

Appendix 1

079117



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.

I/We (Insert name(s) of applicant) FOUR BROTHERS (UK) 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	
ROYAL PFC 178A WHITECHAPEL ROAD LONDON	
Post town	Post code <u>E1 1BJ</u>



Telephone number at premises (if any) [REDACTED]

Non-domestic rateable value of premises £8000

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	FOUR BROTHERS (UK) LIMITED
Address	178A WHITECHAPEL ROAD LONDON E1 1BJ
Registered number (where applicable)	8551364
Description of applicant (for example partnership, company, unincorporated association etc)	LIMITED COMPANY
Telephone number, if any	[REDACTED]
E-mail (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
0	1	1 1 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)

FAST FOOD OUTLET FRIED CHICKEN AND CHIPS.
EAT IN AVAILABLE FOR MAXIMUM 28 PEOPLE. (NO LOUD MUSIC).

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

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	11:00	24:00	Please give further details here (please read guidance note 5) *ADDITIONAL HOURS REQUIRED FROM MIDNIGHT.				
	24:00	03:00*					
Tue	11:00	24:00					
	24:00	03:00*					
Wed	11:00	24:00		State any seasonal variations for the provision of late night refreshment (please read guidance note 4)			
	24:00	03:00*					
Thur	11:00	24:00					
	24:00	03:00*					
Fri	11:00	24:00			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)		
	24:00	03:00*					
Sat	11:00	24:00					
	24:00	03:00*					
Sun	12:00	24:00					
	24:00	01:00*					

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			
Day	Start	Finish		Off the premises			
Mon			Please give further details here (please read guidance note 5)				
Tue							
Wed				State any seasonal variations for the supply of alcohol (please read guidance note 4)			
Thur							
Fri					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							
Sun							

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	11:00	03:00	N/A
Tue	11:00	03:00	
Wed	11:00	03:00	
Thur	11:00	03:00	
Fri	11:00	03:00	
Sat	11:00	03:00	
Sun	12:00	01:00	

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 (please read guidance note 5)

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)

FOR THE PAST TWO MONTH WE HAVE BEEN TRADING WE HAVE NOT HAD ANY ISSUES WITH CUSTOMERS OR THE GENERAL PUBLIC. FURTHER TO THIS THE INFORMATION I RECEIVED FROM PREVIOUS OWNERS IS THAT THEY TRADED FOR 4 YEARS AND DID NOT HAVE ANY ISSUES WITH CUSTOMERS. PUBLIC SAFETY IS VERY IMPORTANT FOR US AND I HAVE CONFIDENCE IN MY STAFF TO PROVIDE EXCELLENT QUALITY SERVICE WITH PRIDE.

b) The prevention of crime and disorder

WE HAVE SHUTTERS TO SECURE THE SHOP WHEN IT IS CLOSED. NO MONEY IS LEFT IN THE PREMISES WHEN IT CLOSED. WE ALSO HAVE CCTV IN PLACE TO PREVENT CRIME AND DISORDER. TO THIS DAY WE HAVE NOT HAD ANY ISSUE WHERE POLICE HAVE BEEN CALLED IN TO THE SHOP. THE MAIN CUSTOMER BASE FOR OUR SHOP IS FROM THE HOSPITAL AND WE SERVE PATIENTS AND WELL AS NIGHT DOCTORS WHO ARE ALWAYS COMPLAINING TO WHY WE DONT OPEN FOR FEW EXTRA HOURS WHICH WILL THE PUBLIC SERVICE.

c) Public safety

WE HAVE SEATING FOR 28 PEOPLE, WHEN ALL SEATINGS ARE FULL CUSTOMERS ARE TO TAKE OUT ONLY. WHEN SHOP IS FULL DOORS ARE CLOSED FOR PUBLIC SAFETY. CUSTOMERS ALLOWED TO COME IN WHEN SEATING ARE AVAILABLE.

d) The prevention of public nuisance

WE HAVE ALREADY INSTALLED CCTV WHICH RECORDS ALL ACTIVITY IN THE PREMISES, AS WELL AS TRAINED STAFF TO HANDLE DIFFICULT CUSTOMERS.

e) The protection of children from harm

NOTHING IN THE SHOP TO HARM CHILDREN WHICH COME TO THE SHOP.
WE DO NOT TOLERATE:-
- STRONG LANGUAGE
- VIOLENCE
- GAMBLING
- DRINKING ALCOHOL
- ADULT ENTERTAINMENT.

