

Appendix 1

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Ican Centres UK Limited

(Insert name(s) of applicant)

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

Premises licence number 17669

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Ican Centres UK Limited 35 Monier Road Bow			
Post town	London	Postcode	E3 2PR
Telephone number at premises (if any)	[REDACTED]		
Non-domestic rateable value of premises	£55,500.00		

Part 2 – Applicant details

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

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)
Submission of new red line plan to include a proposed extension of the premises detailing an additional outdoor Café/Pizzeria area. To tie in with this there are proposed changes to conditions to allow this area of the business to function, these are detailed in the general adherence to the licensing objectives, section M, a.

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:

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick all that apply

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

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

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	-----	-----			
Tue	-----	-----			
Wed	-----	-----	<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur	-----	-----			
Fri	-----	-----	<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	-----	-----			
Sun	-----	-----			

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	-----	-----			
Tue	-----	-----	State any seasonal variations for the exhibition of films (please read guidance note 5)		
Wed	-----	-----			
Thur	-----	-----	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	-----	-----			
Sat	-----	-----			
Sun	-----	-----			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon	-----	-----	
Tue	-----	-----	
Wed	-----	-----	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Thur	-----	-----	
Fri	-----	-----	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Sat	-----	-----	
Sun	-----	-----	
	-----	-----	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	-----	-----			
Tue	-----	-----	<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Wed	-----	-----			
Thur	-----	-----	<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri	-----	-----			
Sat	-----	-----			
Sun	-----	-----			

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)					
Mon	-----							
Tue	-----							
Wed	-----					<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur	-----							
Fri	-----					<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	-----							
Sun	-----							

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)	
Mon	-----	-----		
Tue	-----	-----		
Wed	-----	-----		
Thur	-----	-----		
Fri	-----	-----		
Sat	-----	-----		
Sun	-----	-----	State any seasonal variations for the playing of recorded music (please read guidance note 5)	
			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)	

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun		<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon	-----	-----		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	-----	-----	<u>Please give further details here</u> (please read guidance note 4)		
Wed	-----	-----			
Thur	-----	-----	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri	-----	-----			
Sat	-----	-----	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun	-----	-----			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon	-----	-----				
Tue	-----	-----				
Wed	-----	-----	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)			
Thur	-----	-----				
Fri	-----	-----	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)			
Sat	-----	-----				
Sun	-----	-----				

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sun					
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon			<p>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 (please read guidance note 6)</p>
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

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

Please tick as appropriate

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

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

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

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

This section outlines the amendments that we would like to see to the following conditions in order to allow the café/pizzeria to be a successful addition to our business.

Each amended condition below shows the current condition and directly below it, the change that we would like considered. For the purpose of simplicity, only conditions which we would like to change have been shown.

currently

9. There shall be an ID Scanner in operation during every event at Ican Centers where there is regulated entertainment or the sale of alcohol. It is the duty of both the licensee or DPS and the duty manager to ensure that everyone that enters the premises has had their ID scanned; the I D Scanner shall be activated 7 pm each evening the premises is opened;

Requested change

9. There shall be an ID Scanner in operation during every event at Ican Centers where there is regulated entertainment or the sale of alcohol. It is the duty of both the licensee or DPS and the duty manager to ensure that everyone that enters the premises has had their ID scanned; the I D Scanner shall be activated 7 pm each evening the premises is opened; unless only the café/pizzeria is trading in which case the id scanner will not be required.

Current

11. SIA Door Staff are to carry out checks on bags and personal items that customers may be carrying with them. Checks are also to be made on customers' upon entry to the venue In the event of any weapons or of illegal substances and being discovered the individual should be detained, the item confiscated, the duty manager notified and the Police called immediately;

Requested change

11. SIA Door Staff are to carry out checks on bags and personal items that customers may be carrying with them. Checks are also to be made on customers' upon entry to the venue In the event of any weapons or of illegal substances and being discovered the individual should be detained, the item confiscated, the duty manager notified and the Police called immediately; SIA door staff will not be required when only the café/pizzeria is trading.

Current

77. At least 2 SIA licensed door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business from **21:00 hours**;

Requested change

77. At least 2 SIA licensed door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business from **21:00 hours**; with the exception of times when only the Café/pizzeria is trading.

Current

80. A cloakroom attendant shall be on duty in the cloakroom when the premises is open to the public;

Requested change

80. A cloakroom attendant shall be on duty in the cloakroom when the premises is open to the public; with the exception of times when only the Café/pizzeria is trading.

Current

81. The premises shall prominently display signage informing customers: -
a. To leave quietly and to respect your neighbours;
b. CCTV is in operation and police have instant access to the footage;
c. Searching of customers prior to entry is a requirement of entry. No search – No entry policy is operated on the premises;

Requested change

81. The premises shall prominently display signage informing customers: -
a. To leave quietly and to respect your neighbours;
b. CCTV is in operation and police have instant access to the footage;
c. Searching of customers prior to entry is a requirement of entry. No search – No entry policy is operated on the premises; (this sign is not required at times when only the café/pizzeria is trading)

extra conditions:

There will be no regulated entertainment in the café/pizzeria area.

Drinking will be permitted in the outdoor area of the café/pizzeria when only the café/pizzeria is trading.

