

Appendix 1



* required information

Section 1 of 19

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

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	13-486	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes
 No

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

Applicant Details

* First name	Damien
* Family name	Sanville
* E-mail	[REDACTED]
Main telephone number	[REDACTED]
Other telephone number	

Include country code.

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

Is the applicant:

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

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

* Is the applicant's business registered in the UK with Companies House? Yes No

* Registration number	05470967
* Business name	Close-Up Film Centre Limited
* VAT number	- 877 7992 34
* Legal status	Private Limited Company

If the applicant's business is registered, use its registered name.

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

* Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

Agent Business

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

* Registration number

* Business name

If your business is registered, use its registered name.

* VAT number

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

* Legal status

Continued from previous page...

* Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Section 2 of 19

PREMISES DETAILS

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

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

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

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NON INDIVIDUAL APPLICANTS

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Address

Building number or name	<input type="text" value="139"/>
Street	<input type="text" value="Brick Lane"/>
District	<input type="text" value="Tower Hamlets"/>
City or town	<input type="text" value="London"/>
County or administrative area	<input type="text" value="London"/>
Postcode	<input type="text" value="E1 6SB"/>
Country	<input type="text" value="United Kingdom"/>

Contact Details

E-mail	<input type="text" value="REDACTED"/>
Telephone number	<input type="text" value="REDACTED"/>
Other telephone number	<input type="text"/>

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OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

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

40 seat cinema accessed through a retail space operating as a film library with small coffee shop & snack bar. Operating hours from 08:00hrs to 23:30hrs. Premises closing at 00:00hrs allowing 30 minutes for dispersal.

Mission Statement

Close-Up aims to make film culture and history accessible through its library, film screenings and the online publication of Vertigo Magazine. Established in 2005, the company has built up its activities on the basis of reinvesting all its profits into creating an extensive film resource.

The company specialises in the promotion, distribution and exhibition of classics, world cinema, documentaries and artists' films. Our audience is passionate about cinema and includes film enthusiasts, academics, students, researchers and

Continued from previous page...

professionals.

The library's collection of over 17,000 films and books, currently located on Brick Lane, is considered a unique film resource for locals.

Our regular cinema screenings at a local venue have created a cultural benchmark in London allowing renowned filmmakers to meet the audience and discuss their films. The overall aim of the cinema programme is to provide a critical overview of cinema's culture and history.

Our achievements have established Close-Up as a central figure in London's film culture and have gained us the support of institutions including Tate Modern (Stuart Comer); the British Film Institute (Andrew Youdell), the ICA (Pamela Jahn), Whitechapel Gallery (Gareth Evans) and LUX (Benjamin Cook). The creation of a new cinema in the East-End of London has sparked the enthusiasm of those institutions to work in close partnership with Close-Up.

We are now aiming to gather our activities under one roof to expand the promotion of a thriving, diverse audiovisual culture in London. In the fast growing film industry that is developing in the East-End of London, Close-Up plans to open its own cinema. Alongside the film library, the cinema will become a unique resource for the local community but also the widest regional and international audience.

Damien Sanville
Founder and Director
Feb 2014

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

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PROVISION OF PLAYS

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

Will you be providing films?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the exhibition of films take place indoors or outdoors or both?

- Indoors Outdoors Both

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

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

State any seasonal variations for the exhibition of film

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

Non standard timings. Where the premises will be used for the exhibition of film at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve until 02:00hrs

Continued from previous page...

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PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

- Yes No

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PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

- Yes No

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

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

- Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

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

- Indoors Outdoors Both

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

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

State any seasonal variations

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

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve until 02:00hrs

Continued from previous page...

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on
the premises select on, if the sale of alcohol
is for consumption away from the premises
select off. If the sale of alcohol is for
consumption on the premises and away
from the premises select both.

State any seasonal variations

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

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve until 02:00

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

Name

First name

Family name

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

Continued from previous page...

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

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ADULT ENTERTAINMENT

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

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

Performance of Film

The license holder shall adhere to the BBFC (British Board of Film Classification: <http://www.bbfc.co.uk/>) requirements in relation to age certificate restrictions.

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

State any seasonal variations

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

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve until 02:00hrs

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

All staff will be fully trained in Fire and Health and Safety procedures, including regular Fire & Evacuation drills
All signage will be kept clearly visible and up to date
Incident log books and Health & Safety literature will be accessible to staff at all times
Regular checks to systems and practices will be made by a manager in accordance with government recommendations and policies

b) The prevention of crime and disorder

CCTV recording with 28 day back up to be produced upon police request, including static camera pointing directly to lobby entrance at all times.

Incident Management

An incident log shall be kept at the premises and made available on request to the Police or an authorised officer of the London Borough of Tower Hamlets.

The log will record the following:

(a) all crimes reported to the venue

(b) all ejections of customers

(c) any incidents of disorder (disturbance caused either by one person or a group of people) [There is no requirement to record the above incidents (a), (b) or (c) where they do not relate to a licensable activity]

c) Public safety

No furniture, rubbish or waste paper shall be stored or allowed to accumulate in any part of the premises other than the designated storage or refuse area. Storage of any necessary combustible materials shall be in a position as may be

Continued from previous page...

approved by the Fire Brigade.

Overcrowding in such a manner as to endanger the safety of the public or to interfere unduly with their comfort shall not be permitted in any part of the premises.

No person under the age of eighteen shall be employed as an attendant on the premises.

A rehearsal of the action to be taken by members of the staff in the event of a fire or other emergency shall be held at least once a month.

Fire exits will be checked at regular intervals daily to ensure they are kept clear at all times and the fire alarm and emergency lighting systems will be tested weekly.

Any potential tripping hazards such as carpet or cables will be maintained, fixed or secured as appropriate. Furniture to be kept clear of stairways and exits at all times.

Standard safety and caution signs, such as cleaning signs, will be displayed when necessary.

Patrons will not be permitted to sit on the floor or stairways in any part of the premises. Additional or temporary seating will not be provided in gangways or exits of the cinema auditorium.

d) The prevention of public nuisance

A written dispersal policy shall be in place and implemented to ensure customers move from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours.

Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

e) The protection of children from harm

Films will be classified, by either the film classification body as specified in the licence or the licensing authority in the following way:

U - Universal. Suitable for audiences aged four years and over

PG - Parental Guidance. Some scenes may be unsuitable for young children

12A - Passed only for viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult

15 - Passed only for viewing by persons aged 15 years and over

18 - Passed only for viewing by persons aged 18 years and over

Where a programme includes a film recommended either by the film classification body or the licensing authority as falling into the 12A, 15 or 18 category no person appearing to be under the age of 12 and unaccompanied, or under 15 or 18 as appropriate, shall be admitted to any part of the programme.

