

# 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  This is the unique reference for this application generated by the system.

Your reference  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

\* Family name

\* E-mail

Main telephone number

Other telephone number

Include country code.



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

Are you:

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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

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

\* Registration number

\* Business name

\* VAT number

\* Legal status

If your business is registered, use its registered name.

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

Continued from previous page...

\* Your position in the business

Home country

The country where the headquarters of your business is located.

**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

### Section 4 of 19

#### 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

Adnan Foods Ltd.

#### Details

Registered number (where applicable)

8963008

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

Continued from previous page...

Limited Company

**Address**

Building number or name	<input type="text" value="43"/>
Street	<input type="text" value="Commercial Street"/>
District	<input type="text"/>
City or town	<input type="text" value="London"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="E1 6BD"/>
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"/>

**Section 5 of 19**

**OPERATING SCHEDULE**

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

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

Provide a general description of the premises

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

Restaurant : two floors split level with seating capacity of 140-150 guests. Open 7 days a week.

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

Continued from previous page...

**Section 6 of 19**

**PROVISION OF PLAYS**

Will you be providing plays?

Yes  No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

Yes  No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

Yes  No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

Yes  No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

Yes  No

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

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

Continued from previous page...

THURSDAY

Start 12:00

End 15:00

Start 18:00

End 23:00

FRIDAY

Start 12:00

End 15:00

Start 18:00

End 23:00

SATURDAY

Start 12:00

End 23:00

Start

End

SUNDAY

Start 12:00

End 23:00

Start

End

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

- Indoors       Outdoors       Both

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

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

Recorded soft background music only

State any seasonal variations for playing recorded music

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

Recorded soft background music only

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

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

None

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Continued from previous page...

Yes

No

**Section 13 of 19**

**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

**Section 14 of 19**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes

No

**Section 15 of 19**

**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



Continued from previous page...

SUNDAY

Start 12:00

End 23:00

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.

None

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.

None

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

**Name**

First name Subodh

Family name Darnal

**Enter the contact's address**

Building number or name 43

Street Commercial Street

District

City or town London

County or administrative area

Postcode E1 6BD

Country United Kingdom

Continued from previous page...

Personal Licence number  
(if known)

Issuing licensing authority  
(if known)

### PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

### Section 16 of 19

#### ADULT ENTERTAINMENT

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

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

None

### Section 17 of 19

#### 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

Continued from previous page...

THURSDAY

Start  End   
Start  End

FRIDAY

Start  End   
Start  End

SATURDAY

Start  End   
Start  End

SUNDAY

Start  End   
Start  End

State any seasonal variations

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

None

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.

None

**Section 18 of 19**

**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.

b) The prevention of crime and disorder

controlled consumption of Alcohol in the premises

Continued from previous page...

c) Public safety

controlled consumption of Alcohol in the premises

d) The prevention of public nuisance

Serve alcohol within specified timings and quantity only

e) The protection of children from harm

The staff will be vigilant, trained accordingly to take appropriate action against any such conduct.  
Also, we have a separate glass partitioned dining area for families.

**Section 19 of 19**

**PAYMENT DETAILS**

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

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

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Continued from previous page...

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

315.00

## DECLARATION

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

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

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

\* Full name

Adnan Ayub

\* Capacity

Director

\* Date

06 / 05 / 2014  
dd mm yyyy

Add another signatory

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

1. Save this form to your computer by clicking file/save as...

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

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

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

## OFFICE USE ONLY

Applicant reference number

Bundu Khan 2014

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

**BASEMENT PLAN**  
**BUNDU KHAN RESTAURANT**  
**43 COMMERCIAL STREET, E1 6BD**

**LBTH**  
**TRADING STANDARD**  
**- 4 JUN 2014**  
ISSUES BASED ON TRADING STANDARD PARTITION  
DO NOT SCALE OFF THIS DRAWING  
**LICENSING**

**MAIN STAIRS:** To be made in site dimensions) 1000mm clear width with 18 treads of 220mm and 153 risers. 1000mm clear width with 18 treads of 220mm and 153 risers. 1000mm clear width with 18 treads of 220mm and 153 risers. 1000mm clear width with 18 treads of 220mm and 153 risers.

**BASEMENT FLOOR:** 2000mm concrete slab with 150mm plaster on both sides. 2000mm concrete slab with 150mm plaster on both sides. 2000mm concrete slab with 150mm plaster on both sides. 2000mm concrete slab with 150mm plaster on both sides.

