

# Appendix 1

[Insert name and address of relevant licensing authority and its reference number (optional).]

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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

You may wish to keep a copy of the completed form for your records.

We POPLAR SPICE LTD

*(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 REAL TASTE, 185 EAST INDIA DOCK ROAD, LONDON. E14 0EA			
Post town	LONDON	Postcode	E14 0EA

Telephone number at premises (if any)	██████████
Non-domestic rateable value of premises	£14750 BAND B

**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) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  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 yes

- 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 <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over			Please tick yes		
Current postal address if different from premises address					
Post town			Postcode		
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over			Please tick yes		
Current postal address if different from premises address					
Post town			Postcode		
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(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.

<b>Name</b> POPLAR SPICE LTD
<b>Address</b> 185 EAST INDIA DOCK ROAD, POPLAR, LONDON E14 0EA
<b>Registered number (where applicable)</b> 08659028
<b>Description of applicant (for example, partnership, company, unincorporated association etc.)</b> LIMITED COMPANY
<b>Telephone number (if any)</b>
<b>E-mail address (optional)</b>

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
30	06	2015

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

DD	MM	YYYY
1	1	1111

Please give a general description of the premises (please read guidance note 1)  
THE PREMISES IS A FAST FOOD RESTAURANT & TAKE AWAY LOCATED IN A GROUND FLOOR END OF TERRACE RETAIL UNIT NEAR CHRISP STREET MARKET WITH RESIDENTIAL FLATS ABOVE. THE PREMISES CONSISTS OF A CUSTOMER SERVICE / SEATING AREA WITH 30 COVERS TO THE FRONT AND CUSTOMER TOILETS, FOOD PREPARATION AREA AND KITCHEN TO THE REAR. THERE IS A CAR PARK FOR STAFF & DELIVERY DRIVERS TO THE REAR OF THE PREMISES.

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

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

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

Provision of regulated entertainment

Please tick any 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 I)

X

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

**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	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat					
Sun					

1

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 (please read guidance note 2)	Indoors	X		
				Outdoors			
Day	Start	Finish		Both			
Mon	23.00		<b>Please give further details here</b> (please read guidance note 3) PROVISION OF HOT FOOD & DRINK FOR SERVICE IN THE RESTAURANT, TAKE AWAY & HOME DELIVERY.				
		00.30					
Tue	23.00						
		00.30					
Wed	23.00			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4) NONE			
		00.30					
Thur	23.00						
		02.00					
Fri	23.00				<b>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</b> (please read guidance note 5) NONE		
		02.00					
Sat	23.00						
		02.00					
Sun							

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

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4) NONE
Day	Start	Finish	
Mon	08.00		<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5) NONE
		00.30	
Tue	08.00		
		00.30	
Wed	08.00		
		00.30	
Thur	08.00		
		02.00	
Fri	08.00		
		02.00	
Sat	08.00		
		02.00	
Sun	08.00		
		23.00	



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

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

WE WILL OPERATE OUR BUSINESS IN A RESPONSIBLE MANNER AND ACTIVELY PROMOTE THE LICENSING OBJECTIVES AT ALL TIMES.

**b) The prevention of crime and disorder**

1) a) A CCTV CAMERA SYSTEM COVERING BOTH THE INTERIOR & EXTERIOR OF THE PREMISES IS TO BE INSTALLED & WHICH SHALL BE CAPABLE OF TAKING A HEAD AND SHOULDERS SHOT OF PERSONS ENTERING THE PREMISES.  
b) 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.  
c) A SYSTEM SHALL BE IN PLACE TO MAINTAIN THE QUALITY OF THE RECORDED IMAGE AND A COMPLETE AUDIT TRAIL MAINTAINED.  
d) THE SYSTEM WILL BE MAINTAINED AND FULLY OPERATIONAL THROUGHOUT THE HOURS THAT THE PREMISES ARE OPEN FOR ANY LICENSABLE ACTIVITY.  
e) AT ALL TIMES THE PREMISES IS OPEN, A PERSON SHALL BE ON DUTY WHO CAN DOWNLOAD THE IMAGES AND PRESENT THEM IMMEDIATELY ON REQUEST BY A POLICE OFFICER OR OTHER RESPONSIBLE AUTHORITY.