Where films of different categories form part of the same programme, staff shall refer to the oldest age restriction.

As part of the 'Challenge 21' scheme, staff will receive training to request photographic identification where they suspect a person to be under the age of 21. Accepted forms of identification will be restricted to Passport, Drivers Licence or PASS card as part of the Proof of Age Standards Scheme.

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PAYMENT DETAILS

Continued from previous page...

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

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

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

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

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

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

DECLARATION

Continued from previous page...

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

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

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

* Full name

* Capacity

Date (dd/mm/yyyy)

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

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

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

Appendix 2

Mohshin Ali

From: Damien Sanville [REDACTED]
Sent: 12 June 2014 12:49
To: Mohshin Ali
Cc: 'Ml. O'Keeffe | healycornelius'; Niall Healy
Subject: Re: CLC/LIC/L1U-75805/MA; Premises Licence Application: Close-Up Film Centre Limited, 97 – 99, Sclater Street, London E1 6HR
Attachments: Premises License Application Updates 12.06.2014.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mohshin,

Thank you very much for sending these representations to us.

We have updated our responses and would be grateful if you could forward them to the concerned parties accordingly.

Please do not hesitate to contact me should you have any questions.

Kind regards,

--

Damien Sanville
Director
CLOSE-UP

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

On 12 Jun 2014, at 11:52, Mohshin Ali wrote:

Dear All,

Please see attached all the Valid representations received for this application.

The objections will be put into a committee report and forwarded to the Democratic Operations section who will arrange a date for the hearing. You will be sent a copy of the report which will include details of the representations; you will also be notified at this point of the date and time of the Licensing subcommittee hearing.

Do let me know if you want me to forward your response/amendments to those parties that have made representations.

Regards

Mohshin Ali - Senior Licensing Officer

✉ London Borough of Tower Hamlets . Licensing . Mulberry Place . 5 Clove Crescent . London E14 2BG
Tel☎: 020 7364 5498 | Fax☎: 020 7364 0863 | Email✉: Mohshin.Ali@towerhamlets.gov.uk

From: [REDACTED]] **On Behalf Of** MI. O'Keeffe | healycornelius
Sent: 09 June 2014 10:36
To: Mohshin Ali
Cc: Niall Healy; Damien Sanville
Subject: CLC/LIC/L1U-75805/MA; Premises Licence Application: Close-Up Film Centre Limited, 97 – 99, Sclater Street, London E1 6HR

Dear Moshin,

Please find attached the applicant's responses to the representations on the Premises License Application, Ref. No. CLC/LIC/L1U-75805/MA.

I will call you in a moment to clarify the information is clear and if anything further is required.

Kind regards,

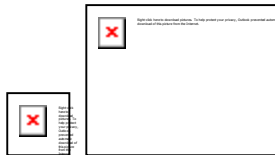
Michael O'Keeffe
BSc. (Hons.) Arch. Tech. **ACIAT ICIOB**
architectural technologist

[REDACTED]
[REDACTED]
[REDACTED]



healycornelius design consultancy limited
No.5 St. John's Lane London **EC1M 4BH**

[REDACTED] [REDACTED]
[REDACTED]
[REDACTED]



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<EHConditionsAgreed.pdf><JFitch.pdf><JFitch2.pdf><MDay.pdf><Police.ACruickshank.pdf>

Premises License Application

Close Up Cinema : 97-99 Sclater Street E1 6HR

Representations Received and responses offered by applicant

12 June 2014

Please amend the details on the application report to reflect the response from the applicant to the representations raised:

A: Trading Standards service

Representation:

We would normally recommend using "Challenge 21" with regard to sales of alcohol. Also you may wish to broaden the range of documents accepted to include other photographic identification accepted under the 'Pass' regime.

Applicant's response:

In addition to existing conditions, please see below updated text in red

Section 18: e) Protection of children from harm:

Films will be classified, by either the film classification body as specified in the licence or the licensing authority in the following way:

U - Universal. Suitable for audiences aged four years and over

PG - Parental Guidance. Some scenes may be unsuitable for young children

12A - Passed only for viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult

15 - Passed only for viewing by persons aged 15 years and over

18 - Passed only for viewing by persons aged 18 years and over

Where a programme includes a film recommended either by the film classification body or the licensing authority as falling into the

12A, 15 or 18 category no person appearing to be under the age of 12 and unaccompanied, or under 15 or 18 as appropriate, shall be admitted to any part of the programme.

Where films of different categories form part of the same programme, staff shall refer to the oldest age restriction.

As part of the 'Challenge 21' scheme, staff will receive training to request photographic identification where they suspect a person to be under the age of 21. Accepted forms of identification will be restricted to Passport, Drivers Licence or PASS card as part of the Proof of Age Standards Scheme.

B. Environmental Health

Representation:

"Please agree to the following condition to form part of your operating schedule:

- Regulated entertainment shall not be audible inside any affected residential premise so as to cause a nuisance; and
- Limit the number of smokers in the courtyard to a maximum of 5 at any one time after 10pm."

Applicant's response:

As per email response to Alkesh Solanki (dated 14.05.14)

"I confirm that we do agree with both conditions stated below to form part of our operating schedule:

- Regulated entertainment shall not be audible inside any affected residential premise so as to cause a nuisance; and
- Limit the number of smokers in the courtyard to a maximum of 5 at any one time after 10pm."

C. Metropolitan Police

Representation received from Alan Cruickshank, Met Police

Representation:

1.

If they are to consider granting a licence, I would ask that they remove the non standard timing. Police resources are stretched on NYE. The applicant can consider applying for a TEN nearer the time.

I would also ask the committee to consider the following hours:

Alcohol

- Monday - Sunday : 2330
- Closing a half hour later, allowing a "drinking up period"
- Late night refreshments : all week: 2300 - 2330
- Films: all week : 1000 – 2330

Applicant's response:

Please see below amended conditions in agreement in red

Section 14: Late Night Refreshments

Fridays and Saturdays: reduce from 1:30am to 23:30pm

Remove NYE non-standard timing

Section 15: Supply of Alcohol:

Fridays and Saturdays: reduce from 1:30am to 23:30pm

Remove NYE non-standard timing

Section 7: Provision of Films:

Fridays and Saturdays: reduce from 1:30am to 23:30pm

Remove NYE non-standard timing

2.

