

Appendix 1



FOR OFFICE USE			
Receipt No:	FEE REQUIRED:	Date:	Initials:
On-Line Payment Ref:			

This form should be completed and forwarded to: Licensing Section, Mulberry Place, 5 Clove Crescent, London E14 2BG with a cheque for the correct fee, made payable to the London Borough of Tower Hamlets.

On-Line payments can be made at:

http://www.towerhamlets.gov.uk/content_pages/pay_it.aspx

Or alternatively from <http://www.towerhamlets.gov.uk/> under 'Online Services'

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

We *(Insert name(s) of applicant)* Second Home Limited

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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.

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Ground Floor 68-80 Hanbury Street	
Post town London	Post code E1 5JL

Telephone number at premises (if any)

Non-domestic rateable value of premises

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

- Please tick as appropriate
- a) an individual or individuals* Please complete section (A)
- b) a person other than an individual *
- i. as a limited company please complete section (B)
- ii. as a partnership please complete section (B)
- iii. as an unincorporated association or please complete section (B)
- iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) an individual who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

*If you are applying as a person described in (a) or (b) please confirm:

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

B) OTHER APPLICANTS

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

Name SECOND HOME LIMITED
Address 18 BAYSTON ROAD LONDON UNITED KINGDOM N16 7LT
Registered number (where applicable) 08738897
Description of applicant (for example partnership, company, unincorporated association etc) COMPANY
Telephone number, if any
E-mail (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year			
0	1	1	0	2	0	1	4

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year			

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

N/A

Please give a general description of the premises (please read guidance note1)

The proposed license is for the ground floor of 68-80 Hanbury St, London E1 5JL. The premises is a refurbished carpet warehouse, over 22,000sq ft. Situated between Liverpool St, Aldgate East and Whitechapel tube stations as well as numerous bus routes it is well served by public transport.

Second Home is a club for entrepreneurs - a physical social network and the world's first members club for entrepreneurs, enabling small business owners to mingle, meet new people, and attend regular talks and cultural / education events.

The license will apply to the bar and auditorium area of the premises which will serve as an in house 'canteen' and refreshment and entertainment area for the entrepreneurs and businesses based in the building.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	Yes
Day	Start	Finish		Outdoors	No
				Both	
Mon	08:00	23:00	Please give further details here (please red guidance note 3) Performance of plays/shows and other similar performances. State any seasonal variations for performing plays (please read guidance note 4) N/A Non standard timings. Where you intend to use the premises for performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5) N/A		
Tue	08:00	23:00			
Wed	08:00	23:00			
Thur	08:00	23:00			
Fri	08:00	23:00			
Sat	09:00	23:00			
Sun	09:00	22:00			

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of a film take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	Yes
Day	Start	Finish		Outdoors	No
				Both	
Mon	08:00	23:00	Please give further details here (please red guidance note 3) Broadcasting of film via screen or projector. State any seasonal variations for exhibition of films (please read guidance note 4) N/A Non standard timings. Where you intend to use the premises for exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5) N/A		
Tue	08:00	23:00			
Wed	08:00	23:00			
Thur	08:00	23:00			
Fri	08:00	23:00			
Sat	09:00	23:00			
Sun	09:00	22:00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details here</u> (please read guidance note 3)
Day	Start	Finish	
Mon	08:00	23:00	Ad hoc indoor sporting events.
Tue	08:00	23:00	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed	08:00	23:00	N/A
Thur	08:00	23:00	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri	08:00	23:00	N/A
Sat	09:00	23:00	
Sun	09:00	22:00	

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			<u>Will the Boxing or wrestling entertainment take place indoors or outdoors or both - please tick</u> (please read guidance note 2)	Indoors	N/A
Day	Start	Finish		Outdoors	N/A
Mon	N/A	N/A	<u>Please give further details here</u> (please read guidance note 3)	Both	N/A
				N/A	
Tue	N/A	N/A			
Wed	N/A	N/A	<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
				N/A	
Thur	N/A	N/A			
Fri	N/A	N/A	<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
				N/A	
Sat	N/A	N/A			
Sun	N/A	N/A			

