

Appendix 1

077222



LICENSING ACT 2003

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 1BY 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.

Shoreditch Grill Limited T/A
Maison Trois Garcons

I/We (Insert name(s) of applicant) _____

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	
Maison Trois Garcons 45 Redchurch Street. London	
Post town	Post code
London	E2 7DJ



Telephone number at premises (if any)

None

Non-domestic rateable value of premises

£ 9300-00

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname	First names
<input type="text"/>	<input type="text"/>

I am 18 years old or over

Please tick yes

Current postal address if different from premises address	<input type="text"/>
--	----------------------

Post Town	<input type="text"/>	Postcode	<input type="text"/>
------------------	----------------------	-----------------	----------------------

Daytime contact telephone number	<input type="text"/>
---	----------------------

E-mail address (optional)	<input type="text"/>
----------------------------------	----------------------

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname	First names
<input type="text"/>	<input type="text"/>

I am 18 years old or over

Please tick yes

Current postal address if different from premises address	<input type="text"/>
--	----------------------

Post Town	<input type="text"/>	Postcode	<input type="text"/>
------------------	----------------------	-----------------	----------------------

Daytime contact telephone number	<input type="text"/>
---	----------------------

E-mail address (optional)	<input type="text"/>
----------------------------------	----------------------

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	Shoreditch Grill Limited
Address	1 Club Row. London E1 6JX.
Registered number (where applicable)	08003115
Description of applicant (for example partnership, company, unincorporated association etc)	Limited Company
Telephone number, if any	
E-mail (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
2	0	0
8	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.

--

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

This is a cafe/delicastessen providing a range of coffees, teas and other hot drinks along with light meals and pastries together with a limited range of bottled beers, wines, spirits and minerals.

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

Provision of late night refreshment (if ticking yes, fill in box 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		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for performing plays (please read guidance note 4)		
Thur						
Fri				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)		
Sat						
Sun						

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		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for exhibition of films (please read guidance note 4)		
Thur						
Fri				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)		
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<p><u>Please give further details here</u> (please read guidance note 3)</p> <p><u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)</p> <p><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)</p>
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			<p><u>Will the Boxing or wrestling entertainment take place indoors or outdoors or both - please tick</u> (please read guidance note 2)</p>	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<p><u>Please give further details here</u> (please read guidance note 3)</p> <p><u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)</p> <p><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)</p>		
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			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)		
Sat					
Sun					

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] (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur					
Fri			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)		
Sat					
Sun					

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] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur						
Fri						
Sat				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 (please read guidance note 5) 5)		
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish		
Mon			Please give further details here (please read guidance note 3)	
Tue				
Wed				State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Thur				
Fri				
Sat				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 (please read guidance note 5)
Sun				

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

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick [Y] (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>	
Day	Start	Finish		Off the premises		
Mon	10.00	22.00	Please give further details here (please read guidance)	Both		
Tue	10.00	22.00				
Wed	10.00	22.00		State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Thur	10.00	22.00			New Years Eve from close of business (31/12) to opening hour (01/01) the next day	
Fri	10.00	22.00		Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	10.00	22.00				
Sun	10.00	22.00				

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

Name

Michel Lasserre

Address



Personal Licence number(if known)



Issuing licensing authority (if known)



K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

NONE

L

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	07.00	22.30	New Years Eve from close of business (31/12) to opening hour (01/01) the next day,
Tue	07.00	22.30	
Wed	07.00	22.30	
Thur	07.00	22.30	
Fri	07.00	22.30	
Sat	07.00	22.30	
Sun	07.00	22.30	

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)

Alcohol will be sold only from 10.00 am daily.

We will serve hot and cold food and drinks (non alcoholic) from 07.00 am daily for consumption on and off the premises.

Staff are fully trained in the retailing of our quality product offers.

We do not tolerate drunkenness or the use or supply of drugs.

We have considered and will use every endeavour to comply with the Licensing Authority current policy on the management of licensed premises in Shoreditch.

CCTV now installed.

b) The prevention of crime and disorder

CCTV now installed.

We do not tolerate drunkenness or the use or supply of drugs.