2) NOTICES SHALL BE PROMINENTLY DISPLAYED BY THE ENTRY DOOR AND AT THE SERVERY STATING THAT CCTV IS IN USE.

3) NO ALCOHOL SHALL BE PERMITTED IN OR BE ALLOWED TO BE CONSUMED IN THE PREMISES AT ANY TIME. STAFF WILL MONITOR CUSTOMER CONDUCT WHILE IN THE SHOP INCLUDING THE BAN ON ALCOHOL. DRUNK, ABUSIVE OR AGGRESSIVE CUSTOMERS WILL BE REFUSED SERVICE & ASKED TO LEAVE.

4) NOTICES SHALL BE PROMINENTLY DISPLAYED BY THE ENTRY DOOR STATING THAT NO ALCOHOL MAY BE TAKEN INTO THE RESTAURANT OR CONSUMED IN THE PREMISES.

5) THE LAST ORDER TIMES WILL BE:  
FOR SIT DOWN SERVICE IN THE RESTAURANT 30 MINUTES BEFORE THE TERMINAL HOUR  
FOR TAKE AWAY OR HOME DELIVERY 15 MINUTES BEFORE THE TERMINAL HOUR.

6) THE RESTAURANT SEATING SHALL BE CLOSED TO NEW CUSTOMERS 30 MINUTES BEFORE THE TERMINAL HOUR. STAFF WILL ADVISE CUSTOMERS ORDERING AFTER THE SEATING IS CLOSED THAT SERVICE IS TAKE AWAY ONLY AND NOTICES SHALL BE DISPLAYED TO ADVISE CUSTOMERS.

7) NOTICES WILL BE PROMINENTLY DISPLAYED BY THE ENTRY DOORS ADVISING

CUSTOMERS OF THE OPENING HOURS AND LAST ORDER TIMES.

8) NOTICES WILL BE PROMINENTLY DISPLAYED BY THE EXIT DOOR REQUESTING CUSTOMERS TO RESPECT RESIDENTS AND TO LEAVE THE SHOP AND AREA QUIETLY, NOT TO LOITER OR EAT OUTSIDE THE SHOP AND TO DISPOSE OF LITTER LEGALLY

9) STAFF WILL RECEIVE TRAINING FOR THEIR ROLE ON INDUCTION & REFRESHER TRAINING EVERY 6 MONTHS. TRAINING WILL INCLUDE ACKNOWLEDGING & SERVING CUSTOMERS IN TURN, EXPLAINING SERVICE TIMES & DELAYS IN SERVICE, MONITORING CUSTOMERS & AVOIDING CONFLICT OR DISORDER.

10) WRITTEN TRAINING LOGS WILL BE KEPT FOR ALL MEMBERS OF STAFF WHICH SHALL BE SIGNED / DATED BY THE TRAINER & TRAINEE IN RESPECT OF ALL TRAINING RECEIVED AND PRODUCED TO A POLICE OFFICER OR AUTHORISED OFFICER OF THE COUNCIL ON REQUEST.

11) A MINIMUM OF 3 STAFF SHALL BE ON DUTY DURING PERMITTED (LICENSED) HOURS.

12) MANAGEMENT & STAFF WILL MONITOR THE OUTSIDE OF THE PREMISES PHYSICALLY AND BY CCTV AND ACTIVELY DISCOURAGE CUSTOMERS FROM LOITERING OUTSIDE THE PREMISES & IN THE IMMEDIATE VICINITY.

