

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

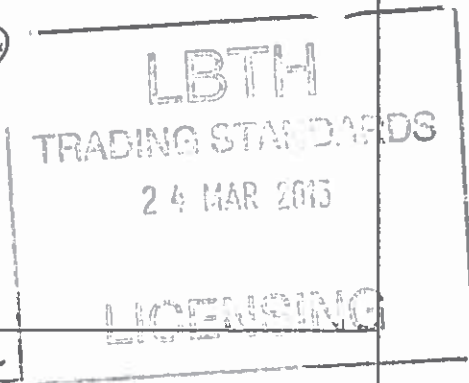
Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep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

I/We (Insert name(s) of applicant) EASY BAR LTD T/A TOMORROW BAR & RESTAURANT

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	
132 BETHNAL GREEN ROAD	
Post town	Post code
LONDON	E2 6DG



Telephone number at premises (if any) [REDACTED]

Non-domestic rateable value of premises £ 21,000

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

I am 18 years old or over Please tick yes

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

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

Surname First names

I am 18 years old or over Please tick yes

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

E-mail address (optional)

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	EASY BAR LTD
Address	29 GRANBY STREET, E2 6DR.
Registered number (where applicable)	9409634
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
11	03	2015

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)

--

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 red 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 red 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)			Please give further details here (please read guidance note 3) State any seasonal variations for indoor sporting events (please read guidance note 4) 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 (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the Boxing or wrestling entertainment take place indoors or outdoors or both - please tick (please read guidance note 2)	
Day	Start	Finish	Indoors	
Mon			Outdoors	
Tue			Both	
Wed			Please give further details here (please read guidance note 3) State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4) 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 (please read guidance note 5)	
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	Y	
Day	Start	Finish		Outdoors		
Mon	11:00	01:00	Please give further details here (please read guidance note 3)	Both		
Tue	11:00	01:00				
Wed	11:00	01:00		State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	11:00	01:00				
Fri	11:00	01:00		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)		
Sat	11:00	01:00				
Sun	11:00	01:00				

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] (please read guidance note 2)	Indoors	Y	
Day	Start	Finish		Outdoors		
Mon	11:00	01:00	Please give further details here (please read guidance note 3)	Both		
Tue	11:00	01:00				
Wed	11:00	01:00		State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur	11:00	01:00				
Fri	11:00	01:00		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)		
Sat	11:00	01:00				
Sun	11:00	01:00				

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] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 4)	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	11:00	01:00	KARAOKE Please give further details here (please read guidance note 3)	
Tue	11:00	01:00		
Wed	11:00	01:00		State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Thur	11:00	01:00		
Fri	11:00	01:00		
Sat	11:00	01:00		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	11:00	01:00		

I

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		
				Both		
Mon			Please give further details here (please read guidance			
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	Y	
Day	Start	Finish		Off the premises		
				Both		
Mon	11:00	01:00	Please give further details here (please read guidance			
Tue	11:00	01:00				
Wed	11:00	01:00		State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Thur	11:00	01:00				
Fri	11:00	01:00		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	11:00	01:00				
Sun	11:00	01:00				

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

Name

Address

Personal Licence number (if

Issuing licensing authority (



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)

N/A.

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	01:00	
Tue	11:00	01:00	
Wed	11:00	01:00	
Thur	11:00	01:00	
Fri	11:00	01:00	
Sat	11:00	01:00	
Sun	11:00	01:00	

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)

No binge drink promotions will take place.
Anyone who appears to be drunk or aggressive will not be permitted on the premises.
Notice to be placed in prominent positions to ask patrons to leave quietly.
We provide ~~suitable~~ quality food.
A suitable evacuation plan in case of emergency.
Free drinking water will be available at all time.

b) The prevention of crime and disorder

No binge drink promotions will take place.
Anyone who appears to be drunk / aggressive will not to be permitted on the premises.
No bottle or glasses shall be taken off the premises.
Registration with crime prevention initiatives run by police.

c) Public safety

Staff will be fully aware of licensing laws.
I will fully support any directive received from the authorities.
Prompt clearing of empty glass throughout operating times.
Maintenance of full risk assessment appropriate for proposed premise operation.
Regular electrical & gas ~~safety~~ checks by a competent person.

d) The prevention of public nuisance

All customers will be reminded of consideration to the public and noise levels when entering and leaving the premises.
No bottles or glasses shall be taken off the premises.
Doors and windows shall be kept closed.
Notice to be placed in prominent positions to ask patrons to leave the premises quietly.

e) The protection of children from harm

Training to staff to ensure compliance with the law in relation to consumption by persons under 18 years of age, including prevention ~~adult~~ adults buying alcohol for children.
Under 18's with a responsible adult.
~~Proof~~ Proof of age will be asked if someone appears under age.
No bottle shall be taken off the premises.