We have considered and will use every endeavour to comply with the Licensing Authority current policy on the management of licensed premises in Shoreditch.

c) Public safety

CCTV now installed.

Staff are trained in the matter of fire marshalling, first aid and responsible retailing.

We have a fully operational and serviced fire prevention and fighting system installed – with a fire risk assessment retained on site.

d) The prevention of public nuisance

CCTV now installed

Notices will be displayed at doorways requesting Patrons to exit the premises in a quiet and orderly fashion thus respecting the residential nature of the neighbourhood.

e) The protection of children from harm

Children will be permitted to purchase only non alcoholic beverages together with hot and cold food.

A Challenge 25 Scheme will be implemented.

You have completed part 3 of this form. Below is a checklist for your assistance.

CHECKLIST:

Please tick to indicate agreement

- I have made or enclosed payment of the fee
Insert On-Line Payment reference here if applicable :
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan (showing the area to be licensed) to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be Premises Supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

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

Kingsley Hoddinott

Date

22nd July 2014.

Capacity

Authorised Agents for the Applicant

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)

Kingsley Hoddinott of
James-Motion.
Suite 1. Essex House.
Station Road.
Upminster.
Essex

Post town

Upminster

Post code

RM14 2SJ

Telephone number (if any)

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

Appendix 2

Mohshin Ali

From: Chris Marcantel <[REDACTED]>
Sent: 19 August 2014 11:56
To: Mohshin Ali
Cc: alan.d.cruickshank@met.pnn.police.uk
Subject: Maison Trois Garcons

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr. Ali.

I am instructed by my clients to amend our application for a Premises Licence to add a Condition under the Sale of Alcohol. The condition is to read thus:

Alcohol will be sold only to those patrons taking a meal from our menu and as an ancillary to that meal.

We further wish to add the following condition under the provision for extended hours at New Year

Should the Premises Licence holders wish to make use of the extended hours provision at New Year they must give the Metropolitan Police and Local Authority 21 working days written notice thereof.

We believe these two measures will address issues raised by the Metropolitan Police and in part address the CIZ issues raised by them.

Please kindly acknowledge safe receipt of this communication and advise us as soon as possible the potential date and venue of a Committee Panel hearing.