E

Live music Standard days and timings (please read	<u>Will the performance of live music take place indoors or outdoors or both - please tick [Y]</u>	Indoors	Yes

guidance note 6)			(please read guidance note 2)	Outdoors	No
Day	Start	Finish		Both	
Mon	08:00	23:00	Please give further details here (please read guidance note 2) Amplified and non-amplified bands, DJs and other musicians. Sound to be played no louder than 70 decibels.		
Tue	08:00	23:00			
Wed	08:00	23:00	State any seasonal variations for the performance of live music (please read guidance note 4) N/A		
Thur	08:00	23:00			
Fri	08:00	23:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) N/A		
Sat	09:00	23:00			
Sun	09:00	22:00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y]	Indoors	Yes
Day	Start	Finish	(please read guidance note 2)	Outdoors	No
				Both	
Mon	08:00	23:00	Please give further details here (please read guidance note 3) Music to be played whilst other regulated entertainment is taking place and generally as and when required. Sound to be played no louder than 70 decibels.		
Tue	08:00	23:00			
Wed	08:00	23:00	State any seasonal variations for playing recorded music (please read guidance note 4) N/A		
Thur	08:00	23:00			
Fri	08:00	23:00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) N/A		
Sat	09:00	23:00			
Sun	09:00	22:00			

G

Performances of dance Standard days and timings (please read guidance note 6)		Will the performance of dance take place indoors or outdoors or both – please tick [Y]	Indoors	Yes
		(please read guidance note 2)	Outdoors	No

Day	Start	Finish	Both
Mon	08:00	23:00	<u>Please give further details here</u> (please read guidance note 3)
Tue	08:00	23:00	
Wed	08:00	23:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)
Thur	08:00	23:00	
Fri	08:00	23:00	<u>Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5) 5)
Sat	09:00	23:00	
Sun	09:00	22:00	N/A

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>
Day	Start	Finish	N/A
Mon	N/A	N/A	<u>Please give further details here</u> (please read guidance note 3)
Tue	N/A	N/A	
Wed	N/A	N/A	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)
Thur	N/A	N/A	
Fri	N/A	N/A	<u>Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Sat	N/A	N/A	
Sun	N/A	N/A	N/A

I

<u>Late night refreshment</u> Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y]</u> (please read guidance note 2)	Indoors	Yes
				Outdoors	No
Day	Start	Finish		Both	
Mon	08:00	23:00	<u>Please give further details here</u> (please read guidance note 2) Hot and cold food, drinks and snacks to be served throughout the day.		
Tue	08:00	23:00			
Wed	08:00	23:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) N/A		
Thur	08:00	23:00			
Fri	08:00	23:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list</u> (please read guidance note 5) N/A		
Sat	09:00	23:00			
Sun	09:00	22:00			

J

<u>Supply of alcohol</u> Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption – please tick [Y]</u> (please read guidance note 7)	On the premises	Yes
				Off the premises	No
Day	Start	Finish		Both	
Mon	08:00	23:00	<u>Please give further details here</u> (please read guidance note 7) Supply of alcohol likely to be in the afternoon/evening, however potentially at breakfast events.		
Tue	08:00	23:00			
Wed	08:00	23:00	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) N/A		
Thur	08:00	23:00			
Fri	08:00	23:00	<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5) N/A		
Sat	09:00	23:00			
Sun	09:00	22:00			

L

Hours premises are open to the public Standard timings (please read guidance note 6)			<u>State any seasonal variation</u> (please read guidance note 4)	
Day	Start	Finish	N/A	
Mon	N/A	N/A		
Tue	N/A	N/A		
Wed	N/A	N/A		
Thur	N/A	N/A		<u>Non standard timings. Where you intend to the premises to be open at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri	N/A	N/A		
Sat	N/A	N/A		
Sun	N/A	N/A		
			N/A	