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



Date

29/09/14

Capacity

DIRECTOR

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

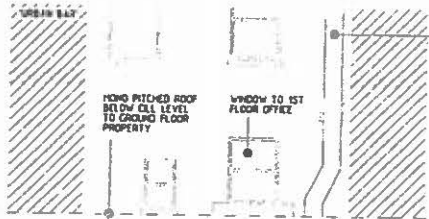
Capacity

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

Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

ROYAL PFC
 178A WHITECHAPEL ROAD
 LONDON E1 1BJ.

LBTH
 TRADING STANDARDS
 01 OCT 2014
LICENSING



EXISTING REAR ELEVATION (PART)
 (WITH PROPOSED DUCTING)

A first fix of an insulating acoustic ceiling (comprising with a surface weight of 10kg/m² and nominal thickness of 4mm (in black) to be applied around the duct with overlapped/sealed joints to be held in place in accordance with suppliers recommendations.

The noise level at the point of the window would be mitigated to at least 32dB @ 1.0 meter.

The remainder of the ducting above cavity level would be painted black.

3. CARBON FILTER UNIT

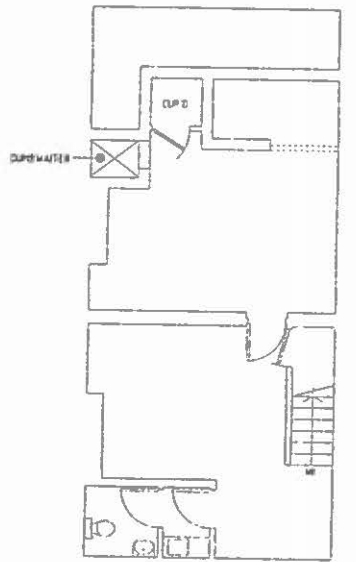
2 No. ACD extra duty 207C activated carbon filter units 597x597x597mm @ 80 kg per unit with 12 disposable chemically bonded carbon panels permanently sealed with a galvanised steel casing.
 Air volume of each unit would be 1.05m³/s totaling 2.12m³/s with total air resistance of 60Pa and a dwell time of 0.24 seconds - secured to structure sitting on anti-vibration mountings.
 (Panels to be replaced every 9-12 months)

7. DUCTING

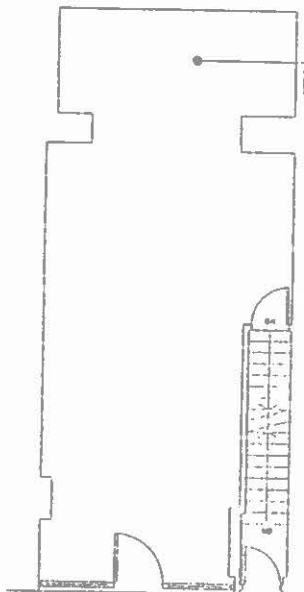
Galvanised steel ducting (18sw cross sectional area discharging least 1.0 metre above eaves lev discharging nozzle @ maximum to the structure with duct support mountings.

4. Flexible canvas connectors

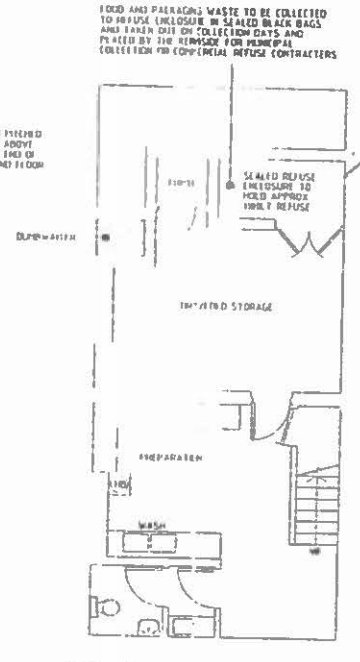
APPLICATION FOR
 LATE NIGHT REFRESHMENT
 LICENSE.



