

Appendix 1

(Preem)
118 -122 Brick Lane
London
E1 6RL

Licensable Activities authorised by the licence

The sale by retail of alcohol
The provision of regulated entertainment

See the attached licence for the licence conditions

Signed by

Jacqueline Randall _____
Licensing Services Manager

Date: 3rd August 2010

- Licence amended on 11th January 2011
- Licence varied following the licensing sub-committee hearing of 21st July 2011
- Licence amended following the licensing sub-committee review hearing of 6th October 2011



Part A - Format of premises licence

Premises licence number

15901

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

(Preem)
118-122 Brick Lane

Post town
London

Post code
E1 6LR

Telephone number

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol
The provision of regulated entertainment

The times the licence authorises the carrying out of licensable activities

Sale of Alcohol

- Monday to Saturday from 12:00 hours to 23:00 hours
- Sunday from 12:00 hours to 22:30 hours

The Provision of Regulated Entertainment - (Recorded music only)

- Monday to Saturday from 12:00 hours to 23:00 hours
- Sunday from 12:00 hours to 22:30 hours

The opening hours of the premises

- Monday to Saturday from 12:00 hours to 23:30 hours
- Sunday from 12:00 hours to 23:00 hours

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

On and off sales

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

**Mr Azmal Hussain
124 Brick Lane
London
E1 6LR**

[REDACTED]

Registered number of holder, for example company number, charity number (where applicable)

N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Azmal Hussain

[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

[REDACTED]

Annex 1 - Mandatory conditions

No supply of alcohol may be made under the premises licence-

at a time where there is no designated premises supervisor in respect of the premises licence, or

at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

1.

- (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (iii) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
- 2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 4.
 - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that;
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

Annex 2 - Conditions consistent with the operating Schedule

1. No nudity or semi nudity permitted.
2. Any customers under the age of 18 years must be accompanied by a person over the age of 18 years.

Annex 3 - Conditions attached after a hearing by the licensing authority

1. No regulated entertainment is to be provided except low key background music only. A noise limiter is to be installed, the settings (maximum music noise levels generated) of which are to be set and agreed beforehand with the Environmental Protection Service, and the agreed level be made available to the public on request.
2. To ensure, as far as reasonably practical, that patrons who enter and exit the premises especially late at night will act quietly and considerately at all times by ensuring prominent and clearly legible notices to be displayed at all exists of the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
3. The premise is required to have CCTV cameras installed, covering the premises internally and externally.

4. That the CCTV system should incorporate a recording facility and any recording should be retained and stored in a suitable and secure manner for a minimum of 31 days. A system should be in place to maintain the quality of the recorded image and a complete audit trail maintained. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
5. No food or drink will be allowed to be consumed outside the premises.
6. There will be no early morning (before 08:00 hours) or late night (after 19:00 hours) deliveries of food and drink to the premises. No bottles or refuse will be placed outside the premises after 21:00 hours.

(Conditions added after Review Hearing on 11th January 2011)

7. No person shall be employed to solicit for custom or be permitted to solicit for custom for business for the premises in any public place within a 500 metres radius of the premises.
8. Clear signage to be placed in the restaurant windows stating that the premises supports the Council's 'No Touting Policy'.

(Condition added after Review Hearing on 6th October 2011)

9. A CCTV camera to be installed so that it captures images of persons entering the premise via the front entrance.

Annex 4 - Plans

The plans are those submitted to the licensing authority on the following date:

22nd June 2010

[The licences area is the ground floor of 118 & 120-122 referred to in the plan marked: Job No. 210610/118~122 BL-E1. Drawing No. **A1(02)** 001 Rev. 01.

The basement area is NOT licensed, however, a plan of the basement is included in the file: Job No. 210610/118~122 BL-E1. Drawing No. **A1(01)** 001 Rev. 01 refers, in order to show the access between 118 & 120-122 via the basement which is relevant to the managerial control of the premises].