M

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

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

The DPS fully understands his roles and responsibilities concerning the four licensing objectives obtained with the 2003 licensing act, a comprehensive breakdown of these objectives and how to ensure that they are met are detailed below. The DPS attended the NCPLH level 2 training programme and his application for a personal licence was issued by London Borough of Hackney. The DPS will take full responsibility of ensuring all staff are trained and have full knowledge of all licensing issues concerning them under the 2003 licensing act including

Key to promoting the four licensing objectives will be to implement and maintain a strict members only policy for the premises. Through this members only policy we will have previously vetted anyone attending the premises prior to granting them access and thus all customers will be known and trusted. Membership will initially be made up of the existing users of the workspace space and neighbouring companies such as D&AD, Wieden & Kennady and LBi. Once the first round of members have been introduced to the space they will be invited to invite known persons and acquaintances.

b) The prevention of crime and disorder

We will take the following steps to prevent crime and disorder;

CCTV and Communication

- The installation of CCTV inside and outside the premises and ensure that it is maintained in working order
- We will set Video/CCTV equipment to record from the time that the premises open to the public until the premises close and all members have left.
- We will ensure that monitoring tapes are retained for at least twenty-eight days and are produced to an authorised officer on demand

Stewards

- We will use or employ stewards at times when we anticipate greater use of the premises (initially Thursday and Friday evening) and consider them necessary to:
 - Prevent the admission to the premises of drunk and disorderly persons, without causing further disorder;
 - Keep out non-members
 - Maintain an orderly queue outside the venue
- We will ensure that any Door Supervisors used are registered by the Security Industry Authority

Bottles and Glasses

- Where glass bottles are used, they will be retained or disposed of on the premises
- No drinks or glasses allowed to be taken off the premises
- No customers will be admitted, or permitted to leave when carrying open or sealed bottles or glasses

We will also adopt the following:

- a drug policy, to be agreed with the police crime reduction officer
- Stewards as appropriate (initially anticipated to be needed on Thursday, Friday and Saturday nights).
- Music and drinks wind down policy. Rather than be pushed out on to the street to compete for

the few taxis operating late at night, customers can book a taxi through the club, wait in comfort, warmth and safety and purchase snacks and coffee while they wait. The drinks wind down policy is accommodated by the half an hour "chill-out" time. This "chill-out" half an hour allows customers to disperse over a longer time period and reduce the risks of flashpoints in the Brick Lane area. In an effort to reduce noise as people leave the premises we will stock lollipops to be given out free to people leaving late at night

Food to be consumed with alcohol

- In order to further the reduction of crime and disorder the premises will ensure that substantial food will be available at all times alcohol is sold

c) Public safety

The public safety objective is concerned with the physical safety of people using the premises. To this end the below actions are outlined in order to demonstrate that sufficient measures have been identified and will be implemented and maintained to ensure public safety. It is not concerned with public health, which is adequately dealt with in other legislation.

A fire strategy risk assessment has been undertaken.

d) The prevention of public nuisance

Noise control

At the noise source we will:

- Play sound amplification systems no louder than 70 decibels.
- Operate at realistic times, which will not impact on others.
- Use different finishing times for different parts of our operation - e.g. finish entertainment earlier than alcohol or food sales.
- Play relaxing or calming music towards the end of an event and allow customers' hearing to adjust before they leave the premises which will mean they are more likely to be quieter as they leave
- Use signs requesting customers and staff to be quiet when leaving the premises.
- Encourage customers to use a designated taxi firm as directed by staff and to ensure that taxi drivers do not use the vehicle horn to attract attention.
- Arrange for deliveries to be made at reasonable times.

e) The protection of children from harm

The premises shall operate an agecheck 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age.

All staff involved in the sale of alcohol shall be trained in the agecheck 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the Council's authorised officers or the Police.

Agecheck or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale.

A register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on request by the Council's authorised officers or the Police.