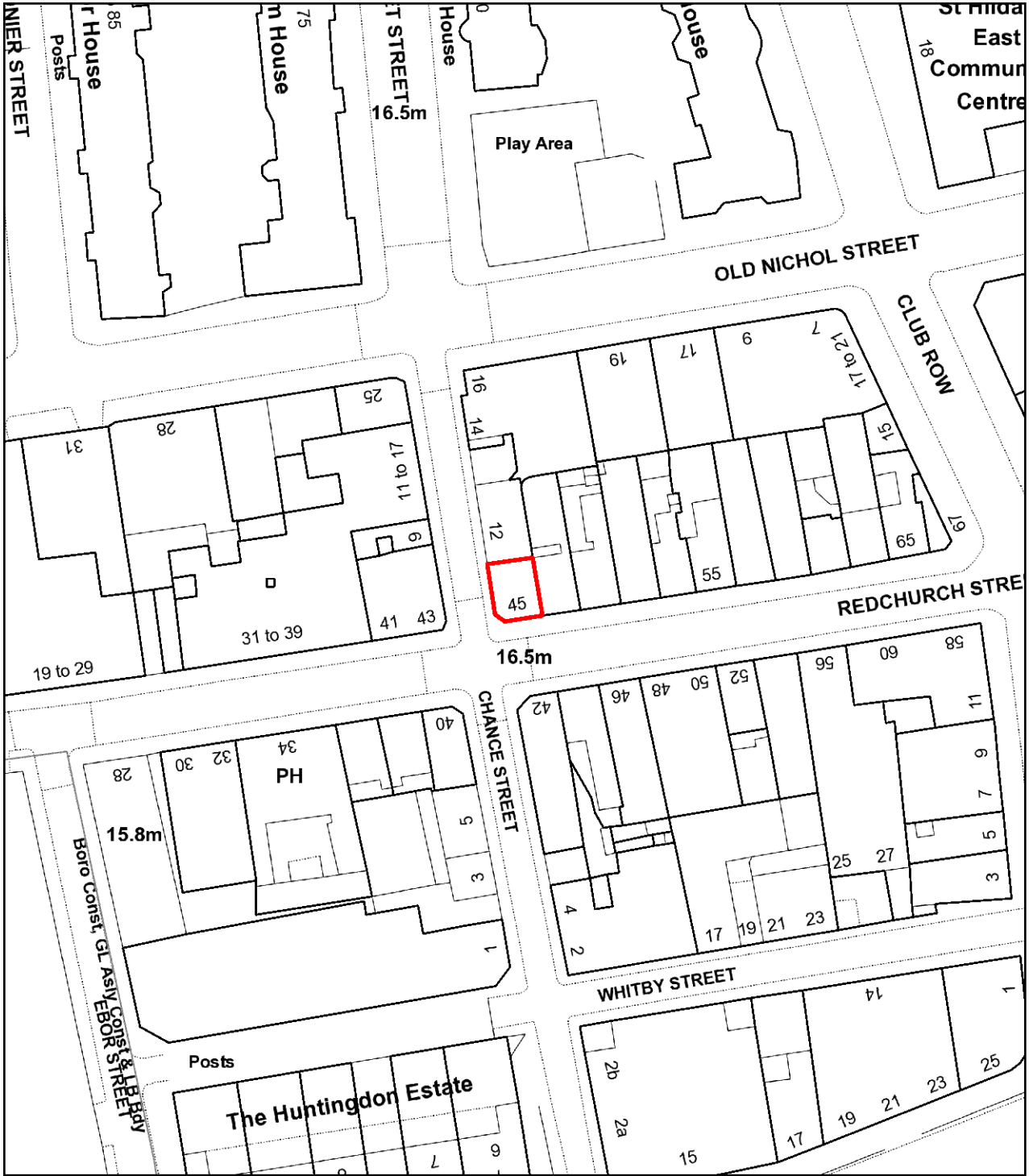
Yours sincerely

Kingsley Hoddinott

James-Motion. Suite 1. Essex House. Station Road. Upminster. Essex RM14 2SJ
Telephone: [REDACTED] **Mobile:** [REDACTED]

P.S. I also acknowledge receipt of your e-mail and representations of today's date.