**GROUND FLOOR:** 200 x 200 white concrete tiles fixed using waterproof adhesive and grout. 200 x 200 white concrete tiles fixed using waterproof adhesive and grout. 200 x 200 white concrete tiles fixed using waterproof adhesive and grout. 200 x 200 white concrete tiles fixed using waterproof adhesive and grout.

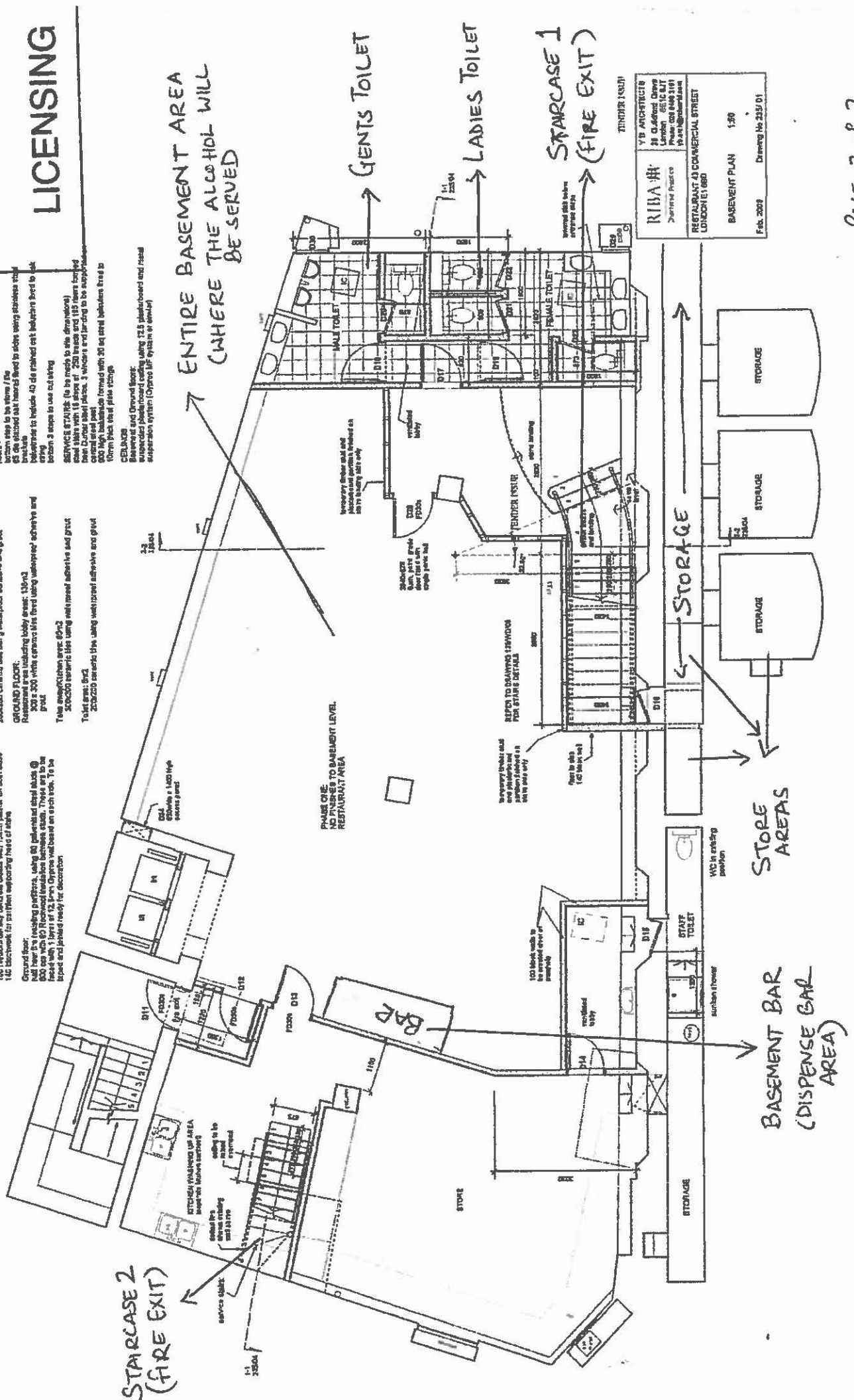
**CELANOX:** Basement and Ground floor: 2000mm plasterboard ceiling using 72.5 plasterboard and metal suspension system (Ciprolo Air system or similar). 2000mm plasterboard ceiling using 72.5 plasterboard and metal suspension system (Ciprolo Air system or similar).