Part 4 – Signatures (please read guidance note 10)

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

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

Signature

[Redacted Signature]

Date

31 July 2014

Capacity

Solicitor

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12) **If signing on behalf of the applicant please state in what capacity.**

Signature

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Royds LLP
65 Carter Lane

Ref: SBW/MXA/SEC.11-2

Post town
London

Post code
EC4V 5HF

Telephone number (if any)

[Redacted Telephone Number]

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

[Redacted E-mail Address]

Appendix 2

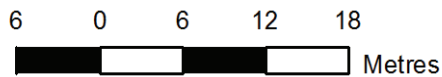


Ground Floor, 68-80 Hanbury St.

Map 1



Scale 1:668



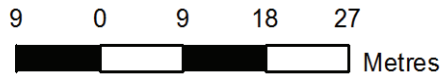


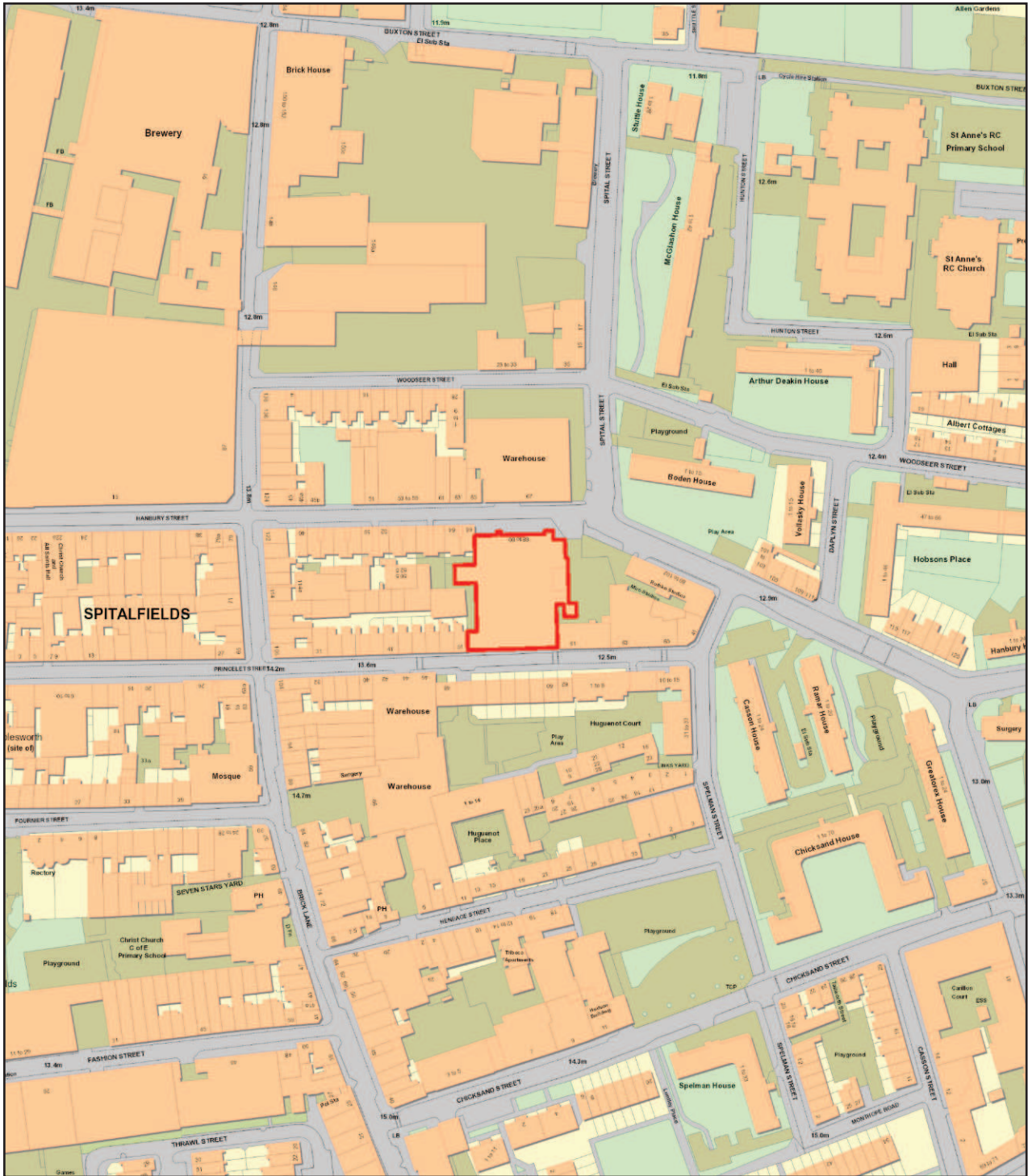
Ground Floor, 68-80 Hanbury St.