During events that utilise other areas of the Ican Centre, the café/pizzeria will only be open to existing guests of the event, there will be no extra admission to customers who wish to solely use the Café/pizzeria.

The Following Conditions are requested only to tidy up the current license, removing duplicates and contradictory statements and clarifying unclear conditions

Conditions 11 & 22 to be combined with 22 removed

Original conditions:

11. SIA Door Staff are to carry out checks on bags and personal items that customers may be carrying with them. Checks are also to be made on customers' upon entry to the venue In the event of any weapons or of illegal substances and being discovered the individual should be detained, the item confiscated, the duty manager notified and the Police called immediately;

22. Registered Door Supervisors will be responsible for searching every customer as they enter the venue and the search is to be conducted only in areas covered CCTV;

New Condition:

11. Whenever they are on duty, Registered Door Supervisors will be responsible for searching every customer as they enter the venue, they are to carry out checks on bags and personal items that customers may be carrying with them. In the event of any weapons or of illegal substances being discovered, the individual should be detained, the item confiscated, the duty manager notified and the Police called

immediately; the search is to be conducted only in areas covered by CCTV; SIA door staff will not be required when only the café is trading.

Current Conditions are duplicate

40. Refusal of Sale of Alcohol - Any refusal of the sale of alcohol to a guest is to be recorded in the refusal log;

64. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection by the police or an authorised officer of the Council at all times;

proposed:

Delete condition 40

Current conditions duplicate

52. Registered Door Supervisor (SIA) will be employed (1) SIA per one hundred (100) customers or part thereof. On other occasions security is to be considered on a continual basis. All details (full name, DOB, Address, SIA badge number, company and Booking on - off times) to be recorded and to be made available to police immediately;

56. A register of all Registered Door Supervisors to be maintained. [This shall include name, badge number on prominent display, the employer agency (if any) and the time of starting and finishing work];

New Condition (combine and delete 56)

52. Registered Door Supervisor (SIA) will be employed (1) SIA per one hundred (100) customers or part thereof. On other occasions security is to be considered on a continual basis. All details (full name, DOB, Address, SIA badge number, company and Booking on - off times) to be recorded and to be made available to police immediately; [This shall include name, badge number on prominent display, the employer agency (if any) and the time of starting and finishing work];

Query:

55. Person's re-entering the premises (from the smoking area) shall be searched by a registered door supervisor (SIA);

Can this condition be deleted as they will be monitored by a member of SIA security (condition 54) and they are not leaving the premises to smoke, the smoking area is fully enclosed and the fencing around the rear car park/smoking area is made up concrete panel & anti Climb spikes?

Current condition is a duplicate of the statement in mandatory conditions third paragraph.

57. Sale/Supply of alcohol under the Premises Licence must be made or authorize by a person who hold a personal licence;

solution:

Delete condition 57

Current conditions 58 & 79 duplicate/contradict, please clarify

58. There shall be a Designated Premises Supervisor or Personal licence holder on duty on the premises at all times when the premises when opened to the public;

79. Designated Premises Supervisor or Personal Licence Holder (nominated /responsible member of staff who holders a Personal Licence) to be present when

trading after 21:00 hours. [Allowing close supervision of staff and a single point of contact for the police and other agencies when attending the location];

Current condition is a duplicate of the more detailed statement in mandatory conditions annex 1 1.1,1.1, a(i), a (ii), b, c, d (i), d (ii) & e

59. The premises shall not take part or carry out arrange or participate in any irresponsible promotions in relation to the premises. [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];

Solution: Delete condition 59

Current condition: (query)

74. For all events that finish past Tower Hamlets framework hours, Quiet Marshalls in high visibility tabards are to operate outside the premises to make sure that customers are leaving the area quietly;

Please define Framework hours?

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; 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 11)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature		
Date		
Capacity		
Where the premises licence holder or 2nd applicant is signing on behalf of the premises licence holder (the current premises licence holder) (please read guidance note 13). If you are a 2nd applicant, please read guidance note 14).		
Signature		
Date		
Capacity		
Contact name (various) (please read guidance note 14)		Correspondence associated with this application
Post town		Post code
Telephone number (if any)		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)		

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of

Appendix 2

**(I Can Centre's)
33-35 Monier Road
London
E3 2PR**

Licensable Activities authorised by the licence

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

See the attached licence for the licence conditions

Signed by

John McCrohan
Trading Standards and Licensing Manager

Date: 17th October 2013



Part A - Format of premises licence

Premises licence number

17669

Part 1 - Premises details

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

(I Can Centre's)
33-35 Monier Road

Post town

London

Post code

E3 2PR

Telephone number

None

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

- The sale by retail of alcohol
- The provision of late night refreshment
- The provision of regulated entertainment

The times the licence authorises the carrying out of licensable activities

The supply of alcohol (both on and off premises)

- Sunday to Thursday from 10:00hrs to 23:00hrs
- Friday to Saturday from 10:00hrs to 00:00hrs (midnight)

The provision of late night refreshment (both indoors and outdoors)

- Friday to Saturday from 23:00hrs to 00:00hrs

The provision of regulated entertainment in the form of films (indoors), Live Music (indoors), Recorded Music (indoors), Performances of Dance (indoors), Anything of a Similar Description (indoors); Provision of Facilities for Making Music (indoors), Provision of Facilities for Dancing (indoors) and Anything of a Similar Description (indoors)

- Sunday to Thursday from 10:00hrs to 23:00hrs
- Friday to Saturday from 10:00hrs to 00:00hrs (midnight)

Non-Standard Times

2) Fifty (50) non-standard hours of operation - from 10:00 to 06:00 am

The non-standard hours of operation require that:

A) - 10 working days prior to the event notice is given of their use to both Tower Hamlets Police Licensing, and to Tower Hamlets Environmental Health

B) - Both Tower Hamlets Police and Environmental Health have the right of veto of the use of non-standard hours.