13) AN INCIDENT BOOK SHALL BE KEPT WHICH SHALL BE PRODUCED TO POLICE OFFICERS OR AUTHORISED OFFICERS OF THE COUNCIL ON REQUEST AND IN WHICH DETAILS OF:

A ALL CRIMES REPORTED TO THE VENUE;

B ALL EJECTIONS OF PATRONS;

C ANY COMPLAINTS RECEIVED;

D ANY INCIDENTS OF DISORDER;

E ANY FAULTS IN THE CCTV SYSTEM;

F ANY REFUSAL OF SERVICE;

G ANY VISIT BY A RELEVANT AUTHORITY OR EMERGENCY SERVICE

**c) Public safety**

A FIRE RISK ASSESSMENT & EMERGENCY PLAN WILL BE PREPARED AND REGULARLY REVIEWED.

STAFF WILL BE GIVEN APPROPRIATE FIRE SAFETY TRAINING.

**d) The prevention of public nuisance**

1) NOTICES WILL BE PROMINENTLY DISPLAYED BY THE EXIT DOOR REQUESTING CUSTOMERS TO RESPECT RESIDENTS AND TO LEAVE THE SHOP AND AREA QUIETLY, NOT TO LOITER OR EAT OUTSIDE THE SHOP AND TO DISPOSE OF LITTER LEGALLY.

2) A RUBBISH BIN WILL BE PROVIDED FOR CUSTOMERS TO PLACE ANY UNWANTED MATERIAL IN AS THEY LEAVE THE SHOP.

3) NO DELIVERIES OF GOODS WILL BE RECEIVED AT THE PREMISES OR RUBBISH REMOVED BETWEEN 20.00 AND 07.00 DAILY.

4) THE SHOP FRONTAGE WILL BE KEPT TIDY AT ALL TIMES AND SWEEPED AT CLOSE.

5) A PHONE NUMBER WILL BE DISPLAYED FOR RESIDENTS TO CONTACT WITH ANY CONCERNS.

6) DELIVERY DRIVERS WILL BE ASKED TO TURN OFF THEIR ENGINE OUTSIDE THE SHOP AND CUSTOMERS PREMISES AND NOT TO START IT UNTIL THEY ARE READY TO DEPART. THEY WILL BE INSTRUCTED TO WAIT INSIDE THE SHOP IN BETWEEN DELIVERIES.

e) The protection of children from harm

NO UNACCOMPANIED CHILDREN UNDER 16 WILL BE ALLOWED IN THE PREMISES AFTER 23.00.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. X
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected. X

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

**Part 4 – Signatures** (please read guidance note 10)

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

Signature	[REDACTED]
Date	28 / 5 / 15 [REDACTED]
Capacity	AUTHORISED LICENSING CONSULTANT

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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	

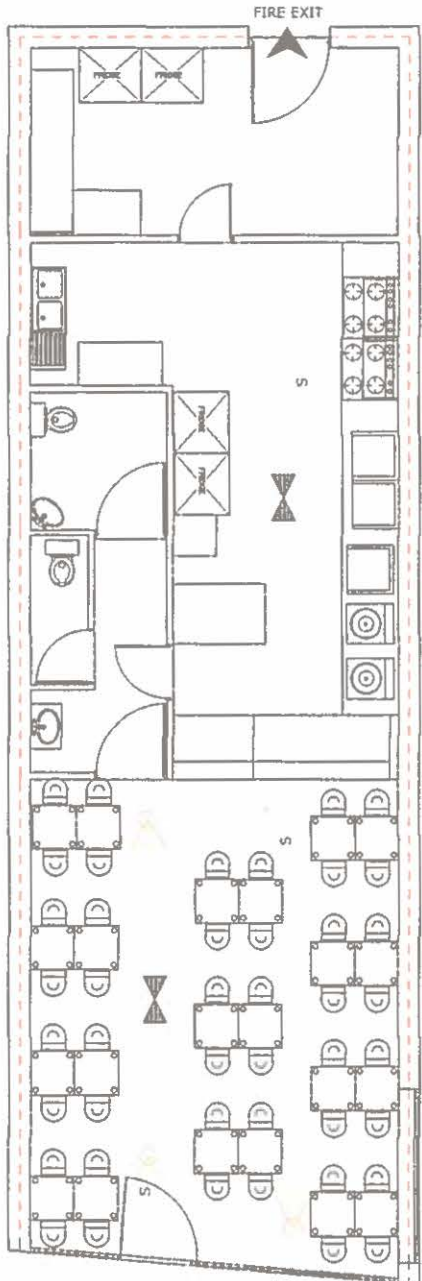
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) GT LICENSING CONSULTANTS, 55 CODENHAM GREEN, BASILDON, ESSEX. SS16 5DT			
Post town	BASILDON	Postcode	SS16 5DT
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]			