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

 (See guidance


for other authorised
please state in what

Date

Capacity

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

132 Bethnal Green Road.

Post town	London	Post code	E2 6DG
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			
			

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or un-amplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

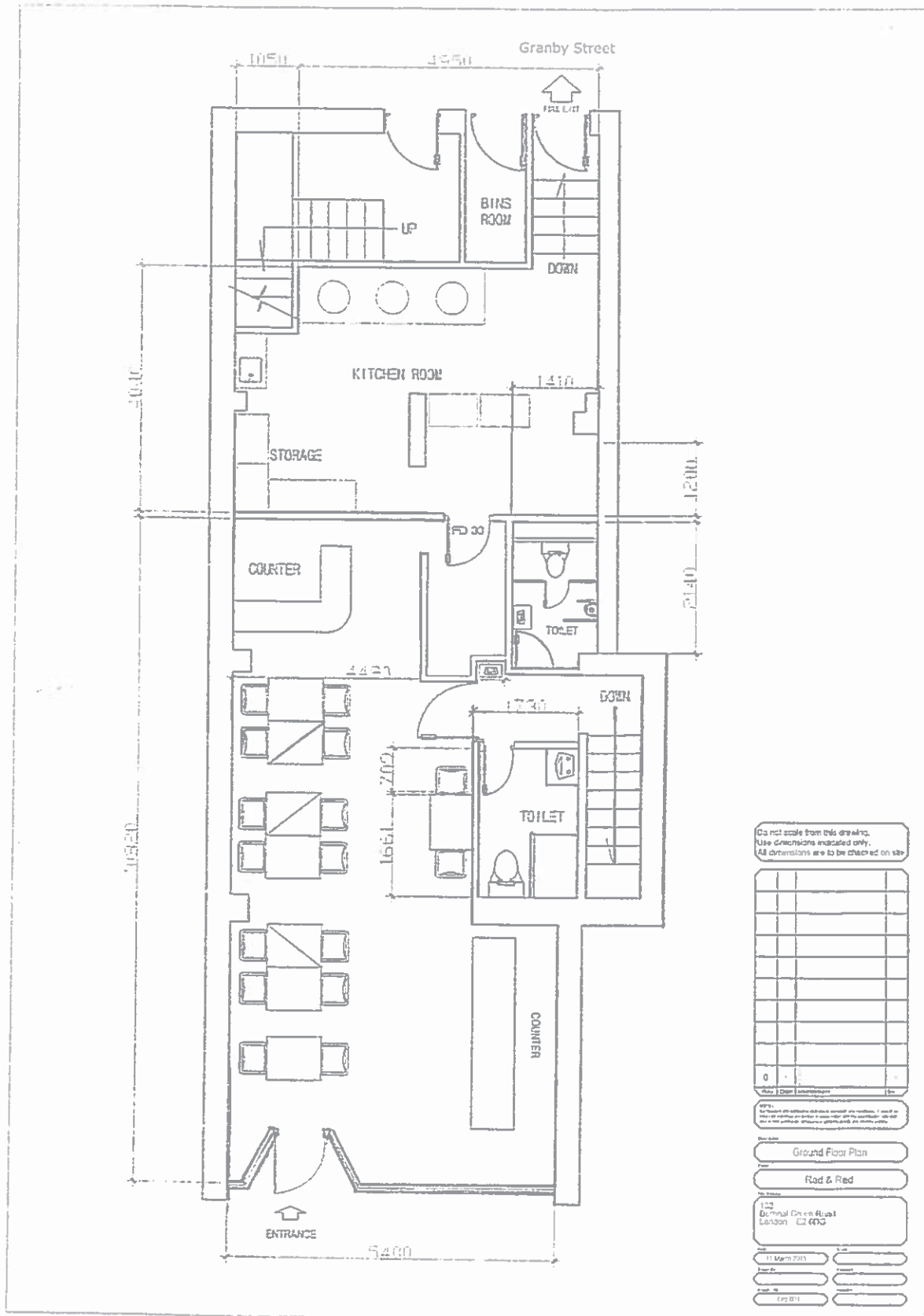
I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out

Personal licence
.....
[insert personal licence details]