Part B - Premises licence summary

Premises licence number

15901

Premises details

Postal address of premises, or if none, ordnance survey map reference or description

(Preem)

118-122 Brick Lane

Post town

London

Post code

E1 6LR

Telephone number

██████████

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol
The provision of regulated entertainment

The times the licence authorises the carrying out of licensable activities

Sale of Alcohol

- Monday to Saturday from 12:00hrs to 23:00hrs
- Sunday from 12:00hrs to 22:30hrs

The Provision of Regulated Entertainment
(Recorded music only)

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- Sunday from 12:00hrs to 22:30hrs

The opening hours of the premises

- Monday to Saturday from 12:00hrs to 23:30hrs
- Sunday from 12:00hrs to 23:00hrs

Name, (registered) address of holder of premises licence

Mr Azmal Hussain
124 Brick Lane
London
E1 6LR

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

On and off sales

Registered number of holder, for example company number, charity number (where applicable)

N/A

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Azmal Hussain

State whether access to the premises by children is restricted or prohibited

No restrictions

Appendix 2



This form should be completed and forwarded to: Licensing Section, Mulberry Place (AH), PO Box 55739, 5 Clove Crescent, London E14 1BY with a cheque for the correct fee, made payable to the London Borough of Tower Hamlets.

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

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

Application to vary a premises licence 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 Azmal Hussain (Insert name(s) of applicant)

Being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises Licence number 14967

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Preem 118-122 Brick Lane London	
Post town London	Post code E1 6RL

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£66,000.00

Part 2 - Applicant details

Daytime contact telephone number		[REDACTED]	
E-mail address (optional)		[REDACTED]	
Current postal address if different from premises address		124 Brick Lane	
Post Town	London	Postcode	E1 6RL

Part 3 - Variation

Do you want the proposed variation to have effect as soon as possible?

Please tick yes



If not, when do you want the variation to take effect from?

Day Month Year

--	--	--	--	--	--	--	--	--	--

Please describe briefly the nature of the proposed variation (please see guidance note1)

Supply of late night refreshment and alcohol with recorded (back ground) music from 23.00 to 3.00

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

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Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

- Please tick yes
- 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)

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

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 6)			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)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Both		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)
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

E

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

F

Recorded music Standard days and timings (please read guidance note 6)			Indoors	x
Day	Start	Finish		
Mon	23.00	03.00	Indoors	x
Tue	23.00	03.00	Indoors	x
Wed	23.00	03.00	Indoors	x
Thur	23.00	03.00	Indoors	x
Fri	23.00	03.00	Indoors	x
Sat	23.00	03.00	Indoors	x
			Outdoors	
			Both	
			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	
			Please give further details here (please read guidance note 3)	
			State any seasonal variations for playing recorded music (please read guidance note 4)	
			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)	

Sun	23.00	03.00	

G

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

H

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

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	X
Day	Start	Finish		Outdoors	
Mon	23.00	02.30	Please give further details here (please read guidance including Christmas & Good Friday)	Both	
Tue	23.00	02.30			
Wed	23.00	02.30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) N/A		
Thur	23.00	02.30			
Fri	23.00	02.30	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	23.00	02.30		N/A	
Sun	23.00	02.30			

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	x
Day	Start	Finish		Off the premises	
Mon	23.00	02.30	Please give further details here (please read guidance)	Both	
Tue	23.00	02.30			
Wed	23.00	02.30	State any seasonal variations for the supply of alcohol (please read guidance note 4) N/A		
Thur	23.00	02.30			
Fri	23.00	02.30	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	23.00	02.30		N/A	
Sun	23.00	02.30			

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)

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	12.00	03.00	N/A
Tue	12.00	03.00	
Wed	12.00	03.00	
Thur	12.00	03.00	
Fri	12.00	03.00	N/A
Sat	12.00	03.00	
Sun	12.00	03.00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence



If you have not ticked on of those boxes please fill in reasons for not including the licence, or part it below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation.

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

At all times the primary duty will be to promote the four licensing objectives. The following steps will be taken to ensure to promote the four licensing objectives.

b) The prevention of crime and disorder

CCTV covering the inside and outside of the premises shall be installed. It shall be capable of taking a head and shoulders shot of person entering the shop and storing image for a period of at least 31 days. The CCTV shall be in operation during all the hours that the premises are open to the public. A member of staff capable of downloading images for Police or Authorised Council Officers shall be on duty at all times the premises are open to the public.

No person will be employed to solicit for custom or be permitted to solicit for custom in any public place within 500 meter radius of the premises.

Clear signage is to be placed in the restaurants windows stating that the premises supports the Council's "No Touting Policy".

Photo identification badges must be worn by staff at all times and surrendered to an officer of the Responsible Authority upon request.

c) Public safety

At all times ensure that at least two trained security staff will be on duty within the premises with one on door control to maintain good order and public safety.