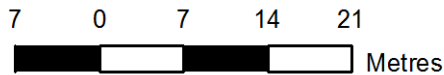
Appendix 3

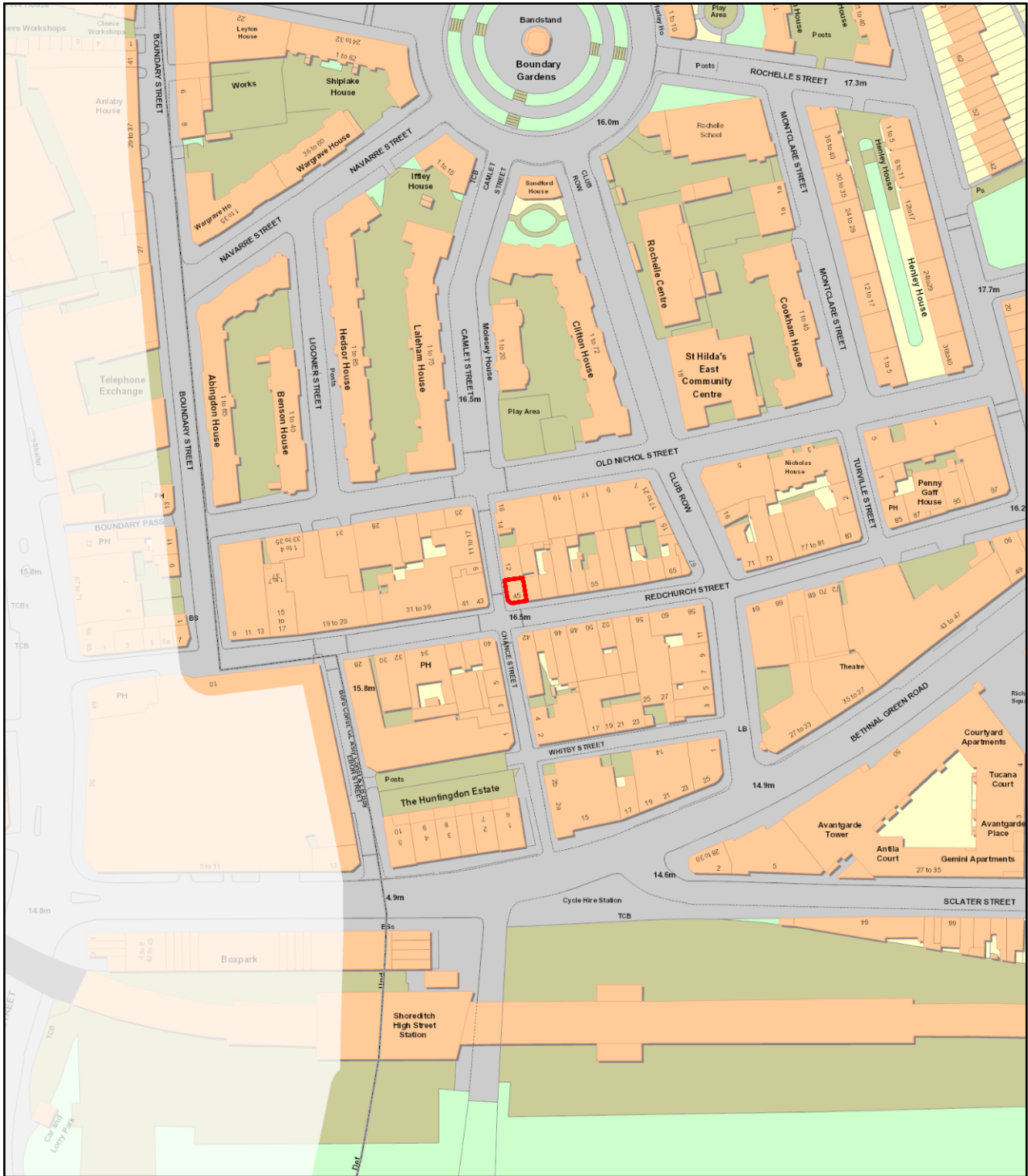


45 Redchurch Street



Scale 1:769





45 Redchurch Street



Scale 1:1922

10 0 10 20 30



Metres



Appendix 4

Section 182 Advice by the Home Office

Updated June 2014

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: Mohshin Ali on behalf of Licensing
Sent: 18 August 2014 11:44
To: Mohshin Ali
Subject: FW: Maison Trois Garcons , 45 Redchurch St, E2
Attachments: Maison Trois Garcons (Aug 14).doc

From: Alan.D.Cruickshank@met.pnn.police.uk [<mailto:Alan.D.Cruickshank@met.pnn.police.uk>]
Sent: 18 August 2014 11:39
To: Licensing
Cc: [REDACTED]
Subject: Maison Trois Garcons , 45 Redchurch St, E2

Dear all

Please find my representation re: the new application for the above premise.

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.

Consider our environment - please do not print this email unless absolutely necessary.

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Find us at:

Facebook: [Facebook.com/metpoliceuk](https://www.facebook.com/metpoliceuk)
Twitter: [@metpoliceuk](https://twitter.com/metpoliceuk)

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

Telephone: 0207 275 4911

Facsimile:

Email:

Alan.Cruickshank@met.police.uk
www.met.police.uk

Your ref:

Our ref:

18 August 2014

Dear Mr McCrohan

Application for a premises licence
Maison Trois Garcons, 45 Redchurch St, E2 7DJ

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 adopted a Saturation Policy / Cumulative Impact Policy which includes

Redchurch St and nearby streets. 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.

Redchurch St is already a busy area in terms licensed premises. This objection is not a reflection on the applicant but a response to the Saturation Policy. Since the introduction of the policy and the CIZ, licences have been granted in this area but the continuing introduction of new licensed premises or variations however small or well run, will only compound the problems in the CIZ.

Although the alcohol hours are within the framework hours, it is yet another premise that will have the ability to sell alcohol in the area which is already "saturated"

At present, Tower Hamlets Police Licensing Unit's policy is to object to all new licences or variations in the CIZ as set out by the Saturation Policy. If no objection was forthcoming from the police, then LBTH Licensing at present would object to the application.