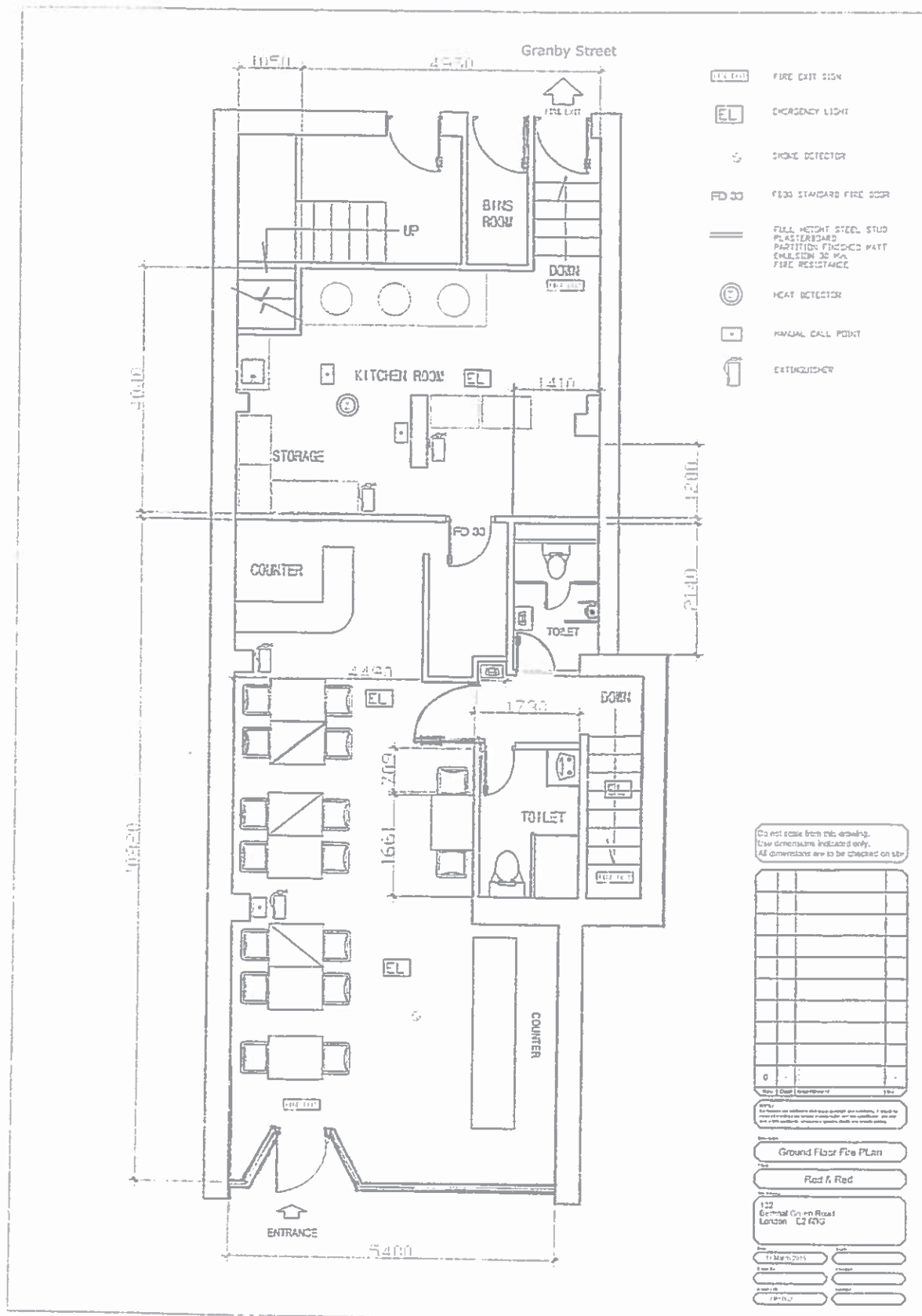
Personal licence
[insert name of licence holder]

.....
.....
.....





LBTH
TRADING STANDARDS
 24 MAR 2015
LICENSING



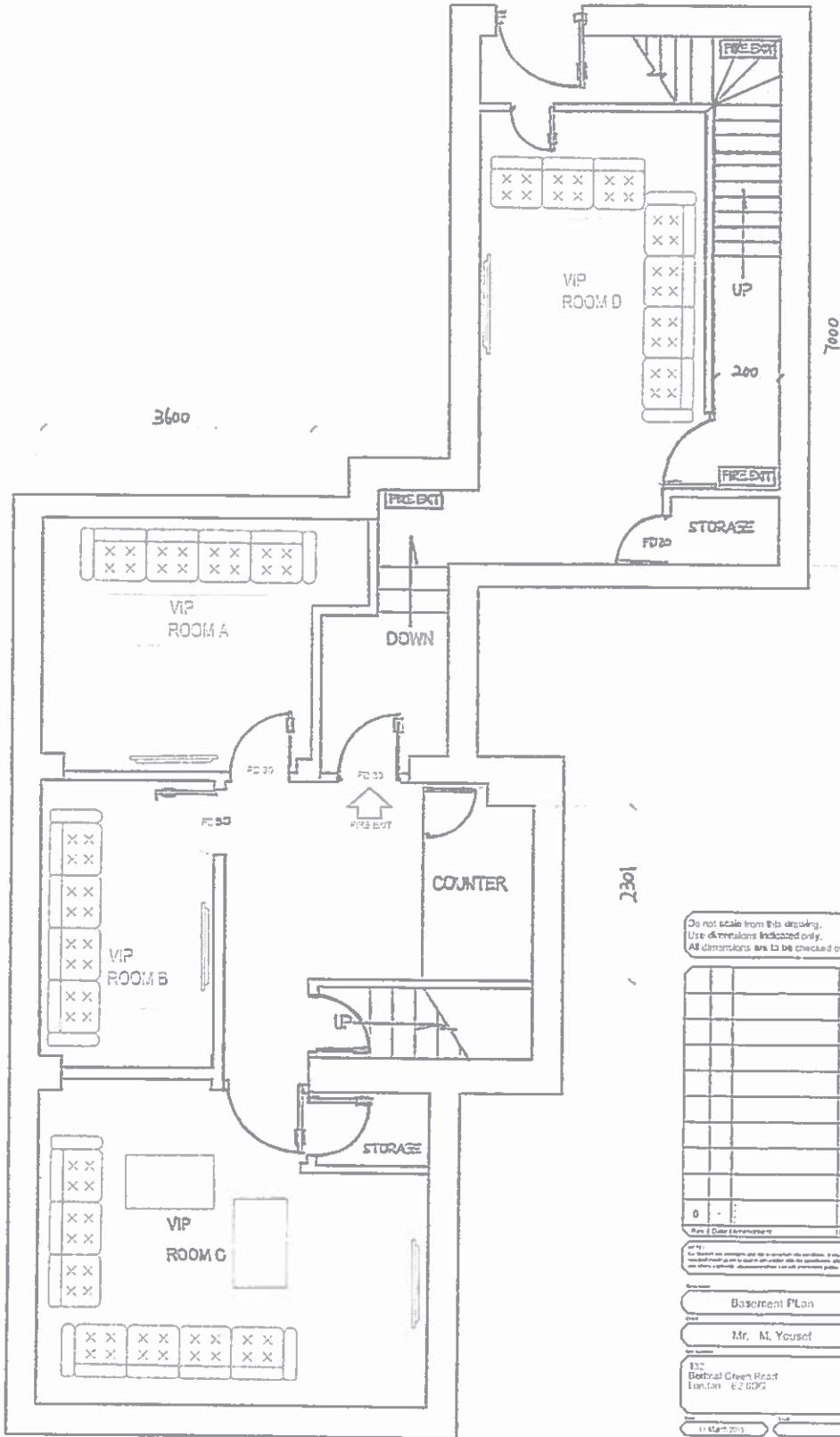
LBFH
TRADING STANDARDS
24 MAR 2015
LICENSING