**ENTIRE BASEMENT AREA (WHERE THE ALCOHOL WILL BE SERVED)**

**INTERNAL PARTITIONS:** 150mm concrete blockwork with 150mm plaster on both sides. 150mm concrete blockwork with 150mm plaster on both sides. 150mm concrete blockwork with 150mm plaster on both sides. 150mm concrete blockwork with 150mm plaster on both sides.

**GROUND FLOOR:** Add floor to existing partitions, using 60 perforated steel joists @ 600mm centres. Add floor to existing partitions, using 60 perforated steel joists @ 600mm centres. Add floor to existing partitions, using 60 perforated steel joists @ 600mm centres. Add floor to existing partitions, using 60 perforated steel joists @ 600mm centres.

**PHASE ONE: NO FINISHES TO BASEMENT LEVEL, RESTAURANT AREA**



<b>Y.P. ARCHITECTS</b>	<b>RESTAURANT, 43 COMMERCIAL STREET, LONDON E1 6BD</b>
<b>Y.P. ARCHITECTS</b>	<b>BASEMENT PLAN 1/30</b>
<b>18 Oldfield Court</b>	<b>Feb. 2008 Drawing No 253/01</b>
<b>250 High Street</b>	
<b>London E1 6BD</b>	

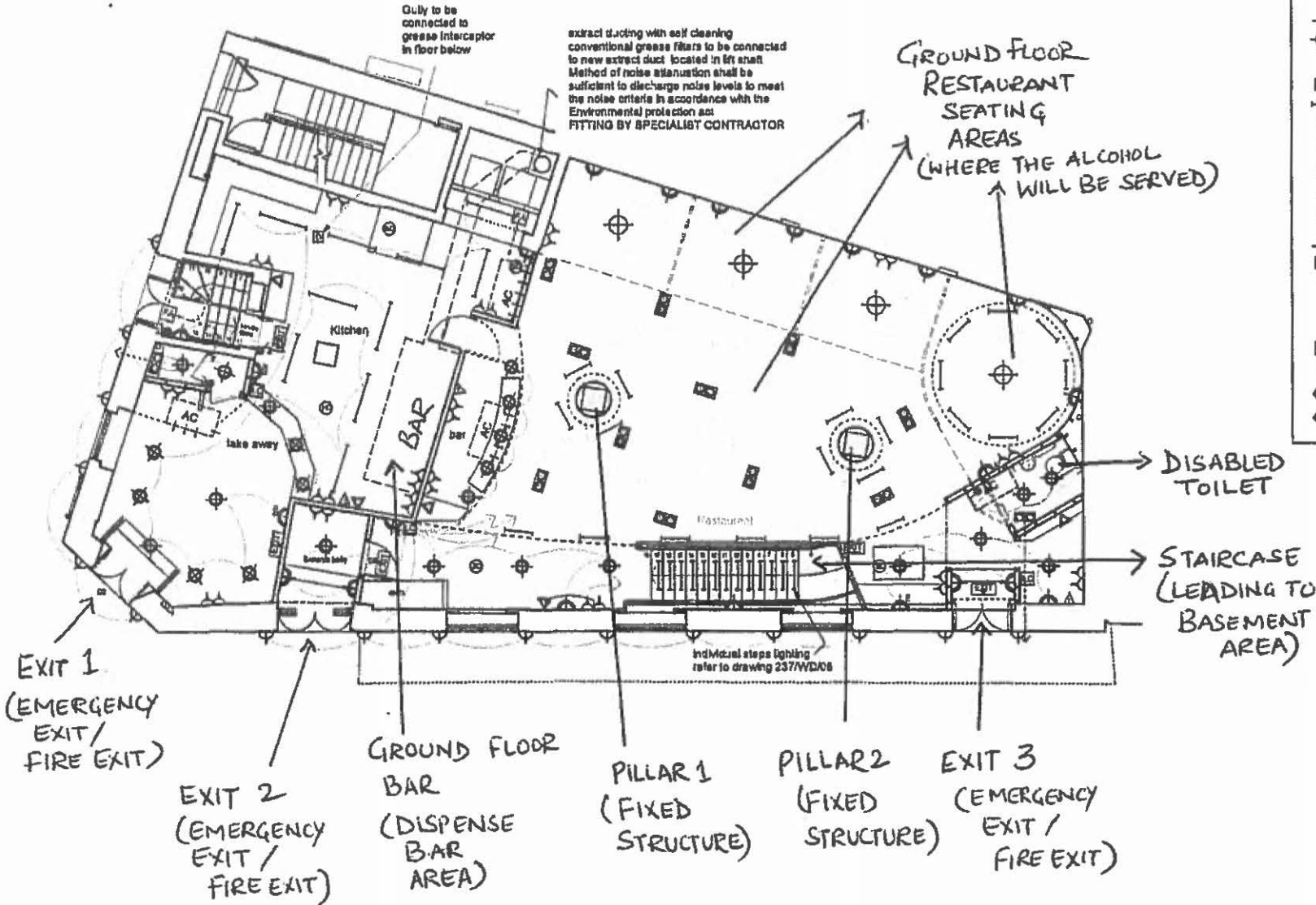
**GROUND FLOOR PLAN**  
**BUNDU KHAN RESTAURANT**  
 43 COMMERCIAL STREET, E1 6BD