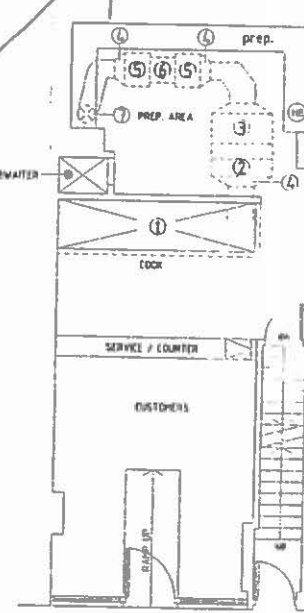
EXISTING BASEMENT PLAN



EXISTING GROUND FLOOR PLAN



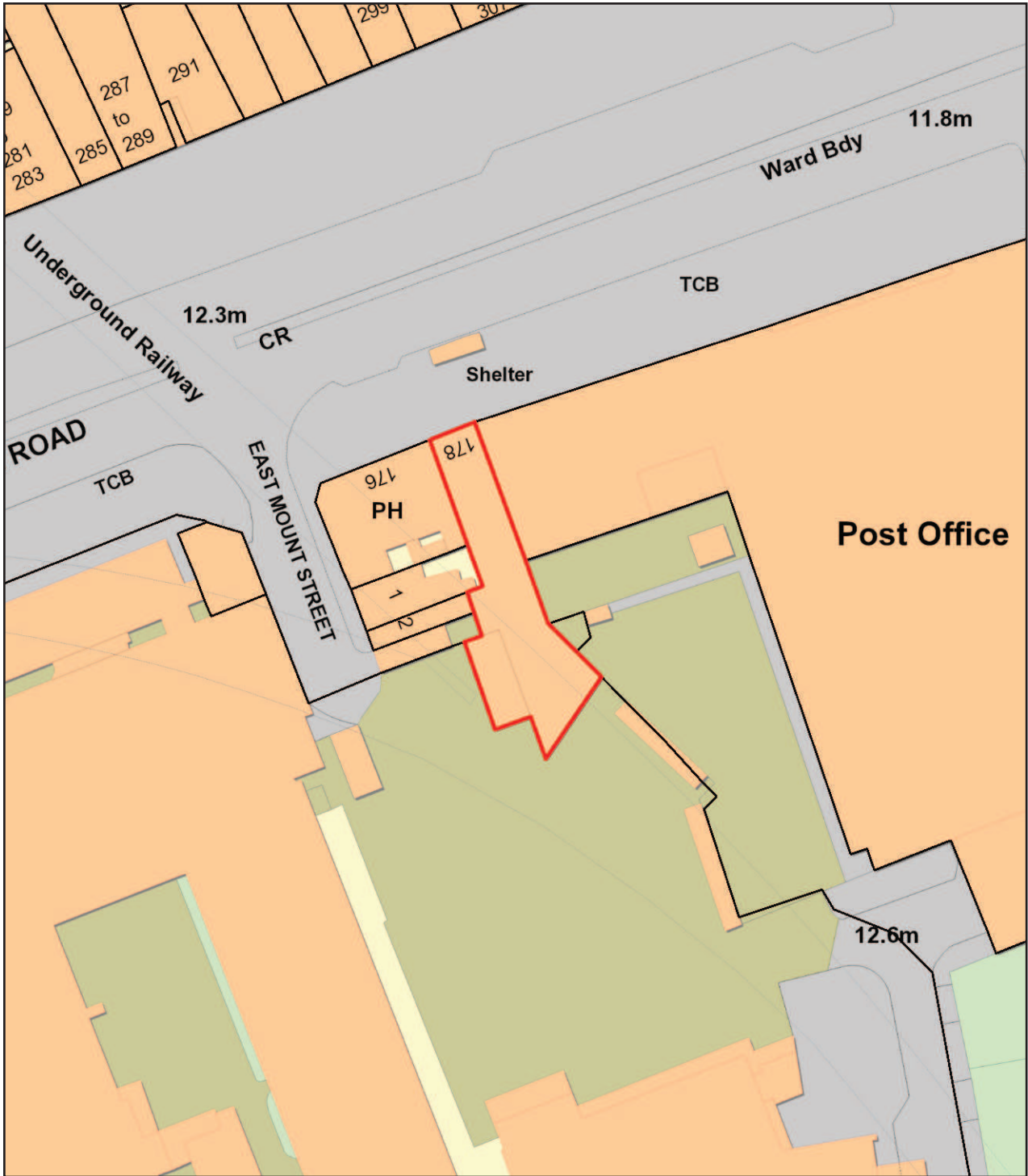
PROPOSED BASEMENT PLAN



PROPOSED GROUND FLOOR PLAN

Client	MR K
Project	178 V LONJ E1 1E
Drawg. Title	CHAJ
Disc	Town Plans
Revised	J St. Mary Cr BRS 33H
Drawn by	R GO
Scale	1:100
Project/Drawg.	DP/12