4000

3550

3800

4100



Do not scale from this drawing.
Use dimensions indicated only.
All dimensions are to be checked on site.

Rev	Date	Description	By
0	-	-	-

Basement PLAN
 Mr. M. Youssef
 13c
 Bahral Green Reef
 Lun 500 E2 602

Date: 11 March 2015
 Scale: _____
 Drawing No: _____
 Project: (P/01)

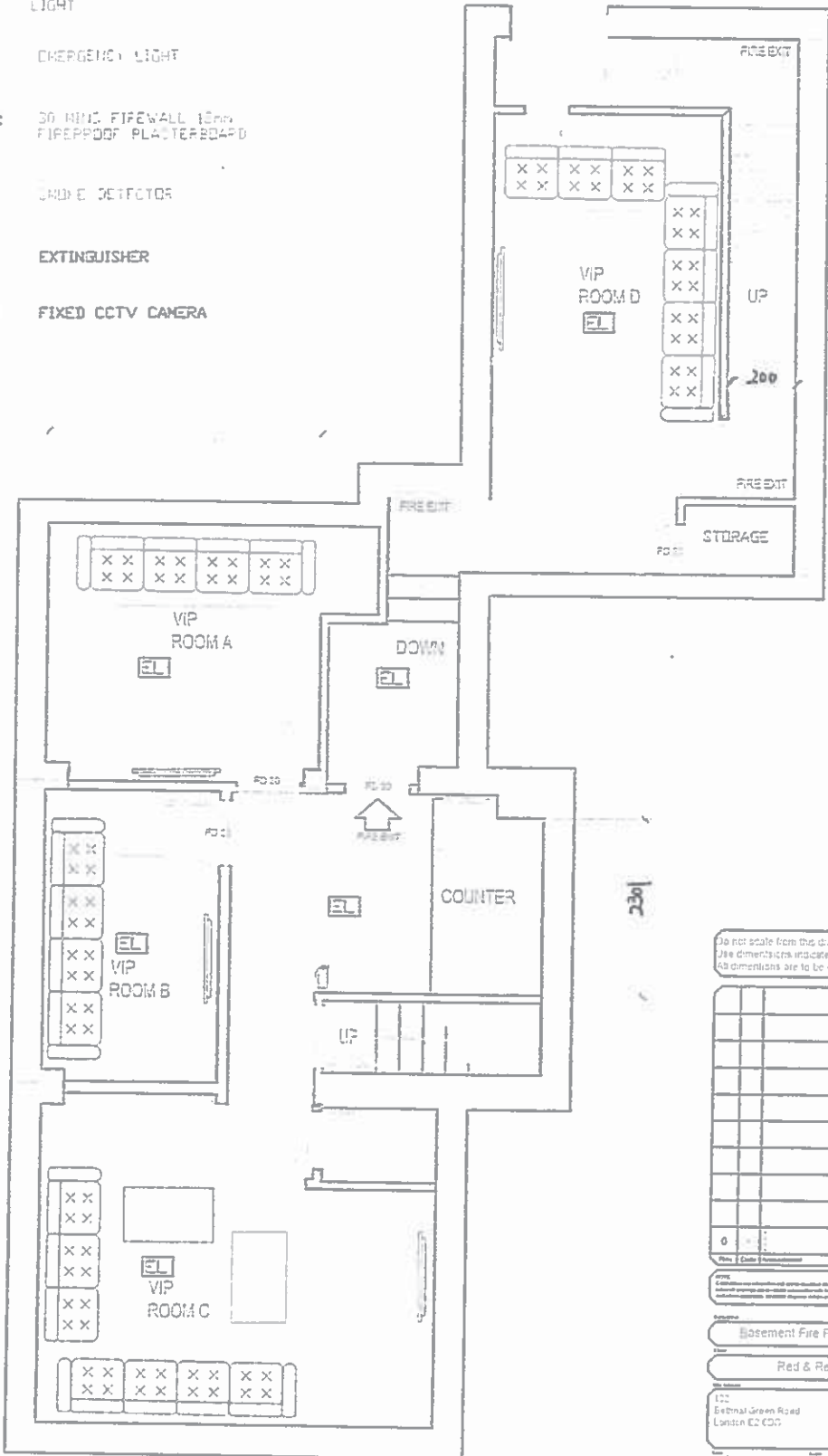
LETA
TRADING STANDARDS
24
LICENSING

-  FIRE EXIT WITH
SIGN EMERGENCY
LIGHT
-  EMERGENCY LIGHT
-  30 MIN FIREWALL 150mm
FIREPROOF PLASTERBOARD
-  SMOKE DETECTOR
-  EXTINGUISHER
-  FIXED CCTV CAMERA

3350

3600

4100



Do not scale from this drawing
Use dimensions indicated only.
All dimensions are to be checked on site.