Gully to be connected to grease interceptor in floor below

extract ducting with self cleaning conventional grease filters to be connected to new extract duct located in lift shaft. Method of noise attenuation shall be sufficient to discharge noise levels to meet the noise criteria in accordance with the Environmental protection act. FITTING BY SPECIALIST CONTRACTOR

**GROUND FLOOR RESTAURANT SEATING AREAS**  
 (WHERE THE ALCOHOL WILL BE SERVED)

KEY	
final position of fittings to be agreed on site	
specification of fittings to be confirmed	
	double switched socket outlet
	ceiling recessed LV downlight
	wall mounted light (compact fluorescent fitting)
	pendant light (compact fluorescent fitting)
	external wall mounted or wall recessed light
	directional ceiling recessed lights
	fluorescent batten
	mains wired smoke detector
	mains wired heat detector
	telephone point
	Cat 6 data outlet
	lighting controls
	emergency wall mounted light fitting
	exit sign
	one way light switch
	two way light switch
	Air Conditioning unit
	fresh air supply
	Extract fan - 15l/s min.
	vent / air intake



**LBTH**  
**TRADING STANDARDS**  
 - 4 JUN 2014  
**LICENSING**

TENDER ISSUE

<b>RIBA</b>	YB ARCHITECTS 38 Guildford Grove London SE10 8JT Phone: 020 8468 3181 yb.arch@ntlworld.com
RESTAURANT 43 COMMERCIAL STREET LONDON E1 6BD	
GROUND FLOOR ELECTRICAL AND MECHANICAL LAYOUT 1:100	
Dec. 2007	Drawing No 235/ME/02

# Appendix 2



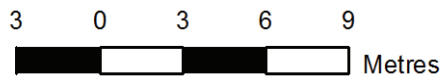


# 43 Commercial Street

## Map 1



Scale 1:334



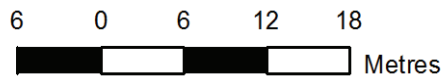


# 43 Commercial Street

## Map 2



Scale 1:668



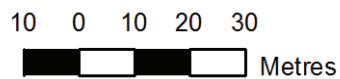


# 43 Commercial Street

## Map 3



Scale 1:1669



# Appendix 3

### Section 182 Advice by the Home Office

Updated October 2012

#### Relevant, vexatious and frivolous representations

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

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

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

# Appendix 4

Ruksana Khanum

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



28<sup>th</sup> June 2014

Your ref: TSS/LIC/076385

Dear Sir/Madam,

**Re: Licensing Act 2003 and Bundu Khan 43 Commercial Street E1, New premise**

We are writing this letter on behalf of all residences in [REDACTED]. We are opposing the application to sell alcohol, late night refreshments or regulated entertainment license, which recently has been submitted by Bandu Khan.

We reside opposite the restaurant, which currently operates between the hours of 12.00pm- 11.00pm. We have serious concerns if the council were to grant Bundu Khan the permission to sell alcohol, late night refreshments or regulated entertainment license, as this will have a direct impact in our daily lives of many residents living in Ladbrook Court and its vicinity.