The conditions of the license still apply when the non-standard hours are used.

The opening hours of the premises

- Sunday to Thursday from 10:00hrs to 23:00hrs
- Friday to Saturday from 10:00hrs to 00:00hrs (midnight)

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

Ican Centres UK Limited
35 Monier Road
Bow
London
E3 2PR

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

Registered Number: 07564413

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

Philip Kirton
[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

Licence Number: [REDACTED]
Issuing Authority: [REDACTED]

Annex 1 - Mandatory conditions

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

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

Where the exhibition of films is authorised, the admission of children to the exhibition of any film must be to be restricted as follows: If the London Borough of Tower Hamlets Licensing Section has issued a particular notification of restriction to the licence holder, that restriction must be adhered. Otherwise the recommendation of the film classification body must be followed. Children means persons aged under 18 and "film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (currently the British Board of Film Classification)

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.

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

Note: The conditions of the license still apply when the non-standard hours are used.

1. No nudity or semi nudity permitted;
2. Children will not be on the premises after 21.00 hours unless they are in the company of an adult/guardian;
3. The Acoustic Report (Report Reference: SA-2411, Report Date: 14.01.2013) forms part of the operating Schedule
4. The venue is to do all that is necessary and possible to ensure that the best possible standards of security are being met;

5. CCTV will be installed to Police satisfaction with the following conditions: The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period;

6. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. The staff member shall be able to download the images and present them immediately on request with the absolute minimum of delay when requested;

7. In addition to the requirements under condition (2) a monitor must be immediately viewable upon entering the premises showing real time footage so that patrons can clearly identify that they have been capture on CCTV as they enter the premises;

8. The CCTV Camera system and coverage thereof must cover both internal and external to the premises;

Entry and Search Policy

9. There shall be an ID Scanner in operation during every event at Ican Centers where there is regulated entertainment or the sale of alcohol. It is the duty of both the licensee or DPS and the duty manager to ensure that everyone that enters the premises has had their ID scanned; the I D Scanner shall be activated 7 pm each evening the premises is opened;

10. Operate the "Challenge 25" scheme and must always request valid photographic ID from anyone appearing to look under the age of 25 years;

11. SIA Door Staff are to carry out checks on bags and personal items that customers may be carrying with them. Checks are also to be made on customers' upon entry to the venue In the event of any weapons or of illegal substances and being discovered the individual should be detained, the item confiscated, the duty manager notified and the Police called immediately;

12. A drug safe log system will be employed at the premises to account for the seizure of drugs from customers. The premises management will liaise with the police for regular collection of seized drugs. All seized items will be placed in sealed bags the bags will be sealed, signed by the person seizing, taking the

drugs or confiscated items and date written and a quantity and description shall also be entered on the log;

13. Registered Door Supervisors employed at the venue must maintain a refusals log which should record a time, date, and place of the refusal, this will include a comprehensive description of the refusal subject including their dress;

Drugs Seizure Police

14. Premises to operate a zero tolerance policy to drugs and comply with the Tower Hamlets Council and Metropolitan Police "Venue Watch - Code of Practice";

15. Toilet areas of the premises are to be checked regularly by members of staff for unusual activity and no less frequent than 2 times each hour when regulated entertainment is in progress;

16. **Seizure:** If any substances are found they should be seized, placed into an evidence bag, sealed, signed counter signed, and placed into the drug box and transferred to the safe at the venue. **Any person found with suspected illegal drugs on them is to be detained and by security and the police called via the 999;**

17. **Collection:** A phone call is made to the Met Police's 101 number to arrange the collection of any confiscated drugs. Each drug bag is to be individually numbered and will need to be accounted for by the venue manager;

18. Notices at the entrance and around the building and on promotional literature notifying customers that **"We do not permit entry to those who are found with any controlled substance. Any person found with suspected illegal drugs on them is to be detained and by security and the police called via the 999"**;

19. **Retention:** A written record will be made in the venue in the incident book/drug seizure form. This will include the date, time, signature of the finder, a brief description of the suspect (or a picture from CCTV), and if then placed in the venue safe, the venue manager will also sign. The written record will also include the name of the person who was searched;

20. An elected member of the door team must carry out a head count in the venue using a mechanical 'clicker' and use this to continue counting customers in and out of the venue during the course of the shift. This member of door staff must ensure that there are **no more people on the premises than is allowed;**

21. SIA Staff are to wear "high visibility" reflective jackets clearly identifying them as security, with SIA badges on display at all times;

22. Registered Door Supervisors will be responsible for searching every customer as they enter the venue and the search is to be conducted only in areas covered CCTV;

23. The premises shall engage with the Metropolitan Police regarding noise and drugs issues in the immediate surrounding area of Monier Road, Remus Road and Smeed Road;