**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 unamplified.
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 the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. 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

**LEGEND**

-  AMBIT OF PREMISES
-  SAFETY LIGHTING
-  SMOKE DETECTOR
-  CARBON DIOXIDE FIRE EXTINGUISHER
-  9 LT. WATER FIRE EXTINGUISHER
-  INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
-  30min FIRE RESISTANCE DOOR (FIRE DOOR TO HAVE INTUMESCENT STRIPS AND SELF CLOSER)
-  CCTV OPERATING SYSTEM
-  FIRE BLANKET IN CONTAINER



**GROUND FLOOR PLAN**

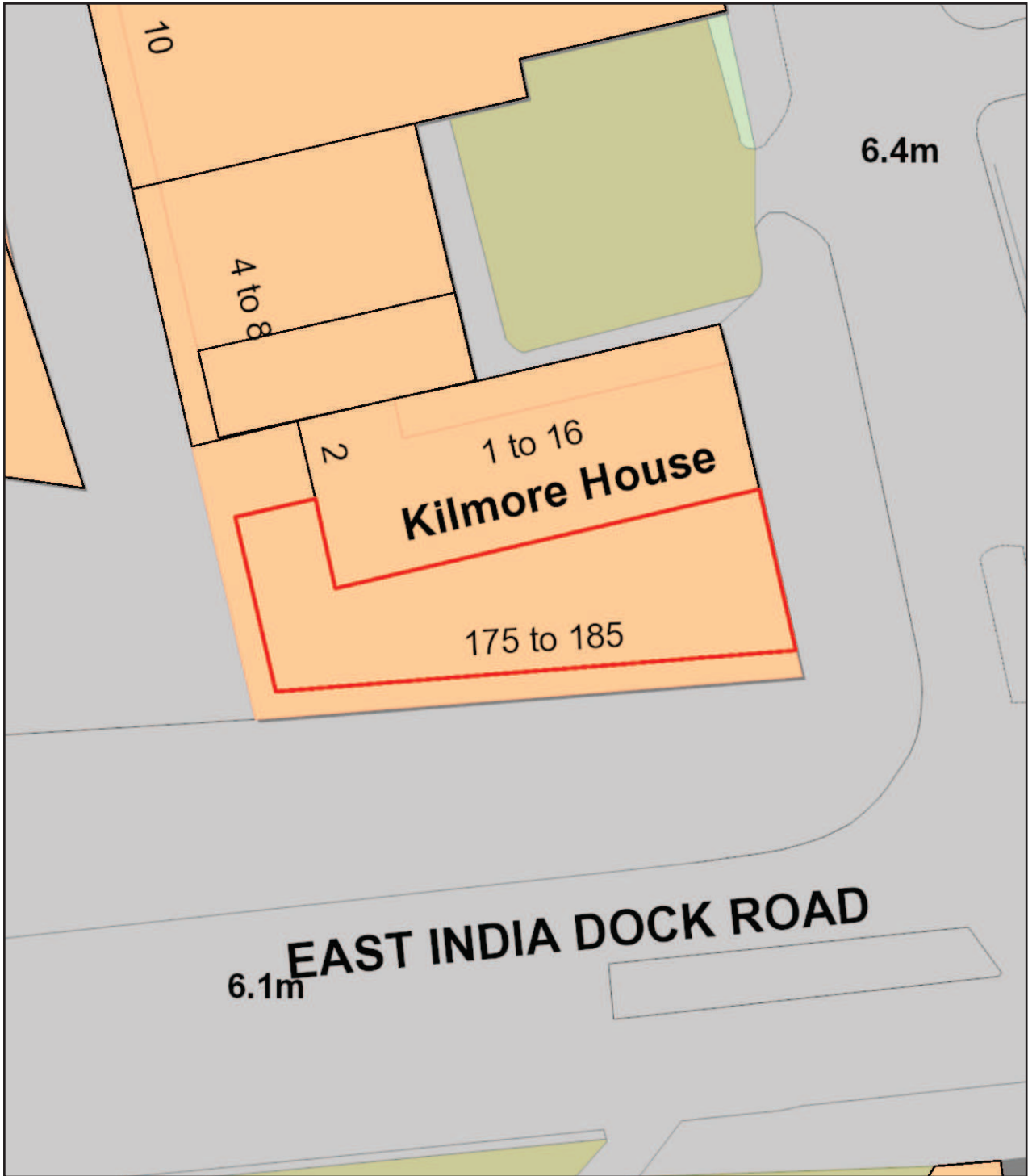


Drawing Title: EXISTING FLOOR PLAN	Client: Cln Abdula Graham	Revision: DEC/2014	<b>Advance Planning Licensing</b> Unit 17, Ashley House, Ashley Road, London N17 9LZ Telephone: (020) 8801 6601 Mobile (078) 7999 9178 E-Mail: advance.apl@gmail.com
Scale 1:100 @ A4	Address: 185 East India Dock, E14 0EA	Drawing Number:	

ALL DIMENSIONS TO BE VERIFIED ON SITE

# Appendix 2



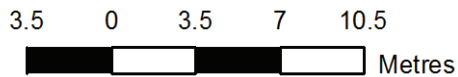


# 185 East India Dock Road

Map 1



Scale 1:384



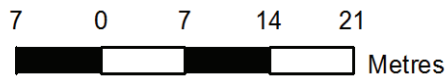


# 185 East India Dock Road

## Map 2



Scale 1:769





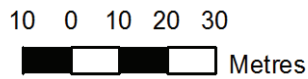


# 185 East India Dock Road

## Map 3



Scale 1:1922



# Appendix 3

## LICENSING SUB COMMITTEE

HELD AT 2.00 P.M. ON TUESDAY, 4 NOVEMBER 2014

### DECISIONS

#### 1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of disclosable pecuniary interest.

#### 2. RULES OF PROCEDURE

The rules of procedure were noted.

#### 3. MINUTES OF THE PREVIOUS MEETING(S)

The minutes of the Licensing Sub Committees held on 23<sup>rd</sup> September, 30<sup>th</sup> September and 7<sup>th</sup> October 2014 were agreed as a correct record.