The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of 31 days. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed.

The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.

There must also be someone on the premises, who can download the images and present them on request by a police officer or other responsible authority

Applicant's response:

Please refer to below as per application

Section 18, b) the prevention of crime and disorder:

CCTV recording with 28 days back up to be produced upon police request, including static camera pointing directly to lobby entrance at all times. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.

Incident Management

An incident log shall be kept at the premises and made available on request to the Police or an authorised officer of the London Borough of Tower Hamlets.

The log will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of customers
- (c) any incidents of disorder (disturbance caused either by one person or a group of people) [There is no requirement to record the above incidents (a), (b) or (c) where they do not relate to a licensable activity]

3.

No customer to be allowed to stand outside with drinks whether alcoholic or non alcoholic and

No more than 6 smokers allowed outside at one time.

Applicant's response:

Please see below amended conditions in agreement in red

Section 18, d): the prevention of public nuisance:

A written dispersal policy shall be in place and implemented to ensure customers move from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours.

Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

No alcoholic drinks to be consumed outside the premises on the pavement at anytime. No non-alcoholic drinks to be consumed outside the premises on the pavement after 10pm.

The number of smokers in the courtyard will be limited to a maximum of 5 at any one time after 10pm.

D. Public Representation; Jonathan Fitch

Representation:

1.

Planning Permission: 3 - The use of the cinema shall not commence until details of the method of insulating the cinema to prevent the transmission of unacceptable levels of noise to neighbouring residential properties have been submitted to and approved in writing by the local planning authority. The details shall include the results of a suitable acoustic survey, and the provision of post completion testing where necessary.

The sound insulation shall be installed in accordance with the approved details prior to the first use of the approved cinema and retained thereafter.

Applicant's response:

Please see below details of sound insulation as per Planning Application requirements:

- 3mm Remat across the first floor flat's floor under the chipboard floor (above cinema)
- 7 inch concrete slab
- 100mm Rockwool sound insulation
- Floating ceiling made of 2 x sound block plasterboards on resilient bars fixed at 90 degrees to the metal framed ceiling structure.
- 13inch walls covered with sound block plasterboards across

We will provide both a background and internal sound survey when the cinema space is completed

2.

Planning Permission: 4 - The use allowed by this permission shall not take place other than between the hours of: -

08:00 -23:30, Mondays - Fridays
08:00 Saturday - 00:30 Sunday morning
08:00 - 23:30 Sundays or Bank Holidays

Applicant's response:

Please see below amended conditions in agreement in red

Section 14: Late Night Refreshments

Fridays and Saturdays: reduce from 1:30am to 23:30pm
Remove NYE non-standard timing

Section 15: Supply of Alcohol:

Fridays and Saturdays: reduce from 1:30am to 23:30pm
Remove NYE non-standard timing

Section 7: Provision of Films:

Fridays and Saturdays: reduce from 1:30am to 23:30pm
Remove NYE non-standard timing

3.

Planning Permission: 8 - Any plant or ventilation equipment associated with the new development shall be designed to ensure that noise levels are at a level of 10db below the lowest measured background noise (LA90, 15 minutes) as measured one metre from the nearest affected window of the nearest affected residential property. The assessment of the background noise shall be made in the absence of all operating plant that services the premises that is the subject of this planning application. In addition the plant shall not create an audible tonal noise nor cause perceptible vibration to be transmitted through the structure of the building.

Applicant's response:

Documents will be submitted to the planning department to validate compliance.

4.

Planning Permission: 7 - Patrons of the cinema and customers of the retail shop shall not be allowed access to the central courtyard.

and

In addition, I request that patrons are not permitted to gather or consume alcohol obtained from the premises on the pavement outside of the premises.

Applicant's response:

Please see below amended conditions in agreement in red

Section 18, d): the prevention of public nuisance:

A written dispersal policy shall be in place and implemented to ensure customers move from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours.

Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

No alcoholic drinks to be consumed outside the premises on the pavement at anytime. No non-alcoholic drinks to be consumed outside the premises on the pavement after 10pm.

The number of smokers in the courtyard will be limited to a maximum of 5 at any one time after 10pm.

E. Public Representation; Matthew Day

Representation:

1.

I am concerned about the noise that will be generated by customers entering and exiting the building particularly in the early hours of the morning and late at night.

and

I am also concerned about traffic and parking, as the license if granted will operate beyond the times of local underground and overground services.

Applicant's response:

Please see below amended conditions in agreement in red

Section 14: Late Night Refreshments

Fridays and Saturdays: reduce from 1:30am to 23:30pm

Remove NYE non-standard timing

Section 15: Supply of Alcohol:

Fridays and Saturdays: reduce from 1:30am to 23:30pm

Remove NYE non-standard timing

Section 7: Provision of Films:

Fridays and Saturdays: reduce from 1:30am to 23:30pm

Remove NYE non-standard timing

2.

Alcohol has been shown to lower inhibitions and impair peoples abilities to make reasonable judgements, providing a sign to ask patrons to act more responsibly when leaving a premises is a poor deterrent when alcohol is added to this equation.

Applicant's response:

Please see below amended conditions in agreement in red

Section 18, d): the prevention of public nuisance:

A written dispersal policy shall be in place and implemented to ensure customers move from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours.

Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

No alcoholic drinks to be consumed outside the premises on the pavement at anytime. No non-alcoholic drinks to be consumed outside the premises on the pavement after 10pm.

The number of smokers in the courtyard will be limited to a maximum of 5 at any one time after 10pm.

3.