Theft on the premises

24. The I Can Studios will actively discourage and monitor theft activities on its premises;

Before Entry

25. **Security Briefing** – Managers will endeavour to make the Security Team aware of any specific issues of theft and pick pocketing associated with any particular promoted event during the security briefing before doors open;

26. **Profiling:** Are they typical customers, have they been to the venue before, where did they hear about the event etc. – identifying any potentially suspicious behaviour from people at the point of entry;

27. **Dress Code issues** – identify any potential risks such as girls with large handbags with suspiciously few belongings in them, or guests wearing tracksuit bottoms over additional bottoms;

28. **Talk to everyone:** To detect accents, knowledge of the event. etc. – ensuring that anyone associated with a group that has been identified as potentially suspicious can be detected as early as possible;

29. **Communicate with high-risk guests** – ensure they are specifically told of what they can do to minimize the risk of being targeted (use the cloakroom, watch out for your phones, keep your handbag in front of you, don't dance around handbags and check them in instead);

30. **Ticketing issues:** Names on tickets – fake names, repeated names – adhering to a strict ticketing policy that prevents entry to anyone who cannot verifiably confirm the provenance of their ticket.

31. **Assessing large groups and people on their own:** Do they stand out? If so, go through questions and checks to confirm that they have a valid reason for attending the event. Do they know the name of the act, the names of the acts member(s);

32. **Extra signage:** as part of security checks, the Security Team should ensure that there is sufficient signage around the premises ahead of doors opening warning people to look out for their belongings and to report any suspected thefts

as quickly as possible. The Security Team and the Manager will work closely together on ensuring communications to the public in that respect are as clear as possible;

During the Event

33. Informing all Staff & Security – in the event of alleged theft, make sure that all managers, Security Team and all other staff are aware of the issue and actively monitoring & reporting any suspicious activity;

34. Directing Theft Allegations – ensuring there is a procedure to distinguish lost property issues (to be directed to the cloakroom) from alleged theft issues, which all need to be reported to the Head of Security and suitably documented as relevant;

35. Response to Allegations – when instructed to do so by the Manager (or head of Security) and wherever possible, ensure the Security Team re-direct their attentions and efforts towards identifying and catching any persons suspected of theft;

36. Security Checks on the Way Out – random bag & coat checks on the way out to help identify anyone who may be concealing additional possible stolen items;

37. Stop & Search procedure – Identify any guests who have had allegations made against them (from guests, staff or security team) – Firstly call the police and report your suspicions. Security must keep watching the suspected person;

38. Documenting all incidents – Security Team to ensure relevant lost property /theft forms after each reported incident are filled in and documented;

39. Communications with police – Security Team to be aware of the correct procedure in terms of involving the police for any serious reports or incidents. Any questions please contact Pc Mark Perry or the Tower Hamlets Licensing Unit or if not available Met Police's 101 crime number;

40. Refusal of Sale of Alcohol - Any refusal of the sale of alcohol to a guest is to be recorded in the refusal log;

Closing down procedure

41. All patrons waiting for a minicab/taxi will be encouraged to wait within the premises;

42. Cab operators shall be informed of the need to keep noise to a minimum and switch their vehicles' engines off whilst waiting for clients;

43. All minicab/taxi firms used shall be requested to instruct their drivers not to block Monier Road or the entrance of the premises (Remus Road) or roads in the immediate vicinity of the premises at any time, all minicabs/taxi firm shall not be permitted to blow their car horns or wait with their engines running whilst outside the premises. [To prevent noise disturbance and in the interest of public safety];

44. Large street signage to deter taxi touting to be displayed during opening hours;

45. Prominent and clearly legible notices shall be displayed in all egress areas of Remus Road and Smeed Road requesting patrons to respect the needs of local residents and to leave the premises and area quietly;

46. A nominated person from the premises to engage with the Metropolitan Police and Transport to assist with illegal taxis not assigned to the premises;

47. Last orders for alcoholic beverages will be 30 minutes before the closure of the premises;

48. After the last song has finished the house lights will be turned on by the duty manager – operating schedule;

49. Please wait fifteen minutes after the lights being turned on before asking customers to leave. This will stagger the egress and help ease the cloakroom;

50. Management should be actively involved with seeing customers off the premises, wishing them goodnight and to also be considerate to the neighbours as they leave;

51. The SIA staff is to be deployed in numbers and a pattern agreed by the Police;

52. Registered Door Supervisor (SIA) will be employed (1) SIA per one hundred (100) customers or part thereof. On other occasions security is to be considered on a continual basis. All details (full name, DOB, Address, SIA badge number, company and Booking on - off times) to be recorded and to be made available to police immediately;

53. DPS / Premises Licence Holder will ensure that customers shall not be permitted to take any drinks outside/including the car park and smoking area of the premises;

54. Patrons permitted to temporarily leaving the premises (for smoking) and then re-enter the premises shall be monitored by an SIA member of staff;

55. Person's re-entering the premises (from the smoking area) shall be searched by a registered door supervisor (SIA);

56. A register of all Registered Door Supervisors to be maintained. [This shall include name, badge number on prominent display, the employer agency (if any) and the time of starting and finishing work];

57. Sale/Supply of alcohol under the Premises Licence must be made or authorize by a person who hold a personal licence;

58. There shall be a Designated Premises Supervisor or Personal licence holder on duty on the premises at all times when the premises when opened to the public;