No.	Date	Description	By

Basement Fire Plan
Red & Red

122
Evelina Green Road
London E2 0DZ

Drawn by	_____	Checked by	_____
Project No.	_____	Project	_____
Contract	_____	Project	_____
Version	_____	Project	_____

Appendix 2

Alex Lisowski

From: Alkesh Solanki
Sent: 20 April 2015 11:31
To: Licensing
Cc: [REDACTED]; MARK.J.Perry@met.police.uk
Subject: Amendment to the application for 132 Bethnal Green Road. ref. MAU 083731

Dear Licensing,

Please note the amendment to this application as clarified in the E-mail thread below.

Regards
Alkesh.

From: HuangTian [REDACTED]
Sent: 20 April 2015 11:28
To: Alkesh Solanki
Subject: RE: 132 Bethnal Green Road. ref. MAU 083731

Dear Alkesh,

Here I confirm that I agree to put the following condition to the operating schedule.

“Regulated entertainment shall not be audible at the façade or within any affected business or residential property (as relevant) so as to cause a nuisance”

Regards,
Sky

From: Alkesh.Solanki@towerhamlets.gov.uk
To: [REDACTED]
Subject: 132 Bethnal Green Road. ref. MAU 083731
Date: Mon, 20 Apr 2015 10:18:51 +0000

Dear Sky,

I would like the following condition be added to your operating schedule. Please reply back confirming that you are agreeable to this.

“Regulated entertainment shall not be audible at the façade or within any affected business or residential property (as relevant) so as to cause a nuisance”

Regards,
Alkesh.

Mr Alkesh Solanki | Pollution Team | Environmental Protection | London Borough of Tower Hamlets | E14 1BY | 020 7364 5007 | alkesh.solanki@towerhamlets.gov.uk

Working Together for a Better Tower Hamlets
Web site : <http://www.towerhamlets.gov.uk>
London Borough of Tower Hamlets E-Mail Disclaimer.

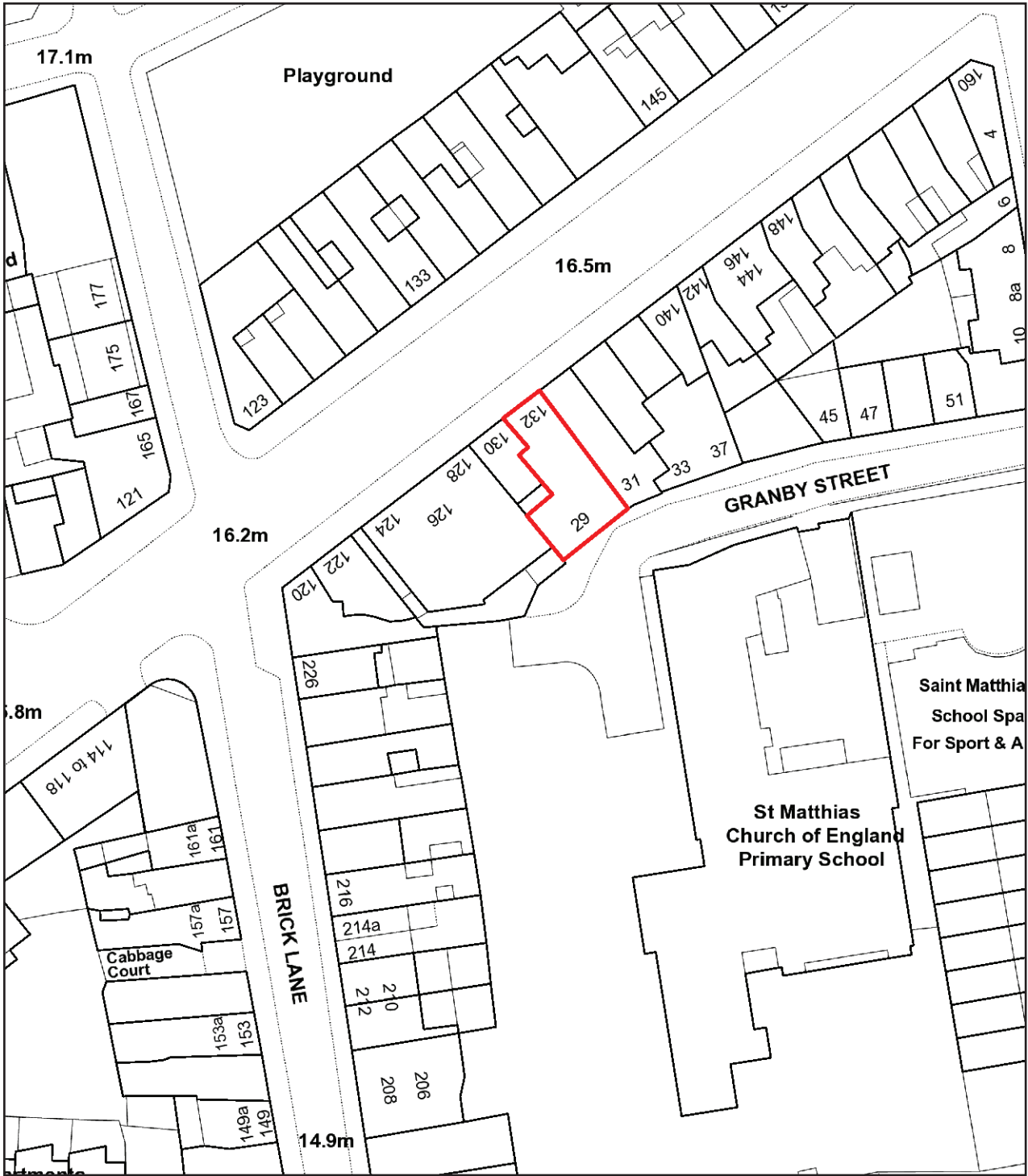
This communication and any attachments are intended for the addressee only and may be confidential. It may contain privileged and confidential information and if you are not the intended recipient, you must not copy, distribute or take any action in reliance on it. If you have received this E-Mail in error please notify us as soon as possible and delete this E-Mail and any attachments. This message has been checked for viruses, however we cannot guarantee that this message or any attachment is virus free or has not been intercepted or amended. The information contained in this E-Mail may be subject to public disclosure under the Freedom of Information Act 2000. Unless the information is legally exempt from disclosure, the Confidentiality of this E-Mail and your