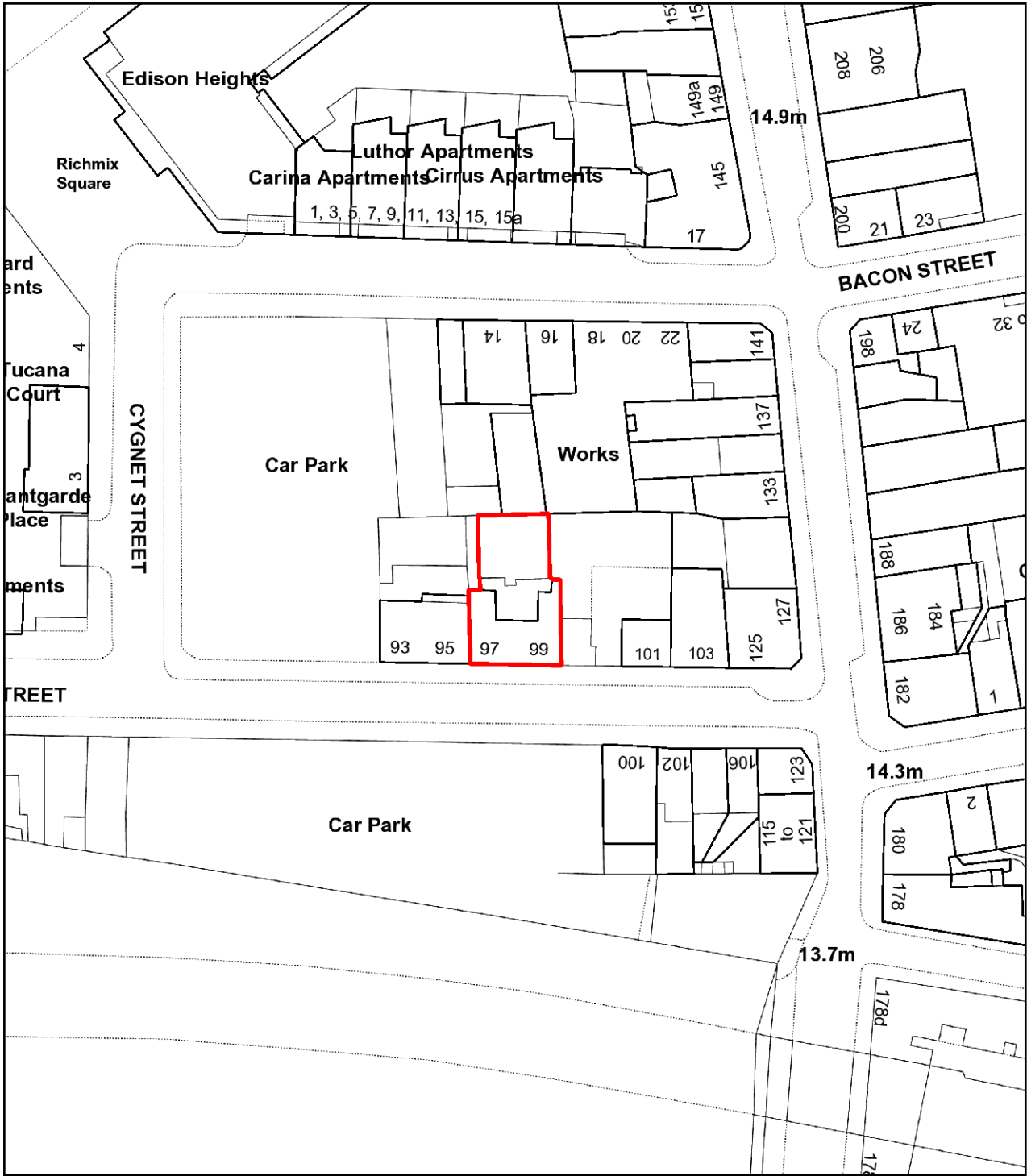
It is also unclear to me how the waste generated by these premises will be disposed of.

Applicant's response:

A dedicated Refuse Store has been allocated within the premises to store waste (Please see Premises Plan "13-486-PL001B Premises License").

Waste will then be disposed of in adequate bin bags and at the hours allocated for collection by the Council.