59. The premises shall not take part or carry out arrange or participate in any irresponsible promotions in relation to the premises. [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];

60. The premises to have in place a waste Management Plan to include the public highway areas of Monier Road and Smeed Road;

61. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 23:00hrs and 08:00hrs;

62. No rubbish shall be left on the pavement outside the premises at any time;

63. An incident log shall be maintained at the premises, and made available on request to an authorised officer of the Council or the Police, recordable offences will include allegations of criminal offence and which will record the following:

- a) all crimes reported to the venue;
- b) all ejections of patrons;
- c) any complaints received;
- d) any incidents of disorder;
- e) seizures of drugs or offensive weapons;
- f) any faults in the CCTV system or searching equipment or scanning equipment;
- g) any refusal of the sale of alcohol;
- h) any visit by a relevant authority or emergency service;

64. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of

staff who refused the sale. The log shall be available for inspection by the police or an authorised officer of the Council at all times;

65. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale;

Additional Conditions:

66. All events with regulated entertainment to be risk assessed and a 696 form completed and submitted to SCD9ProactiveLicensingIntelligence@met.police.uk at least 3 weeks prior to the event;

67. While the premises is open to the public and selling alcohol there shall be a manager who is a personal license holder;

Prevention of Public Nuisance

68. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service's Community Protection Department to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service;

69. Loudspeakers shall not be located in the entrance lobby or outside the curtilage of the building;

70. All windows and external doors shall be kept closed after 19:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons;

71. A lobby entrance arrangement to be installed and maintained at the entrance of the premises;

Prevention of Noise Pollution and Public Disturbance

72. Music levels are not to exceed acceptable levels even at peak times. These Levels are to be mutually agreed upon by the DPS, Local Authorities Environment Department and local residents (if necessary);

73. As relevant, the noise limiter should be set to ensure that both a level of music and patron noise is achieved at least -10 dB below the lowest recorded background noise level or not audible at either 1.0m outside any affected residential façade or within any affected habitable rooms with the windows open;

74. For all events that finish past Tower Hamlets framework hours, Quiet Marshalls in high visibility tabards are to operate outside the premises to make sure that customers are leaving the area quietly;
75. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly;
76. Customers arriving and leaving the premises will be advised that there shall be no parking towards Iron Works or Omega Works [To prevent the likelihood of noise disturbance to local residents]. This shall be supervised by authorized staff members dressed in “high visibility vests”;
77. At least **2** SIA licensed door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business from **21:00 hours**;
78. A direct telephone number for the manager at the premises shall be publicly available, the telephone number shall be made available to residents in the vicinity;
79. Designated Premises Supervisor or Personal Licence Holder (nominated /responsible member of staff who holds a Personal Licence) to be present when trading after **21:00 hours**. [Allowing close supervision of staff and a single point of contact for the police and other agencies when attending the location];
80. A cloakroom attendant shall be on duty in the cloakroom when the premises is open to the public;
81. The premises shall prominently display signage informing customers: -
- a. To leave quietly and to respect your neighbours;
 - b. CCTV is in operation and police have instant access to the footage;
 - c. Searching of customers prior to entry is a requirement of entry. No search – No entry policy is operated on the premises;

Public safety

82. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear “high visibility” reflective jackets clearly identifying them as members of staff;
83. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by SIA door supervisors so as to ensure that there is no public nuisance or obstruction to the public highway;
84. The attending manager or designated responsible staff member of the premises shall remain on the premises until it is fully cleared of all customers;

85. Smoke detectors and a fire alarm system shall be installed within the premises and be maintained in working order at all times;

86. Adequate facilities shall be maintained for disabled visitors and arrangements shall be in place to enable the safe evacuation of disabled visitors in the event of an emergency and that disabled visitors are made aware of these arrangements;

87. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device;

Protection of Children from harm

88. The venue shall prominently display notices advising customers of The “Challenge 25 Policy” the acceptable proof of age such evidence may include a UK photo driving licence or passport and proof of age cards bearing the PASS hologram symbol.

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

Not applicable.

Annex 4 - Plans

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

- Ground Floor Plan - Drawing Number: 302(00)100.16 and 302(00)100.02.
- First Floor Plan – Drawing Number: 302(00)100.18.
- Project Number: 302.G.1212.01.



Part B - Premises licence summary

Premises licence number

17669

Premises details

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

(I Can Centre's)
33-35 Monier Road

Post town

London

Post code

E3 2PR

Telephone number

None

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of licensable activities

The supply of alcohol (both on and off premises)

- Sunday to Thursday from 10:00hrs to 23:00hrs
- Friday to Saturday from 10:00hrs to 00:00hrs (midnight)

The provision of late night refreshment (both indoors and outdoors)

- Friday to Saturday from 23:00hrs to 00:00hrs

The provision of regulated entertainment in the form of films (indoors), Live Music (indoors), Recorded Music (indoors), Performances of Dance (indoors), Anything of a Similar Description (indoors); Provision of Facilities for Making Music (indoors), Provision of Facilities for Dancing (indoors) and Anything of a Similar Description (indoors)

- Sunday to Thursday from 10:00hrs to 23:00hrs
- Friday to Saturday from 10:00hrs to 00:00hrs (midnight)

Non-Standard Times

Fifty (50) non-standard hours of operation - from 10:00hrs to 06:00hrs the following day.