reply cannot be guaranteed.

If your request relates to a Freedom of Information enquiry, please resend this to foi@towerhamlets.gov.uk

Please consider your environmental responsibility: Before printing this e-mail or any other document , ask yourself whether you need a hard copy.

Appendix 3

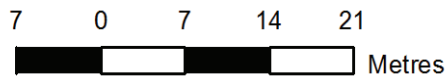


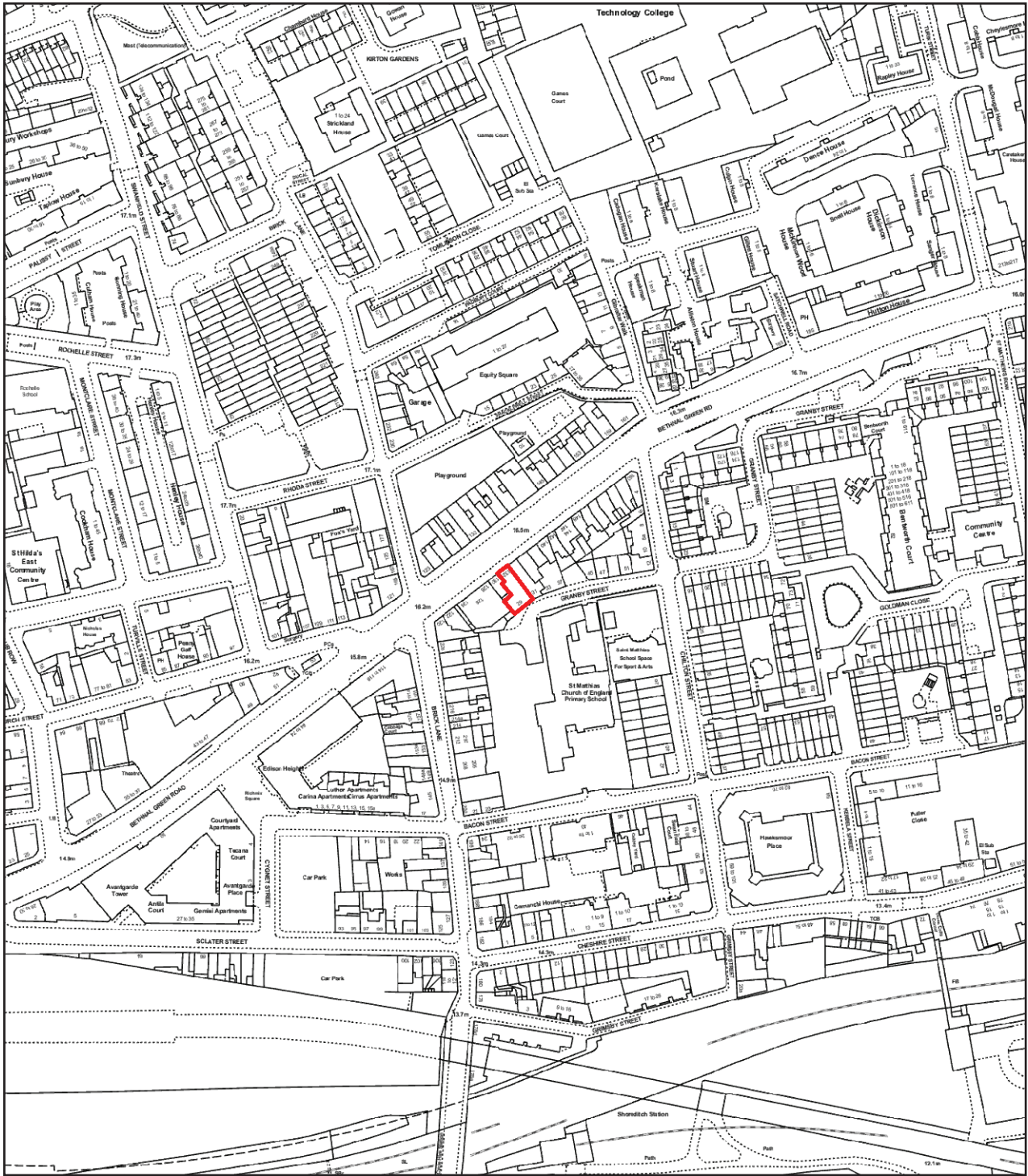
Tomorrow Bar

132 Bethnal Green Road



Scale 1:769



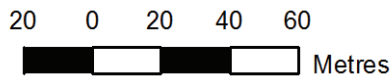


Tomorrow Bar

132 Bethnal Green Road



Scale 1:2690



Appendix 4

Section 182 Advice by the Home Office

Updated October 2010

Relevant, vexatious and frivolous representations

- 9.8 A representation would only be “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 businessman which argued that his business would be commercially damaged by a new licensed premises would not be relevant. On the other hand, a representation that nuisance caused by the new premises would deter customers from entering the local area and the steps proposed by the applicant to control that nuisance were inadequate would be relevant. There is no requirement for an interested party or responsible authority to produce a recorded history of problems at a premises to support their representations, and in fact this would not be possible for new premises. Further information for interested parties about the process for making representations is available in “Guidance for interested parties: Making representations” which can be found on the Home Office website.
- 9.9 The “cumulative impact” on the licensing objectives of a concentration of multiple licensed premises may also give rise to a relevant representation when an application for the grant or variation of a premises licence is being considered, but not in relation to an application for review which must relate to an individual premises.
- 9.10 It is for the licensing authority to determine whether any representation by an interested party is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. Vexation may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Frivolous representations would be essentially categorised by a lack of seriousness. An interested party who is aggrieved by a rejection of their representations on these grounds may challenge the authority’s decision by way of judicial review.
- 9.11 Licensing authorities should not take decisions on whether representations are relevant on the basis of any political judgement. This may be difficult for ward councillors receiving 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 subcommittee before any decision is taken that necessitates a hearing. Any ward councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.

- 9.12 The Home Secretary recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it. If it then emerged, for example, that the representation should not be supported, the licensing authority could decide not to take any action in respect of the application.
- 9.13 Licensing authorities should consider providing advice on their websites about how any interested party can make representations to them.

Appendix 5

John McCrohan
LBTH Licensing
Toby Club
4 Vawdrey Close
E1 4UA

HT - Tower Hamlets Borough

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

Telephone: 0207 161 8792

Facsimile:

Email:

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

www.met.police.uk

Your ref:

Our ref:

21 April 2015