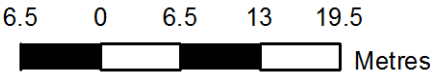
Appendix 3

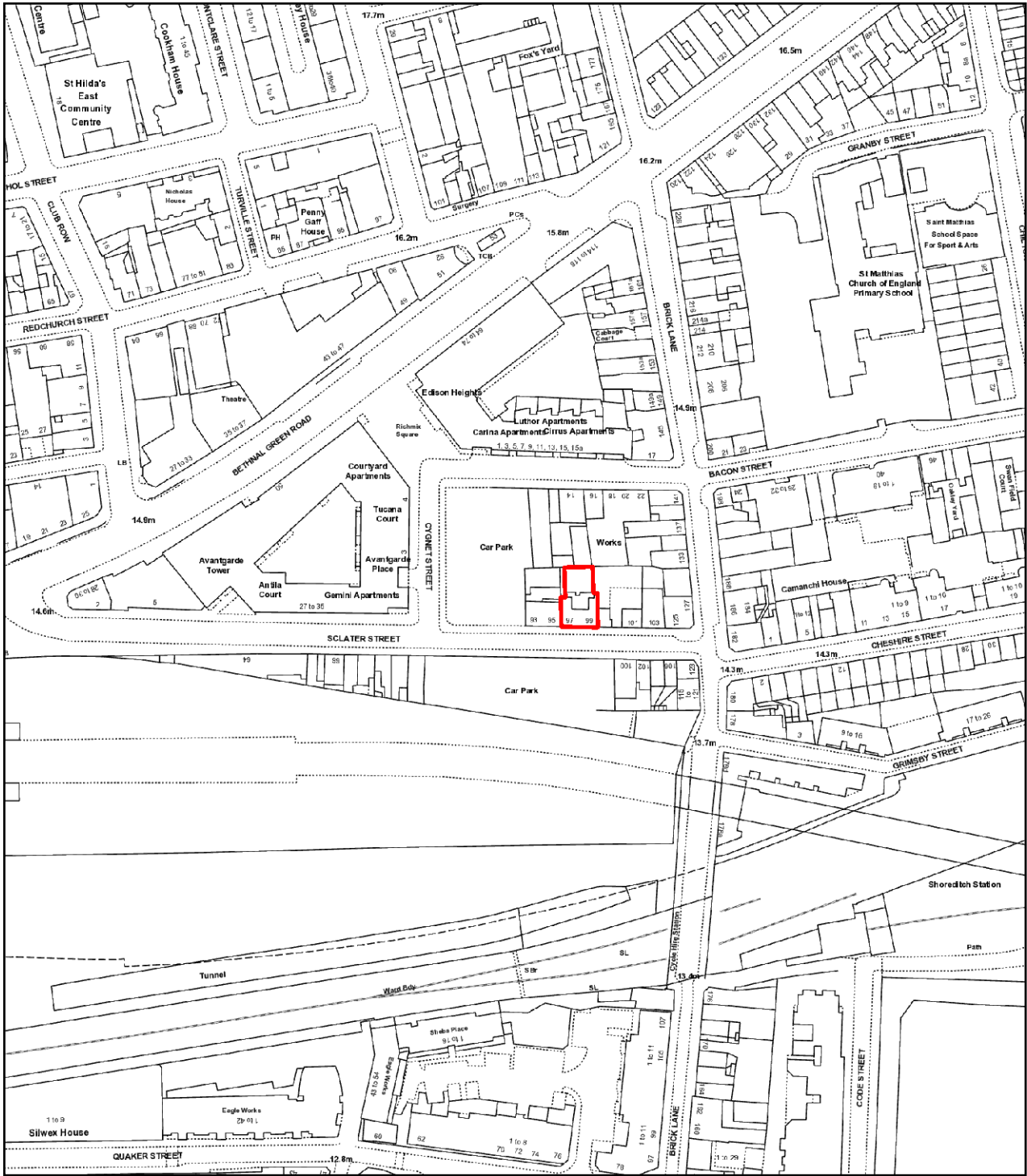


97-99 Sclater Street



Scale 1:754

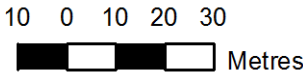




97-99 Sclater Street



Scale 1:1884



Appendix 4

Section 182 Advice by the Home Office

Updated June 2013

Relevant, vexatious and frivolous representations

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

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

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

Appendix 5

Mohshin Ali

From: Alan.D.Cruickshank@met.pnn.police.uk
Sent: 20 May 2014 09:28
To: Mohshin Ali
Subject: Close Up Cinema
Attachments: Close-Up Cinema (May 14).doc

Dear Mohshin

Please find my representation for the above application.

Regards

Alan Cruickshank PC 189HT

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

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John McCrohan
LBTH Licensing
Toby Club
Vawdrey Close

E1 4UA

HT - Tower Hamlets Borough
HH - Limehouse Police Station

Licensing Office
Limehouse Police Station
27 West India Dock Road &
5 Birchfield Street
E14 8EZ

Telephone: 0207 275 4911

Facsimile:

Email:

Alan.D.Cruickshank@met.pnn.police
.uk

www.met.police.uk

Your ref:

Our ref:

11 May 2014

Dear Mr McCrohan

Re: Premises Licence Application

Close-Up Cinema, 97-99 Sclater St, E1 6HR

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

The prevention of crime and disorder

The prevention of public nuisance

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

Sunday - Thursday : 1200 - 2330

Friday - Saturday : 1200 - 0130

Other licensable activities reflect the above hours.

They also wish to have a non standard time on New Years Eve until 2am the next day.

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

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

Sclater St falls within the Cumulative Impact Zone (CIZ) and also the Shoreditch Triangle, featuring the busiest parts of Tower Hamlets, Hackney and Islington.

There has been a steady increase in bars and restaurants in this immediate area.

One more late night opening venue will only compound the problems at the top end of the CIZ.

The availability of alcohol until 0130 on Friday and Saturday will mean more people staying for longer within the CIZ.

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

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

There are residential properties nearby. It is difficult to ask people to be quiet after they have consumed alcohol, leaving at 2am. Whether it is just boisterous behaviour or shouting at top of their voices, it is likely to cause a public nuisance.

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

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

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

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

The hours applied for falls into the above peak hours.

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

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

Table 1: London Ambulance Service call outs to binge drinking

Ward	No of Incidents 2011/12	No of Incidents 2012/13	% Change over 2011/12 to 2012/13
Spitalfields & Banglatown	145	175	+ 21%
Weavers	82	89	+21%
Tower Hamlets ward average	57	71	+25%

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

Table 2: Alcohol Attributable Admission Rates 2011/2012

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

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

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

If not, I ask the committee to refuse this application.

I understand however that each application is scrutinized by the committee on an individual basis.

If they are to consider granting a licence, I would ask that they remove the non standard timing. Police resources are stretched on NYE. The applicant can consider applying for a TEN nearer the time.

I would also ask the committee to consider the following hours:

Alcohol

Monday - Sunday : 2330

Closing a half hour later, allowing a "drinking up period"

Late night refreshments : all week: 2300 - 2330

Films: all week : 1000 - 2330

Conditions

The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of 31 days. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity. There must also be someone on the premises, who can download the images and present them on request by a police officer or other responsible authority,

5. No customer to be allowed to stand outside with drinks whether alcoholic or non alcoholic

6. No more than 6 smokers allowed outside at one time.

Alan Cruickshank PC 189HT

Appendix 6

Mohshin Ali

From: Mohshin Ali on behalf of Licensing
Sent: 14 May 2014 17:28
To: Mohshin Ali
Subject: FW: Representation re: Application for Premises Licence, Close-Up Film Centre Ltd, 97-99 Sclater Street, E1 6HR

From: Jonathan Fitch [REDACTED]
Sent: 14 May 2014 17:05
To: Licensing
Subject: Representation re: Application for Premises Licence, Close-Up Film Centre Ltd, 97-99 Sclater Street, E1 6HR

Dear Sir / Madam -

Notice of Application for a Premises Licence: Close-Up Film Centre Ltd, 97-99 Sclater Street, London E1 6HR

I am writing to request that, if the authority awards a licence for the provision of films and sale of alcohol, that the hours permitted are limited to those for which planning consent for change of use was granted (application number PA/13/01781 decided on 07 October 2013). The specific conditions in this planning consent require:

3 - The use of the cinema shall not commence until details of the method of insulating the cinema to prevent the transmission of unacceptable levels of noise to neighbouring residential properties have been submitted to and approved in writing by the local planning authority. The details shall include the results of a suitable acoustic survey, and the provision of post completion testing where necessary.

The sound insulation shall be installed in accordance with the approved details prior to the first use of the approved cinema and retained thereafter.

Reason: To protect the amenity of neighbouring residents from any undue noise or disturbance coming from the use of the cinema in accordance with the requirements of policy SP10 (4) of the adopted Core Strategy (2010) and policy DM25 of the Managing Development Document (Adopted 2013).

4 - The use allowed by this permission shall not take place other than between the hours of: -
08:00 -23:30, Mondays - Fridays
08:00 Saturday - 00:30 Sunday morning
08:00 - 23:30 Sundays or Bank Holidays

Reason: To safeguard the amenity of adjacent residents and the area generally and to accord with policy SP10(4) of The Core Strategy (2010) and policy DM25 of the Managing Development Document (2013).

7 - Patrons of the cinema and customers of the retail shop shall not be allowed access to the central courtyard.

Reason: To protect the amenities of occupiers of neighbouring buildings from noise or disturbance in accordance with the requirements of policy SP10 (4) of the adopted Core Strategy (2010) and policy DM25 of the Managing Development Document (Adopted 2013).