The management will offer customers complimentary teas or coffees after a meal to positively promote leaving the premises in an orderly manner and to not cause any problems relating to anti-social behaviour.

d) The prevention of public nuisance

No regulated entertainment is to be provided except low key background music only. A noise limiter is to be installed the settings (maximum music noise levels generated) of which are to be set and agreed beforehand with the Environmental Protection Service.

To ensure, as far as reasonably practical, that patrons that enter and exit the premises, especially late at night will act quietly and considerately at all times. No anti-social behaviour (shouting and screaming) or other forms of anti-social behaviour will be tolerated.

No food or drinks to be allowed to be consumed immediately outside the premises in the street.

Patrons will be encouraged to leave the premises quietly and considerately especially late at night. A dedicated taxi or mini cab service will be made available and offered to assist patrons on leaving the premises quietly as required. They will be asked to wait at the table until a taxi or other transport arrives in order to discourage patrons from standing and talking

e) The protection of children from harm

No nudity or semi nudity permitted

CHECKLIST:


Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan (showing the area to be licensed) to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 5 – Signatures (please read guidance note 10)

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

Signature	
Date	14/05/2015
Capacity	Solicitor

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) 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)

KC Solicitors
2nd Floor, 291 Whitechapel Road
London E1 1BY
Tel: 020 7375 3761

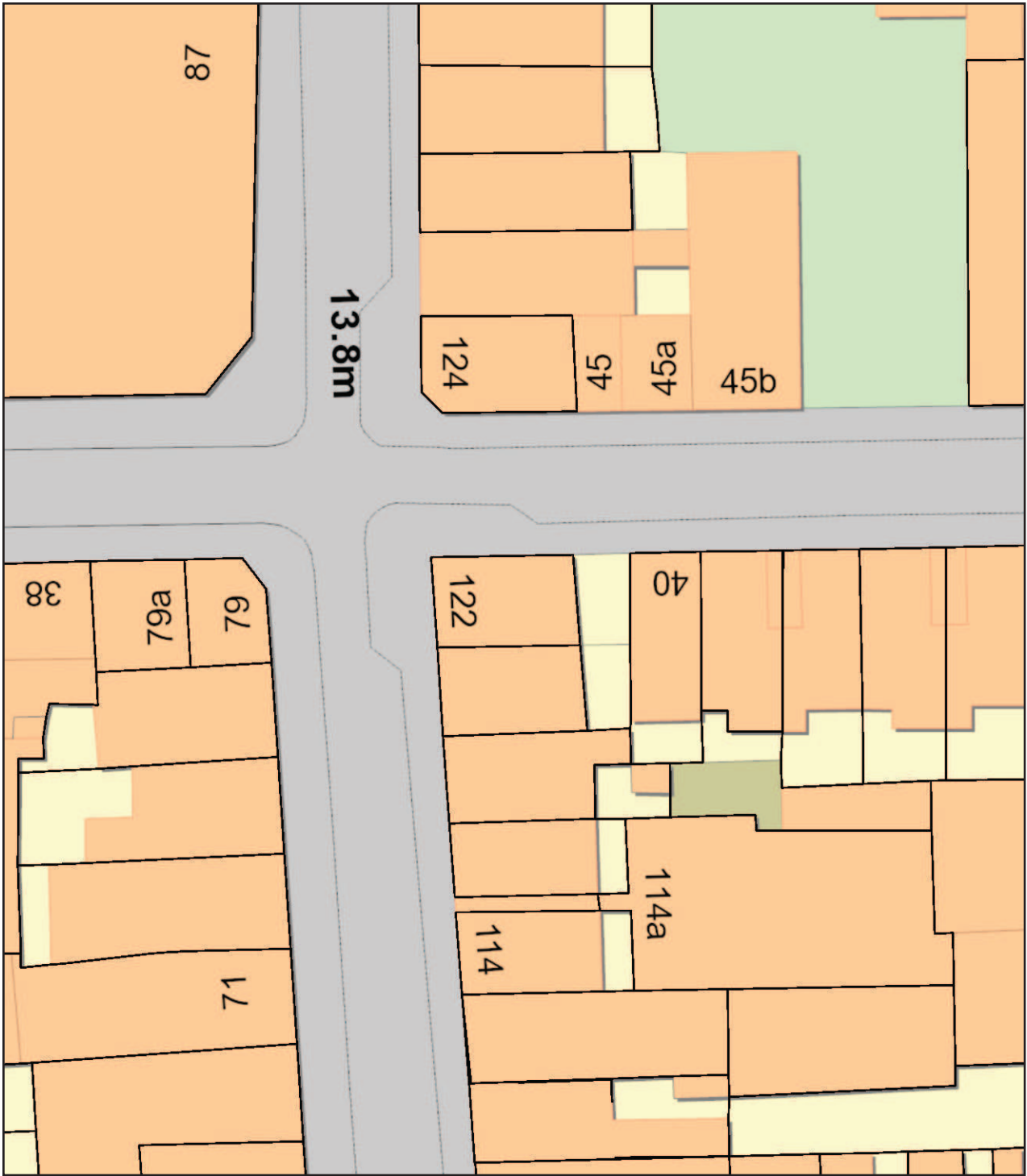
Post town

Post code

Telephone number (if any)