#### 4. ITEMS FOR CONSIDERATION

##### 4.1 Application for a New Premises Licence for Inito, Unit 6, 31 Bell Lane, London E1 7LA

###### The Licensing Objectives

In considering the application, Members were required to consider the same in accordance with the Licensing Act 2003 (as amended), the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy.

###### Consideration

Each application must be considered on its own merits and the Chair stated that the Sub Committee had carefully considered all of the evidence before them and had heard representations from the Applicant's representative and noted the written objections from the residents.

Members reached a decision and the decision was unanimous. Members decided to grant the application with conditions offered by the Applicant and those agreed with the Police. Members noted that the premises was within the cumulative impact zone, however, Members were satisfied that having seen the evidence prior to and at the meeting, the Applicant had done everything they could to mitigate further impact within the cumulative impact zone and

Members were content that the conditions proposed would promote the licensing objectives.

### Decision

Accordingly, the Sub-Committee unanimously –

### **RESOLVED**

That the application for a New Premises Licence for, Inito, Unit 6, 31 Bell Lane London E1 7LA be **GRANTED with conditions.**

### Sale of Alcohol (on and off sales only)

Monday to Thursday from 11:00 hours to 22:30 hours  
Friday and Saturday from 11:00 hours to 23:00 hours  
Sunday from 11:00 hours to 21:30 hours

### The Provision for Late Night Refreshments

Friday and Saturday from 23:00 hours to 23:30 hours

### Hours Premises is open to the Public

Monday to Thursday from 11:00 hours to 23:00 hours  
Friday and Saturday from 11:00 hours to 23:30 hours  
Sunday from 11:00 hours to 22:00 hours