8 - Any plant or ventilation equipment associated with the new development shall be designed to ensure that noise levels are at a level of 10db below the lowest measured background noise (LA90, 15 minutes) as measured one metre from the nearest affected window of the nearest affected residential property. The assessment of the background noise shall be made in the absence of all operating plant that services the premises that is the subject of this planning application. In addition the plant shall not create an audible tonal noise nor cause perceptible vibration to be transmitted through the structure of the building.

Reason: To protect the amenity of occupiers of nearby properties from noise or vibration disturbance in accordance with the requirements of Tower Hamlets Core Strategy 2010 policy SP03(2) and SP10(4a).

In addition, I request that patrons are not permitted to gather or consume alcohol obtained from the premises on the pavement outside of the premises.

Yours faithfully,
Jonathan Fitch

[REDACTED]

Mohshin Ali

From: Mohshin Ali on behalf of Licensing
Sent: 10 June 2014 10:21
To: Mohshin Ali
Subject: FW: Licensing Application: 97-99 Sclater Street E1 6HR

Follow Up Flag: Follow up
Flag Status: Flagged

-----Original Message-----

From: Jonathan Fitch [REDACTED]
Sent: 09 June 2014 20:06
To: Licensing
Subject: Licensing Application: 97-99 Sclater Street E1 6HR

Dear Sir/ Madam -

Apologies if I have sent this already (I believe I have, but cannot locate it in my Sent box).

I am writing to object to the licensing application for the reasons set out below.

It appears there are three licences being applied for in this application:

- film
- alcohol
- refreshment

In terms of all three licences, or activities, the stated operating hours set out within the Operating Schedule (Section 5 of 19), ends at 23:30, with half an hour for dispersal, I do not believe there is any need for any of the licences to extend beyond that time.

However, I note that the applicant is requesting a licence until 01:30 on Saturday and Sunday morning for all three activities. I believe this is far too late to prevent the activities from causing a disturbance to residents of the street, impacting on their ability to sleep. If the Committee is minded to disregard to plight of residents and allow the cinema to operate later than 23:30, then I request that the Committee does prohibits the sale and consumption of alcohol and refreshments beyond that time, which would otherwise exacerbate the likely nuisance to residents later into the night when patrons would disperse.

In terms of the alcohol license in particular, the premises is within the Council's recently announced Saturation Zone, therefore I request that the Committee needs to be mindful of the intentions of that Saturation Zone, in particular that it is intended to protect local residents from the many negative impacts of the intense night time economy that has been allowed to develop within the area.

In terms of all three licences, or activities, Sclater Street contains over 25 flats within about 15 metres of the premises, many of which are single aspect flats facing onto Sclater Street. These homes are likely to be disturbed by any late comings-and-goings from the premises, but I believe residents would be extremely disturbed by any gathering of patrons on the pavement outside the premises. Therefore, if the Committee does grant any of the licenses, I urge the Committee to prohibit the applicant from allowing patrons to gather on the pavements outside the premises or consume alcohol or refreshments purchased from the premises on the pavements.

Similarly, the premises contains a rear courtyard next to the cinema. Three single aspect flats within the neighbouring building at 101 Sclater Street, and the bedrooms of three other flats within that building (plus several others on Brick Lane) will be disturbed by patrons who gather in the rear courtyard, as sound will resonate from the courtyard across this largely enclosed 'back of building' space. I would therefore urge the Committee to prohibit the use of the courtyard by patrons and the consumption of alcohol and refreshment therein.

In terms of the applicant's stated measures to address the licensing objective of preventing public nuisance within the application (which is notably thin), if the Committee is allowed to place conditions on the applicant, I request that the Committee prohibits the placing of rubbish or any other waste at any time on the pavement or street at times other than those specified by the Council for collection (and particularly not at night).

I hope the Committee will give serious consideration to these requests.

Jonathan Fitch



Sent from my device

Appendix 7

Mohshin Ali

From: Mohshin Ali on behalf of Licensing
Sent: 10 June 2014 10:18
To: Mohshin Ali
Subject: FW: Licensing Application for 99-97 Sclater Street E1 6HR

Follow Up Flag: Follow up
Flag Status: Flagged

From: Matthew Day [REDACTED]
Sent: 09 June 2014 19:25
To: Licensing
Subject: RE: Licensing Application for 99-97 Sclater Street E1 6HR

Licensing Objection

To Whom It May Concern

RE: Licensing Application for 99-97 Sclater Street E1 6HR

I am a resident of [REDACTED] and I am concerned about the application for licensing on the premises 99-97 Sclater Street and would like to raise my objection to the proposed application. My residence is directly next to the 99-97 Sclater Street and my property faces directly onto Sclater Street, with the living accommodation and bedroom windows at the front of the building. I am concerned that the licensing application will affect my right to reasonably enjoy my property due to the length of operating hours and the associated nuisance that this proposal will bring.

As the licensing application states that the main purpose of the business is the cinema seating 40 patrons, shop and refreshment space I am concerned about the noise that will be generated by customers entering and exiting the building particularly in the early hours of the morning and late at night. Cinema audiences traditionally leave on mass and it is worrying to think about the noise generated by 40 people in the early hours of the morning and late at night so close to my bedroom window when it is safe to presume that I will be trying to sleep. Alcohol has been shown to lower inhibitions and impair peoples abilities to make reasonable judgements, providing a sign to ask patrons to act more responsibly when leaving a premises is a poor deterrent when alcohol is added to this equation.

It is also unclear to me how the waste generated by these premises will be disposed of. Unlike more contemporary buildings I cannot see an adequate bin store or refuse point to store rubbish and I am concerned about the disposal of waste and the environmental impact this will have on Sclater Street. I have had to frequently complain about the refuse and refuse collection on Sclater Street and I worry about the

additional impact that the proposed premises will have on refuse, especially the disposal of food and drink waste, without adequate resources or storage. I am also concerned about traffic and parking, as the license if granted will operate beyond the times of local underground and overground services. Parking can be an issue and increased traffic comes with noise and pollution concerns.

I am also worried about the noise, waste and obstruction of public highways that would be caused by patrons of this type of establishment enjoying refreshments on the street, queuing for tickets and smoking outside of the premises.

The application for licensed premises is within the Tower Hamlets' saturation zone and it is presumed that the licensing of the said premises will further exacerbate the anti-social behaviour and disorder which is plighting our community. Over the past few weeks I have had to remove or clean urine and vomit from the communal doorway of 101 Sclater Street due to the reckless behaviour of revellers, this further compromises my enjoyment of my home and I feel that the proposed licensing of a premises so close to my property will further diminish my rights to reasonably enjoy my home.