Appendix 2

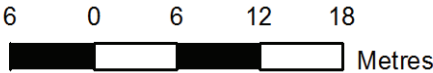


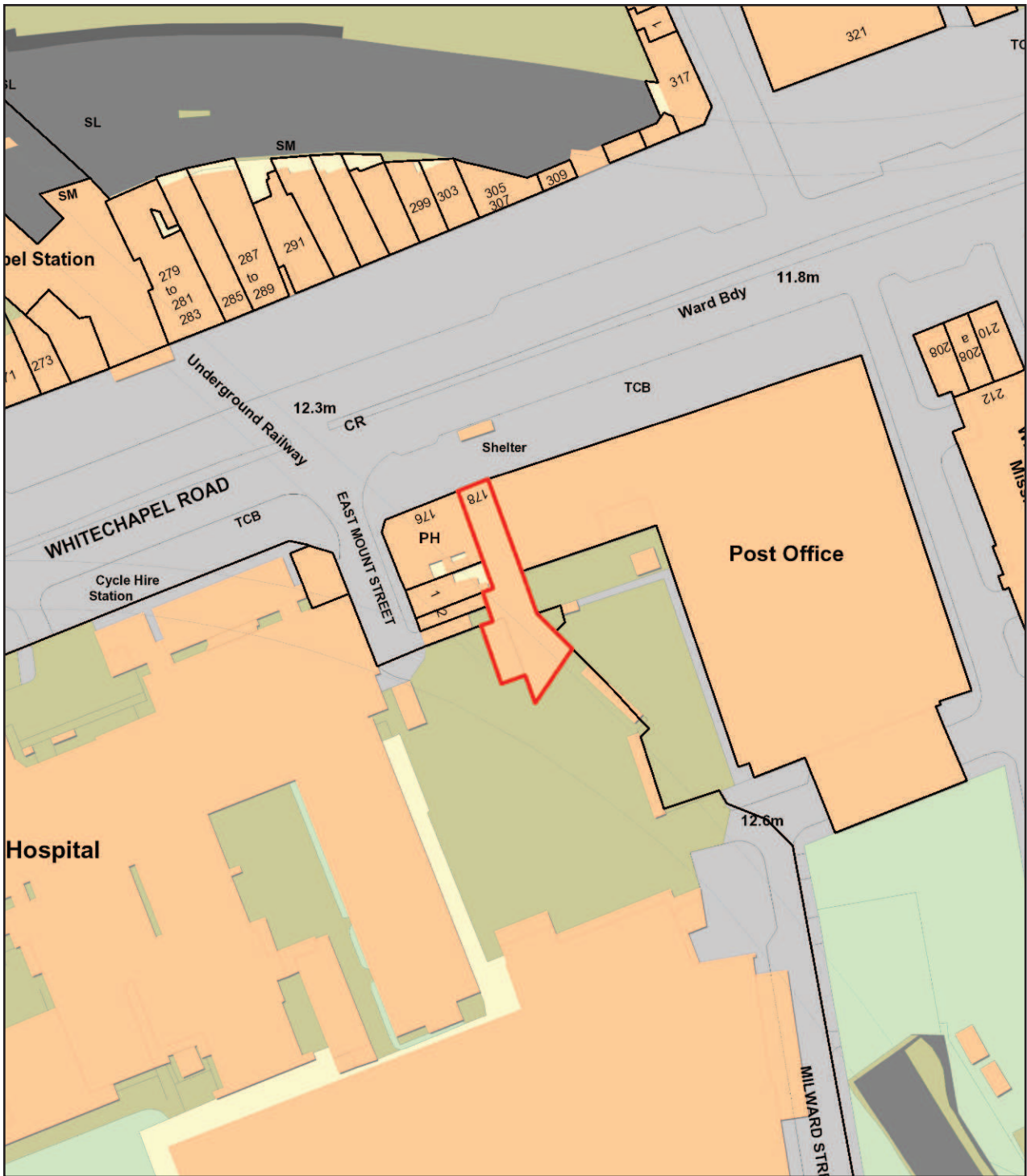
Whitechapel Road 178a

Map 1



Scale 1:668



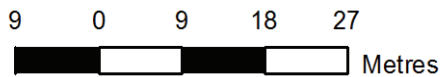


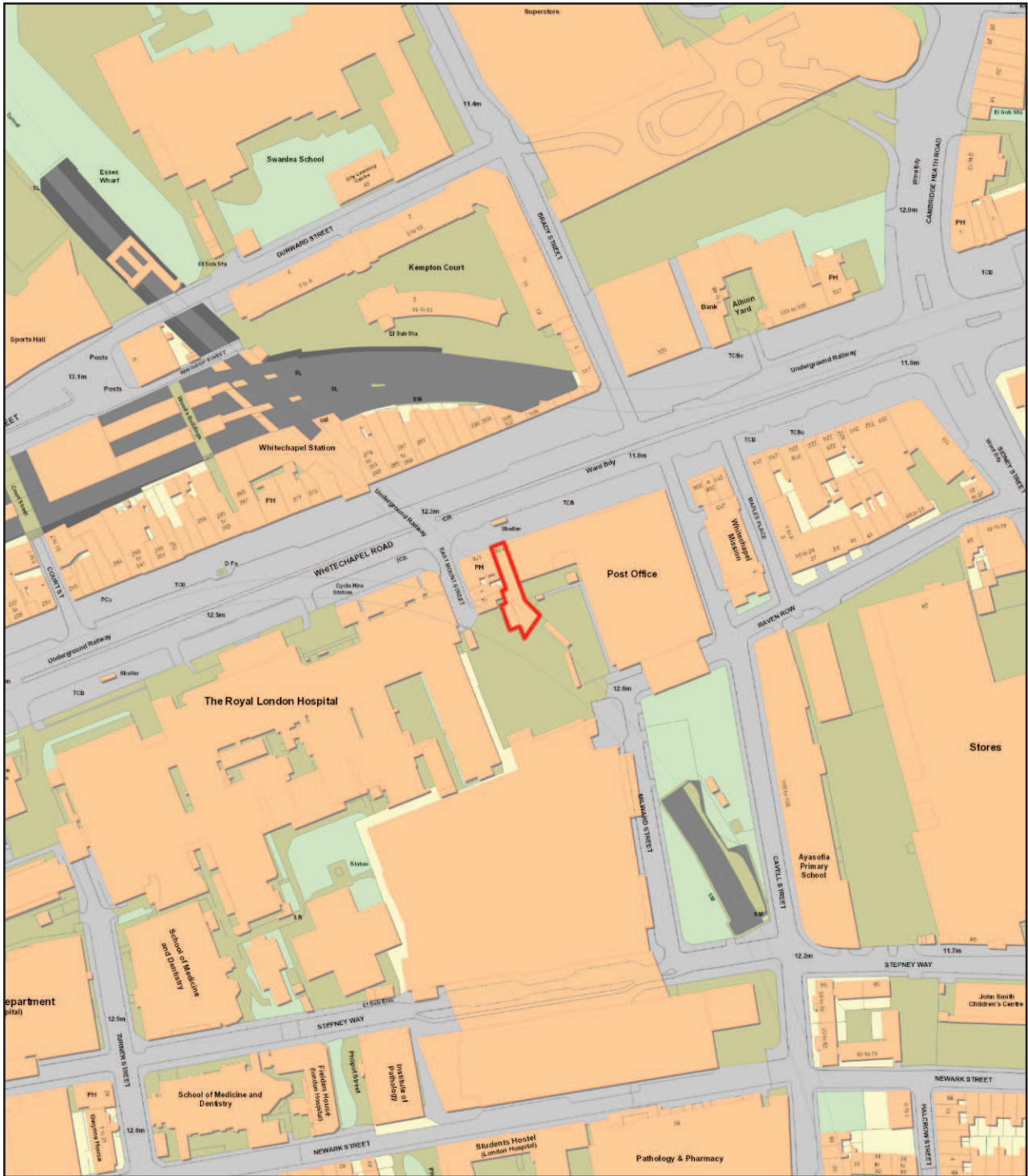
Whitechapel Road 178a

Map 2



Scale 1:1001





Whitechapel Road 178a

Map 3



Scale 1:2337

20 0 20 40 60

Metres



Appendix 3



Mr John McCrohan,
Tower Hamlets Council Licensing,
Toby Club,
Vawdry Close

HT - Tower Hamlets Borough

Licensing Office
Toby Club,
Vawdry Close

Telephone: [REDACTED]