The non-standard hours of operation require that:

- a) - 10 working days prior to the event notice is given of their use to both Tower Hamlets Police Licensing, and to Tower Hamlets Environmental Health;
- b) - Both Tower Hamlets Police and Environmental Health have the right of veto of the use of non-standard hours.

The conditions of the full license still apply when the non-standard hours are used.

The opening hours

- Sunday to Thursday from 10:00hrs to 23:00hrs
- Friday to Saturday from 10:00hrs to 00:00hrs (midnight)

Name, (registered) address of holder of premises licence

Ican Centres UK Limited
35 Monier Road
Bow
London
E3 2PR

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)

Registered Number: 07564413

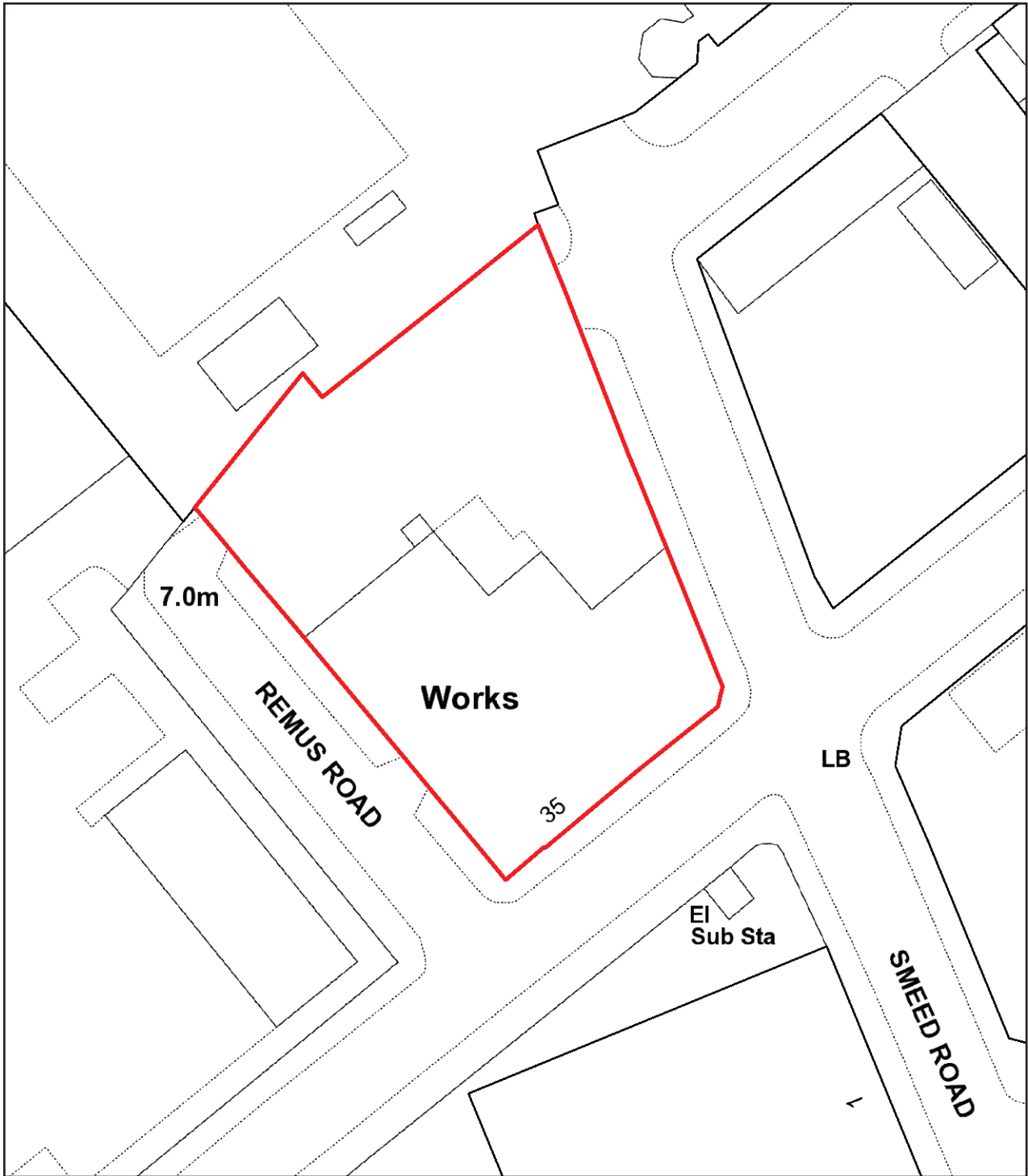
Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Philip Kirton

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

Children will not be on the premises after 21.00 hours unless they are in the company of an adult/guardian.