Map 2



Scale 1:1001





Ground Floor, 68-80 Hanbury St.

Map 3



Scale 1:2337

20 0 20 40 60



Metres



Appendix 3

Andrew Heron

From: Andrew Heron on behalf of Licensing
Sent: 31 July 2014 11:05
To: Andrew Heron
Subject: FW: Premises Licence Application. "Ground Floor", 68-80 Hanbury Street, London. MAU: 077241

From: Alkesh Solanki
Sent: 31 July 2014 10:55
To: Licensing
Cc: [REDACTED]
Subject: Premises Licence Application. "Ground Floor", 68-80 Hanbury Street, London. MAU: 077241

Dear Licensing,
Please note the agreement of condition below by the applicant.

Regards,
Alkesh.

From: [REDACTED] **On Behalf Of** Sam Aldenton
Sent: 31 July 2014 10:45
To: Alkesh Solanki
Cc: [REDACTED]
Subject: Re: Premises Licence Application

Hi Alkesh,

We are happy to agree to this condition and would expect no more than five smokers would be outside the premises at any one time.

On the licensable activities we had planned to go until 12pm but planning had put a condition that we stop licensable activities at 11pm.

Hope that all helps and do let me know if there's anything else you need from me.

Thanks again and speak soon.

Sam

On Thu, Jul 31, 2014 at 10:23 AM, Alkesh Solanki [REDACTED] wrote:
Dear Sam,

I would like you to add the following to your operating schedule that will be part of your noise management plan:

- **As relevant, *regulated entertainment* shall not be audible at the façade of any residential or commercial property and/or within any residential or commercial property so as to cause a nuisance.**

I would like your clarification on the matter of smokers. Where exactly will they be smoking and what limits (of numbers) are you planning to impose.

For your information, you have applied for late night refreshment which is not relevant to your application as you are not carry out licensable activities after 11pm. Please refer to the guidance notes in the application fro further information.

Regards,

Alkesh.

Mr Alkesh Solanki | Pollution Team | Environmental Protection | London Borough of Tower Hamlets | E14 IBY | [REDACTED]

--
Sam Aldenton
[REDACTED]

Appendix 4

Andrew Heron

From: Sam Aldenton [REDACTED]
Sent: 02 September 2014 21:53
To: Andrew Heron
Cc: [REDACTED]
[REDACTED]
[REDACTED]
Subject: Re: Alcohol Licence Application by "Second Home Limited" re 68-80 Hanbury Street, Spitalfields, E1
Follow Up Flag: Follow up
Flag Status: Completed

Dear All,

I can confirm that the conditions as set out by Jon have been agreed.

Sam

On 2 September 2014 18:11, Andrew Heron [REDACTED] wrote:

Dear Mr Shapiro,

Thank you for your email, the contents of which are noted.

I cannot accept that the application has been amended until I have received written confirmation reiterating the conditions below from the applicant or the applicant's agent at Royds LLP.

Please note however, that the Met Police have also made representation which still stands; the application will go before the LBTH Licensing Sub Committee.

Regards,

Andrew Heron

Licensing Officer

Licensing Section

London Borough of Tower Hamlets

Mulberry Place (TC)

6th Floor Mulberry Place

5 Clove Crescent

London, E14 2BG

Tel: 020 7364 2665

Fax: 020 7364 6935

www.towerhamlets.gov.uk

From: Jon Shapiro [mailto: [REDACTED]]

Sent: 02 September 2014 18:03

To: Licensing; John Mccrohan

Cc: [REDACTED]

Subject: RE: Alcohol Licence Application by "Second Home Limited" re 68-80 Hanbury Street, Spitalfields, E1

Importance: High

Dear John and LBTH Licensing Department,

As you know, on 28th August on behalf of SPIRE I objected to the above Licensing Application, but explained that we had hoped to meet with the Applicant, Sam Aldenton, to agree a set of conditions acceptable both to Sam and to SPIRE.