Dear Mr McCrohan

Application for a premises licence

Tomorrow Bar, 132 Bethnal Green Road, E2

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

The prevention of crime and disorder

The prevention of public nuisance

The applicant has applied for the following hours all week:

Live music / Recorded music / Supply of alcohol / karaoke: 1100 - 0100

LBTH has 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.*

This part of Bethnal Green Road falls within the Cumulative Impact Zone (CIZ) There has been a steady increase in bars, restaurants and fast food premises.

One of the Police Licensing concerns is that this would become one more vertical drinking bar. The hours I believe are excessive. One more late night opening venue will only compound the problems at the top end of the CIZ. There will be a heavy concentration of people leaving from this new venue.

The availability of alcohol all week until 0100, will mean more people staying for longer within the CIZ, with the potential for ASB and violence.

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

There are residential properties nearby and it is difficult to ask people to be quiet after they have consumed alcohol until 1am. Whether it is just boisterous behaviour or shouting at top of their voices, it is likely to cause a public nuisance.

It is often the case that a small incident inside a bar, late at night, can spark a more serious incident. Are there any specific plans in place to deal with rowdy customers? The applicant has not included any offer of employing SIA staff.

How will they deal with any such an incident?

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?

I am also concerned over the request for live music until 1am. Whilst not a noise expert, does the venue have any plans to prevent noise leakage.

As for karaoke, it is in my experience often a catalyst for noise issues and can attract a noisy drunken crowd.

What experience does the DPS have in running a bar in a very busy area of London?

I ask the committee to refuse this application.

If they are to grant a licence, I would ask them to consider the following hours and conditions.

Licensable activities

Alcohol

Sun- Thur: 1100 - 2230: Closing at 2300

Fri-Sat : 1100 -2300: Closing at 2330

Live music

All week: 1800 = 2100

Recorded music

All week: 1100 - 2230

Karaoke to be removed from the application.

2. 2x SIA staff to be employed on Thur- Sat from 1930 to closing

3. Install / maintain CCTV

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,)

4. Use of incident / refusal book

5. No drinks to be taken outside the venue

6. No more than 6 people to smoke outside the venue.

Alan Cruickshank PC 189HT

Appendix 6

Communities, Localities & Culture Safer Communities

Licensing Authority
6th Floor
Mulberry Place
5 Clove Crescent
London
E14 2BG

21st April 2015

Your reference
My reference: CLC/LIC/071326/MA

Dear Sir/Madam,

Head of Consumer and Business Regulations
Service **David Tolley**

Licensing Section
Mulberry Place
5 Clove Crescent
London
E14 2BG

Tel **020 7364 5498**
Fax **020 7364 0863**
Enquiries to **Mohshin Ali**

Email mohshin.ali@towerhamlets.gov.uk

Licensing Act 2003

Premises licence application: Tomorrow Bar and Restaurant,
132 Bethnal Green Road, London E2 6DG

Further to the above application made by Easy Bar Ltd, I am writing to make a representation against that application on behalf of Licensing Authority.