### Conditions

1. Substantial food and suitable beverages other than alcohol, including drinking water, shall be equally available during the whole of the permitted hours in all parts of the Premises where alcohol is sold or supplied.
2. The sale of alcohol shall be ancillary to food.
3. The outside area will close at 21:00.
4. The premises will implement a smoking policy to ensure no nuisance is caused by smokers.
5. The premises will implement a dispersal policy to ensure no nuisance is caused by persons leaving the premises.
6. Clear signage is to be displayed prominently and maintained at all exits of the premises requiring patrons to leave and enter the premises and area quietly out of respect for local residents.
7. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

8. All doors and windows shall be closed after 22:00hrs except to access and egress.
9. All staff will be trained in respect of the promotion of all four licensing objectives under the Licensing Act 2003.
10. CCTV camera system covering internal areas to the premises is to be installed.
11. The CCTV recordings are to be maintained for 30 days and to be provided upon request to either a Police Officer or an Officer of any other description.
12. At all times when the premises are open, a person who can operate the CCTV system must be present on the premises.
13. An incident log shall be kept at the premises, and made available on request to an authorised Officer of the Council or the Police, which will record the following:
  - a) All crimes reported to the venue;
  - b) All ejections of patrons;
  - c) Any complaints received;
  - d) Any incidents of disorder;
  - e) All seizures of drugs or offensive weapons;
  - f) Any faults in the CCTV system;
  - g) Any refusal of the sale of alcohol;
  - h) Any visit by a relevant authority or emergency service.
14. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
15. A suitable under-age scheme shall be implemented and appropriate identification shall be sought from any person who appears under the age of 25. The only acceptable forms of identification shall be passport, photo driving licence and those carrying the PASS logo. Staff shall be fully trained regarding under-age sales and a refusals shall book kept.
16. The placing of refuse - such as bottles - into receptacles outside the premises takes place at times that will minimise the disturbance to nearby properties

#### **4.2 Application for a New Premises Licence for Lonzo, 10A Lamb Street, Old Spitalfields Market, London E1 6EA**

##### The Licensing Objectives

In considering the application, Members were required to consider the same in accordance with the Licensing Act 2003 (as amended), the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy.

#### Consideration

Each application must be considered on its own merits and the Chair stated that the Sub Committee had carefully considered all of the evidence before them, it was noted that the Applicant was not present at the meeting and had no correspondence with Democratic Services and Licensing Services despite being sent notification of the meeting and the agenda within the prescribed timelines. Therefore Members noted the written application contained in the agenda and briefly heard representations from the Police and local resident.

Members noted the concerns of public nuisance and noted the fact that the premises was within the cumulative impact zone. Members believed that the lack of attendance at the meeting showed a lack of confidence in the applicant to uphold the licensing objectives and taking into consideration the objections raised Members unanimously refused the application.

#### Decision

Accordingly, the Sub-Committee unanimously –

#### **RESOLVED**

That the application for a New Premises Licence for Lonzo, 10A Lamb Street, Old Spitalfields Market, London E1 6EA be **REFUSED**.

### **4.3 Application for a New Premises Licence for Poplar Spice Ltd, 185 East India Dock Road, London E14 0EA**

#### The Licensing Objectives

In considering the application, Members were required to consider the same in accordance with the Licensing Act 2003 (as amended), the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy.

#### Consideration

Each application must be considered on its own merits and the Chair stated that the Sub Committee had carefully considered all of the evidence before them, it was noted that the Applicant was not present at the meeting and had no correspondence with Democratic Services and Licensing Services despite being sent notification of the meeting and the agenda within the prescribed timelines. Therefore Members noted the written application contained in the agenda and briefly heard representation from the Police.

Members noted the concerns of public nuisance and anti-social behaviour in the area and noted that the premise was found to be open outside trading hours. Members believed that the lack of attendance at the meeting showed a lack of confidence in the applicant to uphold the licensing objectives and taking into consideration the objections raised Members unanimously refused the application.