Please find more detailed analysis about the objection below.

**1) The prevention of crime and disorder:**

Over the years, Brick Lane and its surrounding area has developed into one of London's major nighttime economies. Brick Lane attracts not only Londoners to the area but many tourists, especially the young who have read about the vibrant nightlife in and around Brick lane.

As you are already aware that Commercial St, Brick Lane and its vicinity have the highest concentration of licensed premises in Tower Hamlets. This



continued development and increased number of restaurants, late night takeaways, off licenses and bars, have now placed a considerable strain on police resources and also that of other responsible authorities.

This leads to alcohol related violence, public disorder and anti-social behavior. Some of which may be considered "low level" ASB but actions such as urinating in the street or groups of people playing drums, screaming, drunken behavior into the early hours of the morning has a debilitating effect on us and our livelihoods.

According to a recent study conducted by Tower Hamlets Council, which looked at the particular types of crime within the area for the calendar years 2007, 2008, 2009, 2010 and 2011 found that six types of crimes had increased in the area during this five-year period. The crime types looked at were:

1. Total Notifiable Offences (all offences)
2. Criminal Damage
3. Drug Offences
4. Robbery
5. Sexual Offences
6. Violence Against the Person

A new refurbished pub/bar called Clupeper with late night openings that has alcohol-selling licensee has recently opened opposite our flats. This has already caused some unrecorded disturbance within the vicinity and we are facing these issues on a regular basis if not every night. It continuously leads to people sitting in surrounding streets disturbing the residents whether by continuing their partying, screaming or committing disorder. If the permission is granted to Bundu Khan, this will have a direct impact within many families, not just in Ladbrook Court but also blocks of flats in and around Commercial Street and Wentworth Street.

There are already over 207 Licensed Premises within this small area. This small vicinity alone is responsible for around 8% of all crime within Tower Hamlets. According to the official figures there has been a steady increase in Notifiable offences, criminal damage and drug offences within the area. More importantly this area is responsible for the highest level of complaints about street drinking in Tower Hamlets. Brick Lane has the highest rates of ASB in the Borough and there is a steady increase in ambulance callouts in the Brick Lane Area.

## **2) The prevention of public nuisance:**

Permitting license to Bundu Khan will instigate more noise nuisance, pollution, noxious smells and litter that come with any alcohol related premises. As the council is aware of the fact that there are only few parking facilities available, some residence permit in its surrounding area and few in red route after restricted hours. It would certainly be even more congested and we will face a grater parking problem.

### 3) The protection of children from harm:

As a result of alcohol and late night entertainments premises in our vicinity, we continue to face some unprecedented problems as a community in Tower Hamlets, especially in Commercial Street and Brick Lane area.

There are many families with young children and teenagers living in the block, who will have to face reality of late night entertainments and drunken abuses on their door step. In addition it is likely that they will suffer from psychological, moral and may-be physical harm. Children will have an early exposure to strong language, sexual expletives, adult entertainment, drinking alcohol, drug-taking, gambling and violence.

The increasing levels of crime, disorder, and alcohol related harm will mean the need to deploy increasing levels of resources by the Police, Local Authority and other partners. We would be grateful if you could consider the above points when making your decision, and take into account the impact it will have on local people's lives.

Please find the petition attached, should you need any further details please do not hesitate to contact us on the above address.

Thank you

Yours faithfully

Ruksana Khanum

A black rectangular redaction box covering the signature of Ruksana Khanum.

Tenants' of 

Flat No	Print Name	Date
	Kristian Bogdanov	29.06.2014
	Khaleda Begeem	29.06.2014
	<del>S. Begum</del> SAJIA BEGUM	29-6-14
	HOLY KHANOM	29/6/14
	Tahmin Hussain	29/6/14
	MR FORZAN LATIF	29/6/2014
	Amwars Hussain	29/6/14
	A. Rahman	29-6-14

	RUKSANA KHANUM	29/6/14
	NAZRUL ISLAM	29/6/14.
	HUSNAYA KHATUN	29/6/14
	ELVIRA UKAJ	29/06/14

# Appendix 5

## Appendix 5

### 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 6



### Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

#### Comment

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

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

#### General Advice

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

The hours of operation also need to be considered.

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

#### Licensing Policy

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

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

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

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

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

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

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

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

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

Licence conditions should not duplicate other legislation (1.19).

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

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

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

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