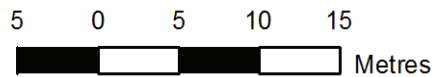
Appendix 3

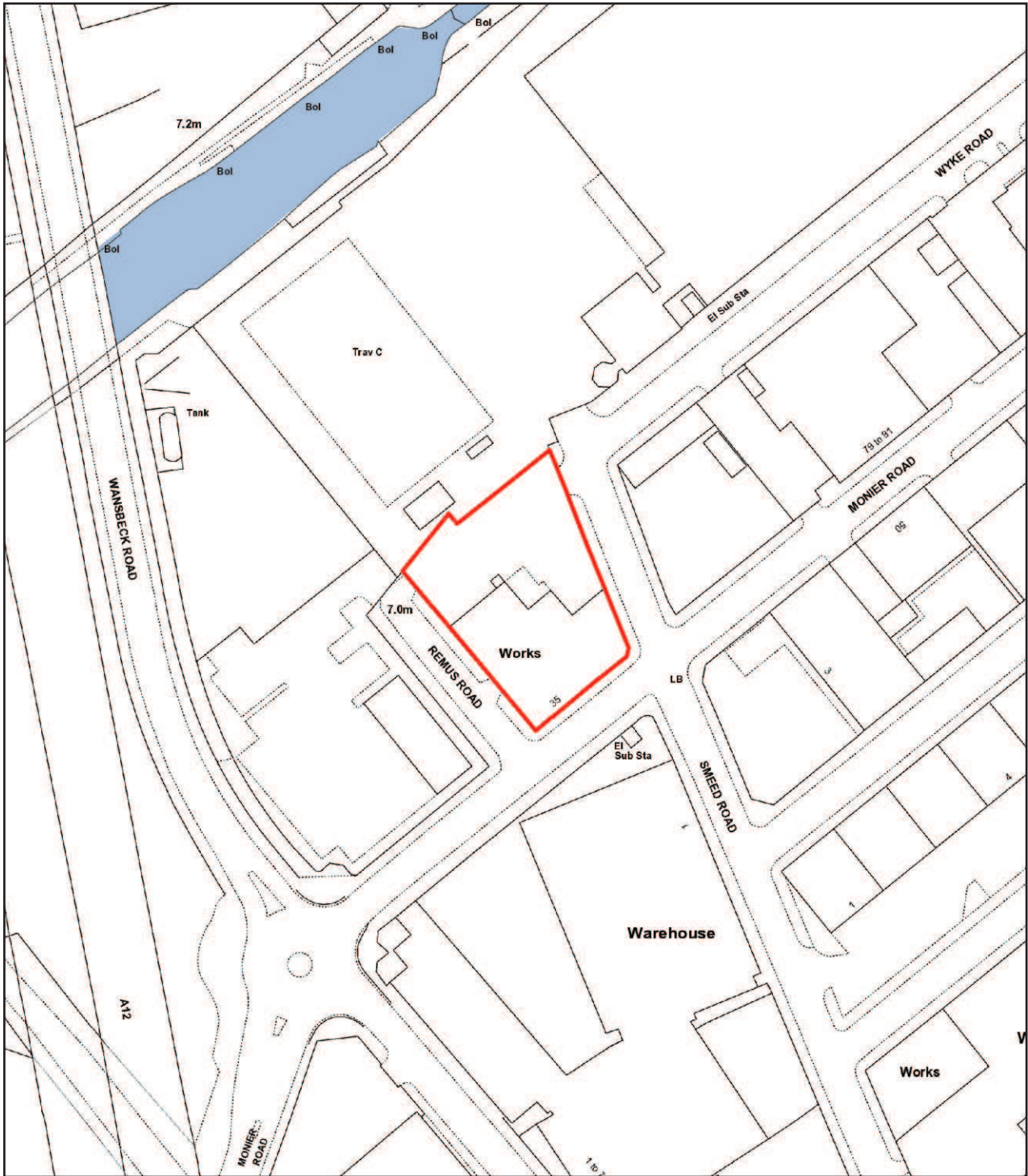


35 Monier Road



Scale 1:574

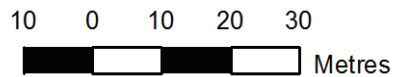




35 Monier Road



Scale 1:1340



Appendix 4

Section 182 Advice by the Home Office

Updated October 2010

Relevant, vexatious and frivolous representations

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

- 9.12 The Home Secretary recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it. If it then emerged, for example, that the representation should not be supported, the licensing authority could decide not to take any action in respect of the application.
- 9.13 Licensing authorities should consider providing advice on their websites about how any interested party can make representations to them.

Appendix 5

Alex Lisowski

From: Alex Lisowski
Sent: 04 April 2014 16:45
To: 'Mark.J.Perry' [REDACTED]
Subject: FW: Ican Studios Variations Conditions
Attachments: Ican centres variation conditions 1.1.doc

Mark,

Re our meeting with ICAN this morning, Rhys Rose has sent his version of what was agreed. It's not quite what we agreed, and I've also tidied it up. The conditions for the Pizzeria that I want, and Rhys agreed, are:

There will be no regulated entertainment in the pizzeria area, including the roof of the pizzeria and the external area of the pizzeria.

On days when the other areas of the venue are going to be open to customers, the pizzeria will close one hour before those other areas are opened to customers.

On days when the other areas of the venue are not going to be open to customers, the opening hours of the pizzeria will be:

Sunday to Thursday, 10.00am to 23.00pm, Friday and Saturday, 10.00am to Midnight.

The hours for the sale of alcohol will be Sunday to Thursday, 10.00am to 23.00pm, Friday and Saturday, 10.00am to Midnight.

The hours for the provision of late night refreshment will be Friday and Saturday, 23.00pm to Midnight.

