when the weekly supply of beer is delivered at 6.30 or thereabouts the noise of metal barrels being thrown into the cellar ensuring that everybody gets up nearly as early as the drayman.

I have however been happy to tolerate some level of personal inconvenience on the premise that a friendly local pub is an asset and any pub has to be located near to somebody's home. Also if the noise at the front became too much it was always possible to move into the area at the back of my home. It should be noted however that on occasions when football matches have been televised and the windows at the back of the bar area have been open the immense amount of noise created has inevitably had an impact. Again I have been happy to tolerate the fact my back garden is not always

a "oasis" of quiet on the premise these occasions have not been too frequent and it would therefore seem mean spirited to complain. I cannot however feel quite so sanguine about the latest proposal which must mean that large numbers of people will be making a large amount of noise every afternoon and every evening from the date the "al fresco" dining area, if approved, is completed. My previous experience of the "Trade Garden" and the outside heaters leads me to suspect the English climate will be insufficient to provide a natural restriction on the hours the "Al Fresco" dining area will be in use.

The desire to enlarge the Coborn Arms by over by 80 square metres means greater numbers of people which will inevitably mean greater nuisance (specifically increased noise and rubbish and reduced parking) while the specific intention to create an outdoor area at the rear will inevitably and significantly reduce the quiet enjoyment of their properties currently enjoyed by those whose gardens are in immediate proximity to the new public space. And all to, allegedly, provide "Al Fresco" dining to a postcode already serviced by the Morgan Arms, the Lord Tredegar, The Greedy Cow, The Grove, Palmers and the numerous other dining opportunities within walking distance. I suspect, human nature being what it is, what we are likely to see, except on Sunday's when an "Al Fresco" Sunday Roast might prove popular, is "Al Fresco" Drinking with the odd customer clutching the fig leaf of a burger or a bowl of chips. To summarise:

1. Except when sporting occasions are televised the pub rarely seems to operate at full capacity. The Coborn Arms therefore needs no increase in size to enhance the local amenity aspect -this application is driven purely by (potential) commercial considerations.
2. The current character of the pub is distinct from the "gastro pub" character of the Morgan Arms which difference should be celebrated for providing choice to local residents. If the owners wish to re- characterize the Coborn Arms a more sensible course of action would be to restructure and refurbish the interior of the Coborn Arms without recourse to the external area at the back.
3. The pub already has 310 square feet of "Al Fresco" dining plus opportunities for dining within the interior of the building. I find it less than believable that numerous additional diners will appear on the horizon as soon as the Coborn Arms announces it has an "Al Fresco" dining facility unless the pub is proposing to wage a price war on surrounding businesses.
4. Approval of the application will create additional nuisance via increased noise and rubbish on the streetscape also reductions in available parking at any given time.
5. Local residents whose properties and gardens border the "Al Fresco" dining area will have the quiet enjoyment of their properties and gardens greatly diminished.
6. While I might benefit from deliveries being shunted down towards the Coborn Street side of the pub there are schools in Coborn Street which make it less than ideal for deliveries.
7. If successful the brewery will inevitably seek to recoup any cost associated with implementation of this application. If legions of "Al Fresco" dining enthusiasts fail to appear the envisaged new external area will inevitably fall into disuse as a dining area becoming simply an additional space for drinkers. The brewery will then have succeeded in turning the Coborn Arms from a quiet "local" pub into some kind of destination bar. I note the application incorporates new lavatory facilities no doubt to take account of the exciting new future the brewery has planned for us all. If this application is granted I suspect the brewery will revisit its prior request for a live music/extended hours licence. We will then need only the employment of a doorman for the brewery to have ensured the friendly "local" aspect of the pub has been completely obliterated.

I am opposed to the above application as I believe many of my neighbours will be. I believe the local community has no objection to a pub that is "local" in character and has I believe not only acquiesced to changes to the local public houses to date but mostly welcomed them. This latest application however is one I believe should be denied.

Yours faithfully



Tina Williams

# Appendix 16



### Anti-Social Behaviour on the Premises

#### Licensing Policy

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

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

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

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

#### Police Powers

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

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

The pool of conditions, adopted by the council is recommended (Annexe D).

The key role of the police and SIA is acknowledged (2.1-2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff or agents, but can directly impact on the behaviour of

customers in the immediate vicinity of the premises as they seek entry or leave (1.6).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (2.3-2.7).

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

Conditions can be imposed for large capacity “vertical consumption” premises (10.23).

#### Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices

#### Other Legislation

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

# Appendix 17

### 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 18

### Noise while the premise is in use

#### General Advice

If they conclude this is a problem Members should consider whether it is possible to carry out suitable and proportionate noise control measures so that noise leakage is prevented. In addition Members may consider that only certain activities are suitable.

The hours of operation also need to be considered (see below).

If Members believe that there is a substantial problem of noise while the premises are in use and it cannot be proportionately address by licensing conditions they should refuse the application.

#### Licensing Policy

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

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 12.1**).

However, while all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. (**See Section 12.4**).

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

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

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a "beer garden", or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).

- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly
- Conditions controlling the use of explosives, pyrotechnics and fireworks
- Conditions controlling the placing of refuse
- Conditions controlling noxious smells
- Conditions controlling lighting (this needs to be balanced against potential crime prevention benefits)

### Police Powers

Part 8 of the Licensing Act 2003 enables a senior police officer to close down a premises for up to 24 hrs. a premises causing a nuisance resulting from noise emanating from the premises.

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

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

Licence conditions should not duplicate other legislation (1.19)

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

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

### Other Legislation

The Environmental Protection Act 1990, Part 111 gives Environmental Health Officers the power to deal with statutory nuisances.

The Anti-social Behaviour Act 2003, Sections 40 and 41 give Environmental Health Officers the power of closure up to 24 hours in certain circumstances



# Appendix 19

### 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 20

## **Planning**

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