Facsimile:

[REDACTED]
www.me [REDACTED]

Your ref:

Our ref:

21st October 2014

Dear Mr McCrohan,

Re: Application for Premises Licence for Royal PFC 178A Whitechapel

Road E1

I write with reference to the above application which was received by Tower Hamlets Police Licensing

Please accept this letter as notification that the police as a responsible authority wish to object to this application on the following licensing objective

The prevention of crime and disorder, and Public Nuisance

Firstly Tower Hamlets Police believe that having the premises open until 3:00am on Monday to Saturday would attract yet more people into a very busy area of Tower Hamlets. There are concerns that the venue will attract people who have been drinking in one of the bars on Whitechapel road who wish to get hot food on their way home. Especially given the close proximity of the premises to Whitechapel Tube Station which is a transport hub for people entering and leaving the borough.

Secondly with customers who are under the influence of alcohol there is an increased risk of crime and disorder as arguments and confrontations take place in a confined space as people queue for food. These premises do not have security and there is no way for staff behind the counter to filter customers who are drunk, or aggressive away from the premises. Staff at these premises are not trained to deal with violent confrontations. This then increases demand on the Police at a time when resources are stretched, especially over the weekend due to policing the night time economy.

Lastly the area has residential premises in close proximity and there is in the police's opinion a significant risk of increased anti-social behaviour with customers dropping litter, and loud noise associated with drunken revellers making their way home in the early hours of the morning.

Tower Hamlets Police therefore ask that the hours are moderated to the following:

Late Night Refreshment.

Sunday to Thursday - 11:00 to 00:00

Friday and Saturday - 11:00 to 01:00

The following conditions to be added to the license:

1) The Following CCTV condition be attached

1. A CCTV camera system covering both internal and external to the premise is to be installed.
2. The CCTV recordings are to be maintained for 31 days and to be provided upon request to either a Police Officer or an officer of any other Responsible Authority. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
3. At all times the premises is open, a person who can operate the CCTV system must be present on the premises. who can download the images and present them immediately on request by a police officer or other responsible authority.

2) That an incident report book be kept and record all incidents of crime and disorder associated with the premises.

3) Signs be prominently displayed both inside and in the outside asking customers to respect local residents, and to be quiet when leaving the premises.

Regards

Pc Mark Perry 748HT

Police Licensing Officer

Appendix 4

Appendix 4

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 and SIA is acknowledged (2.1-2.2).

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 in the immediate vicinity of the premises as they seek entry or leave (1.6).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (2.3-2.7).

Guidance Issued under Section 182 of the Licensing Act 2003

Conditions can be imposed for large capacity “vertical consumption” premises (10.23).

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 5

Appendix 5

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 Poll 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 and SIA is acknowledged (2.1-2.2).

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 (1.6).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (2.3-2.7).

Conditions can be imposed for large capacity “vertical consumption” premises (10.23).

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 (1.19).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (2.22) but it is essential that conditions are focused on measures within the direct control of the licence holder (1.6). Conditions relating to behaviour once they are beyond the control of the licence holder cannot be justified.

Other Legislation

Crime and Disorder Act 1998

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

The Act also introduced a wide range of measures designed to address anti-social behaviour committed by adults and young people. These include:

- Anti-Social Behaviour Orders
- Child Curfew Schemes
- Truancy
- Parenting Orders
- Reparation Orders
 - Tackling Racism

Appendix 6

Access and Egress problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

Comment

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

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 Sections 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**).

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

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Poll 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 (1.19).

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

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 (2.24).

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.

Appendix 7

Appendix 7

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	06:00hrs to 23:30hrs
Friday and Saturday	06:00hrs to 00:00hrs (midnight)
Sunday	06:00hrs to 22:30hrs

(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