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

Appendix 3

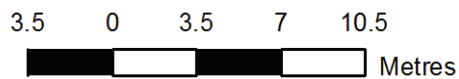


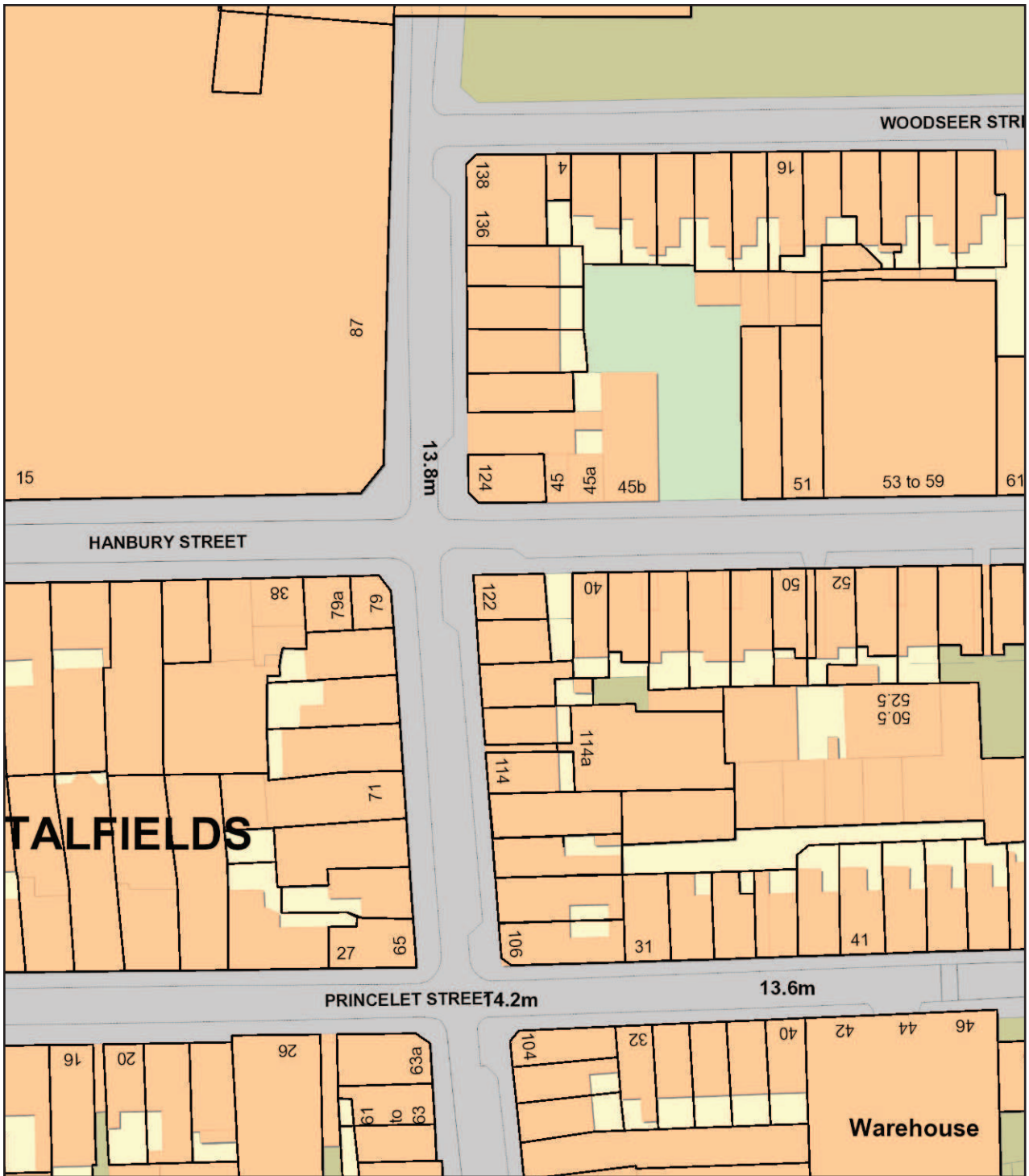
118-122 Brick Lane

Map 1



Scale 1:384



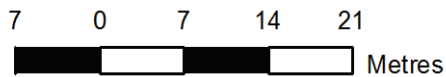


118-122 Brick Lane

Map 2



Scale 1:769



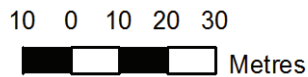


118-122 Brick Lane

Map 3



Scale 1:1922



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



**METROPOLITAN
POLICE**

TOTAL POLICING

Tower Hamlets Borough
Licensing Office

John McCrohan
Trading Standards and Licensing Manager
London Borough of Tower Hamlets
Mulberry Place(AH)
2 Clove Crescent
London
E14 1BY

Limehouse Police Station,
West India Dock Road,
London,
E14 8EZ

[REDACTED]

[REDACTED]

Your ref:
Our ref: LIC/
3rd June 2015

Dear Mr McCrohan

Re: Application to vary a premises licence
Preem, 118-122 Brick Lane, E1 6RL

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 in relation to alcohol:

All week: 2300 - 0230

I am assuming that this is an error and the applicant wishes to keep his existing hours prior to 2300.

Late night refreshments:

As above

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.

As the committee is aware, 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.

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 led to the implementation of a CIZ.

Even without a saturation policy, Tower Hamlets Police Licensing Unit would be objecting to such late hours.

I believe that the hours applied for are excessive. The hours exceed the vast majority of other restaurants' hours in Brick Lane, in fact all licensed premises. If the licence was to be granted, I believe there would be a number of other restaurants that would apply for similar hours. The applicant is a well known figure in Brick Lane and there is already tension in Brick Lane between restaurants, which has led to fighting between their staff / "touts".

By remaining open until 0300, it is likely that a good percentage of their customers will be under the influence of alcohol. The application states "To ensure, as far as reasonably practical, that patrons enter and exit the premises especially late at night, will act quietly and considerately at all times". How will he ensure this?