#### Decision

Accordingly, the Sub-Committee unanimously –

#### **RESOLVED**

That the application for a New Premises Licence for Poplar Spice, 185 East India Dock Road, London E14 0EA be **REFUSED**.

#### **4.4 Application to Review the Premises Licence for Bethnal Green Food Centre, 438 Bethnal Green Road, London E2 0DJ**

##### The Licensing Objectives

In considering the application, Members were required to consider the same in accordance with the Licensing Act 2003 (as amended), the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy.

##### Consideration

Each application must be considered on its own merits and the Chair stated that the Sub Committee had carefully considered all of the evidence before them and had heard representations from PC Alan Cruickshank and noted the lack of attendance and communication from the Premise Licence Holder.

Members reached a decision and the decision was unanimous. Members noted the number of repeated breaches of the licence where the applicant had been found selling outside trading hours, this together with the concerns raised by the Police and Licensing Authority, Members decided to revoke the premises licence.

##### Decision

Accordingly, the Sub-Committee unanimously –

#### **RESOLVED**

That the application for a Review of Premises Licence for Bethnal Green Food Centre, 438 Bethnal Green Road, London E2 0DJ be **GRANTED** with the revocation of the Premise Licence.

**5. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT**

There was no other business.

**Stephen Halsey**  
**INTERIM HEAD OF PAID SERVICES**

(Please note that the wording in this document may not reflect the final wording used in the minutes.)



# Appendix 4

### Section 182 Advice by the Home Office Updated on March 2015

#### 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

## Andrew Heron

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**From:** Halima Begum [REDACTED]  
**Sent:** 29 June 2015 16:00  
**To:** Licensing  
**Subject:** Fwd: Objection for licensing ref 85243

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Sent from my iPad

Begin forwarded message:

**From:** [REDACTED]  
**Date:** 29 June 2015 03:27:04 pm BST  
**To:** [REDACTED]  
**Subject:** Objection for licensing ref 85243

Mrs Halima begum  
[REDACTED]  
[REDACTED]

Whom it may concern

Re/ objection ref 85243 late night licensing For Real taste 185 East India dock road london E14 0ef

I would like to strongly object to this late night refreshment license application  
As this premise is not a suitable location due to surrounded in residential area  
It would effect me with my severe disable child who is very sensitive to noise when his  
sleeping  
and this application approval would create noise nuisance from public footfall and running  
late night extractor fan (which not high up)

Thank you

Kind regards

# Appendix 6

**Andrew Heron**

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**From:** Mohshin Ali on behalf of Licensing  
**Sent:** 12 June 2015 12:50  
**To:** Andrew Heron  
**Subject:** FW: Ref:- TSS/LIC/85243

**From:** LooneyTunes Horner [REDACTED]  
**Sent:** 11 June 2015 17:26  
**To:** Licensing  
**Subject:** Ref:- TSS/LIC/85243

I oppose the application for Real Taste, 185 East India Dock Road, E14 0EA to stay open for longer than 11 pm.

[REDACTED] I worry that this will bring noise nuisance and anti social behaviour.

There are already chicken shops that are open along this road later than 11 pm so there is no need for more.

Regards  
Ms. L Horner

# Appendix 7



### Access and Egress Problems

Such as:  
Disturbance from patrons arriving/leaving the premises on foot  
Disturbance from patrons arriving/leaving the premises by car  
Lack of adequate car parking facilities  
Close proximity to residential properties

#### Comment

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

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

#### General Advice

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

The hours of operation also need to be considered.

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

#### Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. (**See Section 10 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 10.2 of the Licensing Policy**).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 15.1**).

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 15.5**)

The Council has adopted a set of framework hours (**See 15.8 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 Annex G of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

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

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

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community. (2.19).

Licence conditions should not duplicate other legislation (1.16).

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

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

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

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

# 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)**.

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 12.11)**.

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 Licensing Authority will consider attaching conditions to prevent nuisance 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):

- 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 (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 (2.36) 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 (2.38).

### 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.