On 1st November 2013, Tower Hamlets adopted a Cumulative Impact Policy (CIP) in the Brick Lane Area. The Council has recognised 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, 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 recognises that there is a wide diversity of premises requiring a licence and will have full regard to the differing impact these will have on the local community. It therefore also recognises that, within this Policy, it may be able to approve licences that are unlikely to add significantly to the saturation, and will consider the circumstances of each individual application. The Authority may therefore consider that the imposition of conditions is unlikely to address these problems and may consider the adoption of a special policy of refusing new licences because the area is saturated with licensed premises and the granting of any more would undermine one of the licensing objectives.

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 Brick Lane Area as having a

cumulative impact on the licensing objectives and has therefore declared a Cumulative Impact Zone (CIZ).

The effect of this CIP 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 CIZ and a representation is received, the licence will be objected to by the Authority. To rebut this presumption the applicant is 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 CIZ.

The Licensing Authority is therefore making representation against the above application on the grounds of the prevention of crime and disorder and the prevention of public nuisance as the premises lies within the CIZ.

Also, the Council has adopted a set of framework hours as follows:

- Monday to Thursday, from 06:00 hrs to 23:30 hrs
- Friday and Saturday, from 06:00 hrs to 00:00 hrs (midnight)
- Sunday, 06:00hrs to 22:30hrs

The applicant has applied to go beyond the above timings. It is also noted that the premises did have a licence in the past with the following licensable activities timings:

Sale of alcohol by retail

Sunday to Thursday, from 11:30 hrs to 21:30 hrs

Friday and Saturday 11:30 – 22:00

Regulated Entertainment (consisting of live music, recorded music and karaoke)

Sunday to Thursday, from 11:00 hrs to 22:00 hrs

Friday and Saturday, from 11:00 hrs to 22:30 hrs

However, that premises licence lapsed as the previous company dissolved.

If the applicant is unable to prove to the Licensing Sub Committee, through the implementation of appropriate conditions within the Operating Schedule, that the granting of the application will not affect the cumulative impact of the area; then I ask the Committee to reject the application in full.

Yours faithfully,



Mohshin Ali
Senior Licensing Officer
Licensing Authority Acting As a Responsible Authority

CC: 132 Bethnal Green Road, London E2 6DG



Appendix 7

Anti-Social Behaviour 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 Poll of Conditions relating to Crime and Disorder. **(See Appendix 2 Annex D of the Licensing Policy)**. In particular Members may wish to consider (this list is not exhaustive):

- 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 Licensing Policy has adopted the recommended Pool of Conditions as permitted (Annex 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, but can relate to the immediate vicinity of the premises as they seek entry or leave (2.4).

Conditions are best targeted on deterrence and preventing crime and disorder (S.2.6) communication, police liaison, no glasses are all relevant (S2.7-2.11).

Guidance Issued under Section 182 of the Licensing Act 2003
Conditions can be imposed for large capacity “vertical consumption” premises (10.40).

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 8

Appendix 9

Anti-Social Behaviour From Patrons Leaving The Premises

General Advice

Members need to bear in mind that once patrons have left a premises they are no longer under direct control. Members will need to be satisfied that there is a link between the way the premises is operating and the behaviour that is complained of. An example of this would be that irresponsible drinking is being encouraged. Before deciding that any particular licensing conditions are proportionate, Members will also need to be satisfied that other legislation is not a more effective route. For example, if the problem is drinking in the street it may be that the Council should designate the area as a place where alcohol cannot be consumed in public.

Members may also wish to consider whether the hours of opening relate to any problems of anti-social behaviour.

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

Licensing Policy

The policy recognises that other legislation or measures may be more appropriate but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy.” **(See Section 4.10 and 4.11 of the Licensing Policy).**

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. **(See Sections 5.2 of the Licensing Policy)**

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. **(See Appendix 2 Annex D of the Licensing Policy).** In particular Members may wish to consider (this list is not exhaustive):

- Bottle Bans
- Plastic containers
- CCTV (outside the premises)
- Restrictions on open containers for “off sales”
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage

Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However, the process for this involves wide consultation and cannot come from representations about a particular application. (**See Section 6 of the Licensing Policy**).

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public.

Guidance Issued under Section 182 of the Licensing Act 2003.

The pool of conditions, adopted by the council is recommended (13.20).

The key role of the police is acknowledged (2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, but can relate to the immediate vicinity of the premises as they seek entry or leave (2.4).

Conditions are best targeted on deterrence and preventing crime and disorder (S.2.6) communication, police liaison, no glasses are all relevant (s.2.7-2.11).

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

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

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (2.36) but it is essential that conditions are focused on measures “within the direct control of the licence holder” (2.38).

Other Legislation

Crime and Disorder Act 1998

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

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

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

Appendix 10

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 Sections 8.2 of the Licensing Policy, and also Section 12.5**).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 12.1**).

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 12.4**)

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 (13.20 and 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 (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (2.36) but it is essential that conditions are focused on measures within the direct control of the licence holder” (2.38).

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 (2.36).

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. (2.38)

Appendix 11

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 12

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:

Sunday to Thursday 06 00 hrs to 23 30 hrs

Friday and Saturday 06 00 hrs to midnight

(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