"No anti-social behaviour (shouting and screaming) or other forms of anti-social behaviour will be tolerated". Again, how will he achieve this? It is very difficult to control groups of people who are under the influence of alcohol.

I note that they have offered "at least two security staff will be on duty...."

Firstly, security staff has to be SIA trained. Secondly, what times will they be employed?

The touting policy is already on their licence and has already been breached (please see below).

In relation to the venue itself:

04/03/14 - There was an application for a new premises licence made before this LSC - it was refused. If I may quote from the minutes of that hearing:

“In response to questions, the Applicant [Mr HUSSAIN] stated he would not be touting anymore and would take positive steps to promote the licensing objectives, would employ additional staff to help customers leave quietly and have voice activated CCTV system and would not allow drunk people to enter the premises”. ‘

Staff’ at Preem was caught touting by PC O’ROURKE only 2 ½ weeks later on 22/03/14.

22/03/14 - ‘Touting’, Breach of Tower Hamlets Byelaws, Breach of Licensing Conditions (Licensing Act 2003) x3 and Section 19 Closure Notice Issued – Criminal Justice and Police Act 2001.

The first offence after the above Licensing Hearing. A plain clothes officer was touted after a male stepped out onto the pavement just a few feet ahead from PREEM at 118 BRICK LANE and said to two passers-by “25% DISCOUNT AND A FREE BOTTLE OF WINE”. It was also found that Mr HUSSAIN had not displayed a summary of his premises licence (Part B), nor did he have a copy of the full premises licence available for inspection.

On the 10th July 2014 at Thames Magistrates Court in relation to these offences, Mr Hussain was fined £6,845.00, after pleading guilty to three offences under the Licensing Act: knowingly allowing staff to tout for business, failing to display a summary of the premises licence in the property and failing to have a full copy of the premises licence in the property.