I am delighted to say that subsequent to 28th August we have now reached such an agreement, and both Conor McLernon and myself (on behalf of SPIRE) would be happy to withdraw our letters of objection subject to the inclusion in any Licence granted to the following conditions that have been agreed with Sam Aldenton:

- 1) No noise emanating from events in the building will be audible at the facades of neighbouring residents.**

- 2) No drinking (by occupants or visitors to the building) will be allowed outside the building.**

- 3) There will be no more than a maximum of five people (occupants or visitors to the building) waiting outside the building whether smoking, awaiting transport or for any other purpose.**

- 4) There will be no more than 150 (occupants or visitors to the building) in total attending any event (or events) held within the building.**

- 5) The building management will designate a “preferred taxi supplier” to be used to collect occupants and visitors needing a taxi service on leaving the building. This preferred taxi supplier will be contracted to provide a service that avoids all unnecessary noise (eg: no hooting, no running engines whilst waiting, no slamming doors, et al).**

- 6) For any event (or events) held within the building attended by more that 60 occupants and visitors, the building management will employ a “steward” specifically to manage the egress of people from the building, and to ensure there is no undue noise caused outside the building.**

- 7) The applicant will define on the plans submitted the only two areas of the building within which the licensed activities will be permitted; namely the “bar area” at Ground floor (North) of the building, and the middle “events area” at Ground floor (central) of the building.**

Please could you confirm your acceptance of the above, and both Conor and I will immediately withdraw our previous letters. To ensure you have suitable records for your files, I have asked both Sam and Conor to use “reply all” to confirm their agreement with this email.

Obviously if possible it would save everyone time and effort if a Licence Hearing was not necessary. To that end if you could let me know the names (but obviously not contact details) of any other objectors I would be happy to see if they too were prepared to withdraw their objections.

All best wishes,

Jon Shapiro.

████████████████████

████████████████████

██████████

████████████████████

Appendix 5

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 6

John McCrohan
LBTH Licensing
Toby Club
Vawdrey Close
E1 4AU

HT - Tower Hamlets Borough
HH - Limehouse Police Station
Licensing Office
Limehouse Police Station
27 West India Dock Road &
5 Birchfield Street
E14 8EZ



.uk
www.met.police.uk

Your ref:

Our ref:

21 August 2014

Dear Mr McCrohan

Re: Application for a premises licence
Ground floor: 68-80 Hanbury St, E1 5JL

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

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.

Hanbury 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, restaurants and fast food premises in this immediate area.

One more venue will only compound the problems at this end of the CIZ. It will mean more people staying within the CIZ. The continual build up of licensed premises is the reason why the CIZ was introduced.

Having met with the new DPS, he described this venue, more of a “staff canteen” than a traditional licensed premises. The venue will not be open to members of the public.

Other than alcohol, they have applied for licensable activities that have now been deregulated under the Live Music Act 2012. For example I cannot see them having an audience of more than 200. If they are anticipating more people, then I would ask the committee to refuse these.

Late Night Refreshments: not required for these hours.

Can the applicant 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 the applicant cannot satisfy the committee I would ask they refuse this application.

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

If the licence is to be granted I would ask the committee to consider the following conditions:

1. CCTV

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.

2. No drinks to be taken outside.

3. Use of incident / refusal book

4. SIA staff: to be employed "when we anticipate greater use of the premises"

5. If there is to be a promoted event with DJs then a F696 must be submitted within the relevant time period.

Alan Cruickshank PC 189HT

Appendix 7

Appendix 7

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.

The following map shows the outline of the LBTH CIZ.

Cumulative Impact Zone