I am an artist and lecturer and have lived and worked in this community since 1997, I have seen the dramatic changes that have effected the area in that time and continue to effect the area. I can understand the appeal of a space dedicated to independent film (though it could be argued that we are well served with cinema and film establishments being so close to both the Rich Mix and Aubin Cinema), but I have also seen the change in character brought in by relaxed licensing policies to the area and the impact it has had on the local community; as all of my friends with young families have moved away from the area due to the effect of the nighttime economy. I think that the proposed licensing application is irresponsible to the local community in its hours of operation, especially when one considers that the new Avant Garde development has housed many local families with young children in need on Sclater Street and Bacon Street. By licensing a premises until two in the morning on the weekend and midnight during the week I feel that the licensing committee would be doing a disservice to myself and my neighbours and our reasonable rights to enjoy our homes.

Yours Sincerly

Matthew Day

Appendix 8

Mohshin Ali

From: [REDACTED] on behalf of N. Healy | healycornelius
[REDACTED]
Sent: 14 May 2014 15:42
To: Mohshin Ali
Subject: New Premises Licence Application: Close-Up Film Centre Limited, 97 – 99, Sclater Street : Amendment to conditions following EHO input

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Moshin,

Our client has agreed to the incorporation of the following conditions requested by Alkesh Solanki in Environmental Health.

Please let me know if you require anything further to confirm this amendment.

Kind regards,

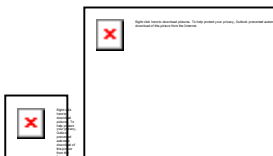
Niall Healy MCIAT
managing director

[REDACTED]
[REDACTED]



healycornelius design consultancy limited
No.5 St. John's Lane London **EC1M 4BH**

[REDACTED] [REDACTED]
[REDACTED]
[REDACTED]



PLEASE NOTE I WILL BE TAKING PART IN THE HOMECOMING LEG OF THE CLIPPER ROUND THE WORLD RACE 13-14 AND WILL BE UNAVAILABLE ON THE FOLLOWING DATES:

3rd JUNE -21st JUNE
28th JUNE - 6th JULY
9th JULY - 14TH JULY

THE RACE FINISHES ON THE 12th JULY AT ST.KATHERINE'S DOCK . . . COME ALONG AND JOIN THE HOMECOMING FESTIVAL

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----- Forwarded message -----

Fro

From: Damien Sanville [REDACTED] >

Date: 14 May 2014 15:19:45 GMT+01:00

To:

Alkesh Solanki <Alkesh.Solanki@towerhamlets.gov.uk>

Subject: Re: MAU: 075805

Dear Alkesh,

I confirm that we do agree with both conditions stated below to form part of our operating schedule:

- **Regulated entertainment shall not be audible inside any affected residential premise so as to cause a nuisance; and**
- **Limit the number of smokers in the courtyard to a maximum of 5 at any one time after 10pm.**

Can you please confirm if this email will suffice or do we need to update our current application too?

Kind regards,

Damien Sanville

On 14 May 2014, at 13:49, Alkesh Solanki wrote:

Please agree to the following condition to form part of your operating schedule:

- **Regulated entertainment shall not be audible inside any affected residential premise so as to cause a nuisance; and**
- **Limit the number of smokers in the courtyard to a maximum of 5 at any one time after 10pm.**

Regards,
Alkesh.

Mr Alkesh Solanki | Pollution Team | Environmental Protection | London Borough of Tower Hamlets | E14 1BY | [020 7364 6518](tel:02073646518)/5007 | alkesh.solanki@towerhamlets.gov.uk

--

Damien Sanville
Director



Appendix 9

Mohshin Ali

From: Andrew Heron on behalf of Licensing
Sent: 08 May 2014 11:03
To: Mohshin Ali; Ian Moseley
Subject: FW: Application relating to Close Up Film Centre
Attachments: Tower_Hamlets_Application_for_a_premises_licence SUBMIT_UPDATED_2014_05_07.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

From: Jenny Sadler [REDACTED]
Sent: 08 May 2014 10:16
To: Licensing
Cc: 'Damien Sanville'; Ian Moseley; N. Healy | healycornelius
Subject: Re: Application relating to Close Up Film Centre

Dear Mohshin & Ian,

I have attached an updated copy of our Premises Licence application. The below indicates the changes that have been made:

Section 18:

e) Protection of children from harm:

~~Staff will be trained in checking customers' ages by only accepting a Passport or Drivers Licence.~~

As part of the 'Challenge 21' scheme, staff will receive training to request photographic identification where they suspect a person to be under the age of 21. Accepted forms of identification will be restricted to Passport, Drivers Licence or PASS card as part of the Proof of Age Standards Scheme.

Do let us know if you require any further information.

Kind Regards,
Jenny

--
Jenny Sadler
Manager

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

On 7 May 2014, at 13:27, Licensing wrote:

I would be grateful if you can send me the actual agreed wordings of the conditions.

Regards

Mohshin Ali - Senior Licensing Officer

✉ London Borough of Tower Hamlets . Licensing . Mulberry Place . 5 Clove Crescent . London E14 2BG
Tel☎: 020 7364 5498 | Fax☎: 020 7364 0863 | Email✉: Mohshin.Ali@towerhamlets.gov.uk

From: Damien Sanville [REDACTED]
Sent: 07 May 2014 11:22
To: Ian Moseley
Cc: Licensing; N. Healy | healycornelius; Jenny Sadler
Subject: Re: Application relating to Close Up Film Centre

Dear Ian,

In addition to implementing the 'Challenge 21' scheme, we will also broaden the range of documents accepted to include other photographic identification accepted under the 'Pass' regime as you suggested.

Is it possible to update our application or does this correspondence suffice?

Looking forward to hearing from you.

Kind regards,

Damien

--
Damien Sanville
Director
CLOSE-UP

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

On 7 May 2014, at 05:45, N. Healy | healycornelius wrote:

Dear Ian,

I can confirm that the applicant will be happy to implement the Challenge 21 scheme to validate age and is happy to have a condition on the license requiring the same.

Please confirm if we need to provide anything further confirm this point.