Initially court considered a fine of £9000 but it was reduced due to his guilty plea.

16/07/14 - The venue was reported for a breach of its premises licence conditions regarding touting and for a breach of a Section 19 Closure Notice issued on the 22nd March 2013. PC O'Rourke reported two touts for Tower Hamlets Byelaw offences, whilst Mr HUSSAIN was present. Mr HUSSAIN'S reply to his staff after they had been cautioned and 'reported for process' was "DON'T WORRY I WILL PAY YOUR FINES" This was a clear indication that Mr HUSSAIN has no intention in upholding the Licensing Act 2003, let alone Tower Hamlets Byelaws. It clearly indicates that he has a disregard for the licensing process.

At the licensing committee on the 2nd December 2014, Mr Hussain suggested PC O'Rourke had misheard him. Unfortunately PC O'Rourke wasn't at the committee to deny this.

For these offences, on 26/02/15 at Thames Magistrates Court, Mr. HUSSAIN was fined £1,000 + £1,105 costs + £100 victim surcharge for these offences.

30/07/14 - The premises was again reported for a breach of its premises licence conditions, namely touting, failure to produce a premises licence and for a breach of a Sec. 19 Closure Notice of the 22nd March 2014 and 16th July 2014.

For these offences, on 26/02/15 at Thames Magistrates Court, Mr. HUSSAIN was fined £1,000 + £600 for the LA 2003 offences

01/08/14 - On the 1st August 2014, Special Constables were on duty in plain clothes in Brick Lane. A number of restaurants touted them including Preem. It was again reported for a breach of its touting condition and for breaching Closure Notices of 22nd March 2014, 16th July 2014 and 30th July 2014.

For these offences, on 26/02/15 at Thames Magistrates Court, Mr. HUSSAIN was fined £1,000 + £300 for the LA 2003 offences.

On the 15th August 2014 PC O'Rourke reviewed the premises licence.

19/09/14 - Touting - Plain clothes officers are touted in the street with an offer of 25% off their bill and the first round of drinks free.

07/10/14 - LSC - Review of premises licence adjourned to 02/12/14

02/12/14 - LSC - suspends premises licence for a period of 3 months from 05/01/15 to 04/04/15.

126/02/15 - Thames Magistrates Court - Mr HUSSAIN is fined in total £5,105.00 for offences committed in July and August 2014 (as above).

To summarise, it is clear that Mr Hussain has breached his conditions with its present licence. I have no confidence that he could manage a 0300 finish and with the likelihood that the licensing objectives of crime and disorder and public nuisance will be undermined.

I ask the committee to refuse this application.

Alan Cruickshank PC 189HT

Appendix 6

Andrew Heron

From: Nicola Cadzow
Sent: 20 May 2015 15:26
To: Andrew Heron
Subject: RE: Variation of License (M/084488) - Preem Restuarant 1118-122 Brick Lane

Hi Andrew,

Further to my previous representation, email below dated 15th May 2015, I would like to embellish my original representation.

I object to this application on the grounds that the licensing objective for the prevention of public nuisance will not be met.

The restaurant is surrounded by a high concentration of residential property. Adjoining residential occupiers are 65-79 Brick Lane and 112-122 Brick Lane.

The application (if approved) would represent a departure from the established practice of applying standard opening hours to all restaurant premises (for the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes) in the area which could represent an unacceptable precedent.

NOISE

- In terms of direct noise from the restaurant, an acoustic report should have been submitted with this application showing that the noise emanating from all mechanical plant and equipment meets British Standard 4142 (rating the noise affecting mixed residential & commercial or industrial areas) to indicate whether complaints are likely;
- The last train on the district line is at 00.31 from Aldgate East. Therefore a reliance on private cars or cabs will increase the noise level onto residential streets (example; slamming doors, engines idling & revving, mini-cab radio broadcasts);
- The application includes: the supply of alcohol on the premises; recorded music and late night refreshment. All this links into the licensing objective for the prevention of public nuisance, i.e. how does the licensee propose to manage his patrons who maybe in high spirits upon departing the restaurant?
- Applying for recorded music for a restaurant is peculiar as the applicant has made clear that any music will be "low key background music only". As is clear in the provisions of the Licensing Act 2003, a licence for recorded music is NOT required for background music. I did approach the applicant's licensing agent and advised him of this who then has confirmed that **recorded music has been withdrawn** from the current variation of premises licence.