The external area of the pizzeria, including the roof, will be closed to customers from 21.30pm each day. After this time, customers of the pizzeria can use the ground level external area of the pizzeria for smoking. Customers going into this area to smoke cannot take drinks with them.

When other areas of the venue are open to customers, the pizzeria can be open for their use. The pizzeria will not be available to customers who only wish to use the pizzeria. On these occasions the opening hours, and hours for the sale of alcohol and the provision of late night refreshment, will be the same as those of the other areas of the venue.

The application for the off-sale of alcohol has been withdrawn.

Alex.

From: Rhys Rose [mailto:[REDACTED]]
Sent: 04 April 2014 14:30
To: Mark Perry Tower hamlets police licensing; Alkesh Solankj; Alex Lisowski
Cc: [REDACTED]
Subject: Ican Studios Variations Conditions

Dear Alex, Mark and Alkesh

I have attached the changes conditions with the noted extra text and conditions and invite you to review it and make any further changes, perhaps starting with Mark as he had the most input into the notes.

I have left the tidy up section of the conditions for Mark to edit as discussed, the only other notes on this section were:

condition 55 add the wording "external areas" instead of from the "smoking area"

and please review conditions 58, 67, 79 with a view to producing one comprehensive condition.

Thank you for your time today.

Rhys.

Rhys Rose
Bar Management, Licensing & Event Consultant



Appendix 6

ICAN on Remus Road, and therefore most likely to be caused by their patrons and associated business. The area did not have this problem prior to the nightclub license being granted last year.

I believe that by allowing them to extend both the alcohol license and useable area of the property the litter, noise and traffic disruption from patrons to the surrounding roads and residential areas, not just following a 'club' night, but over the whole week, will be increased.

I would also suggest that they are requesting the extension as a loophole to allow them to start trading earlier as a club during the summer months and allowing them to use that outdoor space to sell alcohol, which will bring increased noise and disruption to the local residents. I understand that the application is for the license indicates that they only want to serve alcohol up to 9pm; which not only is very early for a food business to stop trading, it is also no doubt when their alcohol license for the club begins?

Interestingly, they are advertised as hosting a Secret Sundaze party on 24th August this year. Secret Sundaze promotes itself as

“secretsundaze, London’s infamous Sunday daytime party has firmly established itself as one of Europe’s most distinct voices in underground electronic music”

source - <http://www.residentadvisor.net/promoter.aspx?id=22>

<http://www.residentadvisor.net/club.aspx?id=62991>

I believe this supports my statement above?

I would also like to enquire why ICAN studios, primarily promoting itself as a 'Community Church' or 'a training and educational business focussing on supporting young entrepreneurs' (depending on which website you read) has applied for an alcohol licence; surely neither of these ventures would require, or need an alcohol license in the first place?

The proposed Pizzeria, would be located in a tarmac'd car park which is surrounded by 3 walls which are about 10ft tall, next to a BOC gas depot, and very shortly will be surrounded by extensive building works in Neptune Wharf, and at the bottom of Wyke Road and Monier Road, hardly the most conducive of locations in which to dine?

Increasingly, Fish Island, more specifically Omega Works and Iron Works, is becoming a home to many families with young children, mainly due to large spacious flats and good transport links, and as such granting the extension would impact on their use of the streets and roads, particularly in the summer months, when extending drinking hours are likely to bring a greater number of people under the influence of alcohol during the daytime, on our streets, not really appropriate surroundings in which to walk your children, or push your prams and pushchairs through, in order to reach the transport links on Wansbeck Road!

I hope that this information is taken into consideration when the application is discussed prior to it being approved or declined.

Tina Johnston

Appendix 7

Anti-Social Behaviour On The Premises

Licensing Policy

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

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

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

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003.

The Licensing Policy has adopted the recommended Pool of Conditions as permitted (Annex D).

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

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, but can relate to the immediate vicinity of the premises as they seek entry or leave (2.4).

Conditions are best targeted on deterrence and preventing crime and disorder (S.2.6) communication, police liaison, no glasses are all relevant (S2.7-2.11).

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

Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices

Other Legislation

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

Appendix 8

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 9

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 pool of conditions, adopted by the council is recommended (Annex G). 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 (1.16).

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).

In certain circumstances conditions relating to noise in the immediate vicinity of the premises may also prove necessary to address any disturbance anticipated as customers enter and leave (2.36).

However, it is essential that conditions are focused on measures within the direct control of the licence holder. Conditions relating to behaviour once they are beyond the control of the licence holder cannot be justified. (2.38)

Noxious smells or light pollution

General Advice

Members need to be satisfied that any problems cannot be adequately addressed by existing legislation. Conditions must relate proportionately to the licensable activity. Thus for example, a café that is emitting noxious smells does so whether or not it is permitted to open past 23 00 hrs.

Any nuisance from bright lights needs to be balanced against potential crime and disorder benefits from bright lights.

Other Legislation

The Environmental Protection Act 1990

Part 111 of the Act gives Environmental Health Officers the power to deal with statutory nuisances including smells

Planning legislation may restrict external lighting.

Appendix 10

Planning

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

Appendix 11

Licensing Policy relating to hours of trading

All applications have to be considered on their own merits.

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

Sunday to Thursday 06 00 hrs to 23 30 hrs

Friday and Saturday 06 00 hrs to midnight

(see 12.8 Of the licensing policy)

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

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

(see 12.8 of the licensing policy)

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

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