This provides the opportunity to the committee to scrutinize the application and for the applicant to demonstrate how their application will not have a negative cumulative impact on the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance.

Can the applicant provide evidence that the operation of the premise will not add to the negative cumulative impact already being experienced in this area? If not I ask the committee to refuse this application.

If the committee is to consider granting a licence, I would ask that they consider the following condition.

Install / maintain CCTV

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,

(Can one camera be placed o/s the entrance and on entry)

2. I would also ask that the seasonal variation be refused. New Year's Eve is one of the busiest times for the Metropolitan Police. Any premises open for virtually 24 hours is always a concern for the police.

The applicant can apply for a TEN nearer the time when it can be assessed by the Licensing Unit

Having spoken to the applicant's representative I am aware that they will be submitting a condition in regards to alcohol being ancillary to food.

Alan Cruickshank PC 189HT

Appendix 6

Mohshin Ali

From: [REDACTED] on behalf of Daniel Hunter
Sent: 16 August 2014 12:54
To: Mohshin Ali; Licensing
Subject: Representation - Maison Trois Garcons, 45 Redchurch Street, London E2 7DJ

Sir/Madam,

I would like to make a representation objecting to the license application for the Maison Trois Garcons establishment on 45 Redchurch Street, London, E2 7DJ.

My name is Daniel Stephen Hunter

My address is [REDACTED]

We live directly opposite the side entrance of Maison Trois Garcons on Chance Street. Our master bedroom is less than 5 metres from their side entrance.

The reason why I object to this license application is as follows:

Maison Trois Garcons main entrance is on Redchurch Street but the cafe runs along Chance Street where it has a large side entrance. This is a residential street, and there are a number of residential properties within very close proximity to the cafe. There is a residential property directly above the cafe, three houses opposite and a block of flats adjacent to the cafe. Chance Street turns into Camlet Street which has a large housing estate and a children's playground on it.

Significant noise from the cafe can be heard from our property throughout its opening hours. This is not a big problem at the moment as the cafe does not open early and closes by 7, but the proposal shows that they are requesting opening hours until 10:30. This I can see becoming a noise nuisance - we have to get up very early in the morning for work so we are worried about the noise keeping us up at night.

Additionally they are requesting a license to serve alcohol. As many of the customers of the cafe do not order food, this license application should to be treated as if it is an application for a cafe to turn into a bar. There are already more than enough bars in the area and there are problems with anti social behaviour, excessive litter and noise at night. Despite its residential nature, Chance Street has unfortunately become a hot spot for drunkenness and drinking in the street, and allowing another licensed premises to open will surely make things worse. In particular I feel that there will be problems when the premises closes, with drunk people exiting onto a very narrow street with a large number of residential properties in very close proximity.

For these reasons I request that you refuse this license application.

Please could you confirm receipt of this representation.

Thanks,
Daniel

Appendix 7

Mohshin Ali

From: Mohshin Ali on behalf of Licensing
Sent: 20 August 2014 14:43
To: Mohshin Ali
Subject: FW: Licensing Act 2003: Maison Trois Garcons, 45 Redchurch St, E2 7DJ
Attachments: JAGtoLBTHre3boys.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

From: Robin Fellgett [REDACTED]
Sent: 20 August 2014 13:59
To: Licensing
Cc: [REDACTED]
Subject: Licensing Act 2003: Maison Trois Garcons, 45 Redchurch St, E2 7DJ

Hi,

Please find attached a letter objecting to this alcohol licence application, sent on behalf of the local residents and tenants association.

We submit that the authority should apply, fully and effectively, the policy it has adopted as regards the local CIZ.

Thank you.

Robin Fellgett
[REDACTED]
[REDACTED]
[REDACTED]

Robin Fellgett CB



Licensing Section
London Borough of Tower Hamlets
Mulberry Place
5 Grove Crescent
London
E14 1BY

20 August 2014

Dear Sirs,

Licensing Act 2003: Maison Trois Garcons, 45 Redchurch St, E2 7DJ

I write on behalf of the Jago Action Group (JAG) to oppose this licence application, on grounds of cumulative public nuisance, crime and disorder as well as the protection of children. A license would be clearly contrary the Council's Statement of Licensing Policy, especially section 8, the Brick Lane Cumulative Impact Zone (CIZ). JAG is the recognised residents' and tenants' association for the immediate area.