Kind regards,

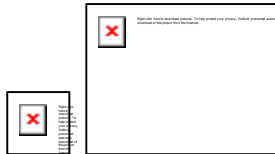
Niall Healy MCIAT
managing director

[REDACTED]



healycornelius design consultancy limited
No.5 St. John's Lane London **EC1M 4BH**

[REDACTED]



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On 2 May 2014 12:06, Ian Moseley <Ian.Moseley@towerhamlets.gov.uk> wrote:

I have received a copy of your application with regard to the above on behalf of the Trading Standards service.

I note that you have addressed the issue of age controls for films, however we would normally recommend using "Challenge 21" with regard to sales of alcohol. Also you may wish to broaden the range of documents accepted to include other photographic identification accepted under the 'Pass' regime.

Appendix 10

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 12.4**).

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 12.5**).

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

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 (1.17).

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.37) 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 (2.39).

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 11

Access and egress problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

Comment

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

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 12.4**).

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 12.5**)

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 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 (1.17).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (2.37) but it is essential that conditions are focused on measures within the direct control of the licence holder” (2.39).

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 (2.37).

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. (2.39)

Appendix 12

Crime and disorder 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 Pool 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 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 and their staff or agents, but can directly impact on the behaviour of customers on, or in 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, CCTV, police liaison, no glasses, capacity limits are all relevant (S.2.7-2.11).

Guidance Issued under Section 182 of the Licensing Act 2003

Conditions can be imposed for large capacity “vertical consumption” premises (10.41).

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 13

Crime and disorder 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.” Other controls need to be borne in mind. **(See Section 4.10 and 4.11 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 Pool of Conditions relating to Crime and Disorder. **(See Appendix 2 Annex D 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 (Annexe 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 and their staff or agents, but can directly impact on the behaviour of customers on, or in 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, CCTV, police liaison, no glasses, capacity limits are all relevant (S.2.7-2.11).

Conditions can be imposed for large capacity “vertical consumption” premises (10.41).

There is also guidance issued around the heading of “public nuisance as follows

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

Licence conditions should not duplicate other legislation (1.17).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (2.37) but it is essential that conditions are focused on measures within the direct control of the licence holder” (2.39). Conditions relating to behaviour once they are beyond the control of the licence holder cannot be justified. (2.37)

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 14

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 15

Licensing Policy relating to hours of trading

All applications have to be considered on their own merits.

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

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

(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

(see 12.9 of the licensing policy)

Appendix 16

Special Cumulative Impact Policy for the Brick Lane Area

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

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

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

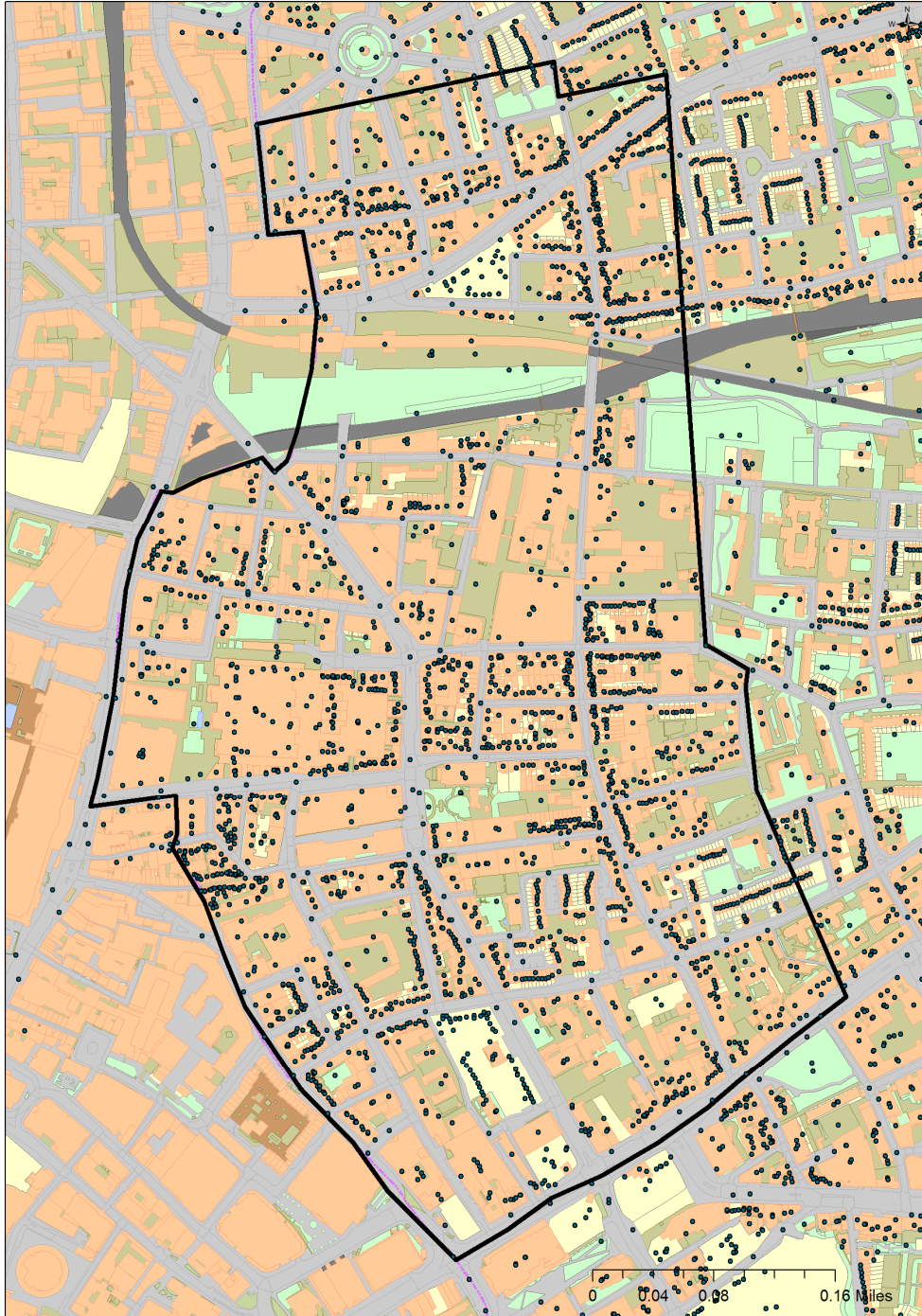
The effect of this Special Cumulative Impact Policy is to create a rebuttable presumption for applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for new Premises Licences, Club Premises Certificates or Provisional Statements and applications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

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

Figure One

The Cumulative Impact Zone in the Brick Lane area

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



Cumulative Impact Zone