I also have a particularly strong personal interest in this application as a very local resident. living just a few doors away. My views are shared by the majority other residents and I understand a number of other individual objections will be made.

Cumulative impact

Within about 100 metres of the application premises, there are already about a dozen establishments serving and selling alcohol. The surrounding area is also replete with bars and other licensed premises.

The result is that Redchurch St is at times blocked by large groups of drinkers and we suffer from:

- Excessive noise, both from the drinkers and from those establishments that play loud music;
- Public nuisance and petty crime including public urinating, vomiting, and littering;
- Aggressive behaviour;
- Drug taking and dealing, including recently a great deal of use of nitrous oxide (laughing gas) as well as of harder drugs.

Here for example are two photos taken on Redchuirch St on a normal morning. (After a Thursday or Friday night its worse):



Those neighbours who have children are naturally concerned about the effect on them. It is especially regrettable that several local families have simply given up and moved out of the neighbourhood as a result of the problems created by the excesses of the night-time economy.

Licensing yet another establishment would unavoidably add to these problems.

Impact on this building

In accordance with the planning permissions granted by the Borough, we are moving the front entrance to this building – and all the flats within it – from Redchurch Street to Chance St. This should deal with the problems caused by having a front entrance on Redchurch St immediately opposite a pub (the Owl and Pussycat), which results for example in the front door steps being regularly covered in litter, vomit, urine, cans and bottles, nitrous oxide canisters and worse. One of the two main entrances to the application premises is actually on Chance St, immediately opposite and within 5 yards of the new entrance to this building.

We emphatically do not wish to find the same problems we have now replicated at our new front door, if we ended up with a bar opposite.

Implications of the CIZ

JAG very much welcomed the decision of the Council to introduce, with effect from 1 November 2013, a CIZ covering Redchurch Street, including the application premises, to prevent the cumulative impact becoming even worse. In our view, the Council now needs to implement fully and effectively its own policy.

In accordance with section 8, para 8.4 of Tower Hamlets' Statement of Licensing Policy this application should be refused as contrary to the policy that 'Where the premises are situated in the cumulative impact zone and a representation is received, the license will be refused.'

Potential rebuttal

Under the same policy we understand it is open to the applicant to rebut the presumption of refusal if they can 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.'

The onus is on the applicant to demonstrate that, exceptionally, their application should be allowed despite the CIZ.

These application premises currently operate as a day-time café. This is not lawful as the operation is inconsistent with the planning permission in place.

There have been some problems arising from the café operation as it creates noise for some nearby residents.

Steps that the applicant could take to help rebut the presumption of refusal include the following:

- i. Continuing to operate only in the daytime, in fact up to 7pm, as most of the cumulative impact arises later in the evening. Redchurch Street and other local streets are increasingly streets with shops and daytime restaurants and cafés, as well as homes. This welcome increase in positive economic activity and employment would be supported if other establishments catered to the daytime, rather than night-time, economy;
- ii. Limiting noise, including further and fully effective action to prevent noise from the back of the premises affecting local residents on Old Nichol Street, as serving alcohol will inevitably mean customers talk/shout louder and cause greater disturbance;
- iii. Employing expert staff and operating a professional crowd management and dispersal policy, as the best licensed premises do. The application makes general statements about 'not tolerating drunkenness' etc but does not spell out how this will be done in practice;
- iv. Restricting any alcohol license to drinks served as an accompaniment to a substantial meal, ie a restaurant not a bar licence. I understand the applicant may be willing to amend the application to this effect, but JAG has not seen the details.

If the applicant took the four steps listed above, and sought and obtained planning permission with whatever conditions are appropriate, JAG would be willing to consider if they were sufficient.

yours faithfully,



ROBIN FELLGETT

Appendix 8

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 9

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 10

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 11

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 12

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 13

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 14

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