Therefore, to summarise, I believe that it is inappropriate to allow a single restaurant, particularly one located in the central area of Brick Lane, where there is a concentration of housing in surrounding streets, to open three hours longer than any other restaurant in the area. This would almost certainly lead not only to increased noise and disturbance and potentially very significant change to the delicate balance of the mix of uses in the area.

Kind regards

Nicola Cadzow
Environmental Health Technical Officer
Pollution Team
Environmental Protection
London Borough of Tower Hamlets

From: Andrew Heron
Sent: 18 May 2015 17:43
To: Nicola Cadzow
Subject: FW: Variation of License (M/084488) - Preem Restuarant 1118-122 Brick Lane

Received with thanks,

Andrew Heron
Licensing Officer

Licensing Section
London Borough of Tower Hamlets
Mulberry Place (TC)
6th Floor Mulberry Place
5 Clove Crescent
London, E14 2BG

From: Nicola Cadzow
Sent: 15 May 2015 13:18
To: Licensing
Cc: 'KC Solicitors'; [REDACTED]
Subject: RE: Variation of License (M/084488) - Preem Restuarant 1118-122 Brick Lane

Dear Licensing

Please note the amendment to the application, that recorded music (regulated entertainment) has been withdrawn, as only background music will be played at the premises. Also please note that in their operating schedule under the Licensing Objection the Prevention of Public Nuisance that *"No regulated entertainment is to be provided except low key background music only."*

We do however offer a formal representation to the premises' terminal hour for licensable activities (Sale of Alcohol and Late night refreshment) till 3am Monday to Sunday (please see email thread below). As the license application is for such a late terminal hour we do not believe that the licensing objective for the prevention of public nuisance will be met.

We have offered the Applicant the terminal hour of 00:00 Monday to Saturday & Sunday 23.30 hours. Bearing in mind that this is over Council's Licensing Core Framework Terminal Hour of 23:00 hours Monday to Thursday, 00:00 hours Friday & Saturday and 22:30 hours on Sundays.

Kind regards

Nicola Cadzow
Environmental Health Technical Officer
Pollution Team
Environmental Protection
London Borough of Tower Hamlets

From: KC Solicitors [mailto: [REDACTED]]
Sent: 13 May 2015 14:12
To: Nicola Cadzow
Subject: RE: Variation of License (M/084488) - Preem Restuarant 1118-122 Brick Lane

Dear Ms Cadzow

Thank you for your email and the content has been noted. We are instructed by our client that he will play CD player inside his premises. If it is come under the background music and the activities is not licensable then our client is agreed to make appropriate variation of his application and would be grateful if you kindly take necessary steps accordingly.

With regards to the operation hours our client wants to proceed with the application as applied Monday to Sunday till 3.00 am.

Should you require any more information or assistance please do not hesitate to ask.

Yours faithfully

Mohammed Abul Kalam Chowdhury
Solicitor & Commissioner for oaths
Principal Solicitor
KC Solicitors
2nd Floor
291 Whitechapel Road
London, E1 1BY

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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From: Nicola Cadzow [mailto: [REDACTED]]
Sent: 13 May 2015 11:50
To: [REDACTED]

Cc: [REDACTED]

Subject: Variation of License (M/084488) - Preem Restuarant 1118-122 Brick Lane

Dear Mr Chowdhury

I confirm our telephone conversation today with regards to your clients Variation of License.

You confirmed that that your client wants background music (which is not licensable), rather than recorded music as applied for on the licensing application.

We discussed the Licensing Framework Hours and we would agree to licensable activities, Supply of alcohol Monday to Saturday till Midnight, Sunday 23:30.

I await your response in due course.

Kind regards

Nicola Cadzow
Environmental Health Technical Officer
Pollution Team
Environmental Protection
London Borough of Tower Hamlets

Working Together for a Better Tower Hamlets
Web site : <http://www.towerhamlets.gov.uk>

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Appendix 7

Communities, Localities & Culture
Safer Communities

Head of Consumer and Business Regulations
David Tolley

Licensing Section
Mulberry Place
5 Clove Crescent
London E14 2BG

LBTH Licensing Authority
Mulberry Place
5 Clove Crescent
London E14 2BG



10th June 2015

www.towerhamlets.gov.uk

My reference: TSS/LIC/73686
Your reference:

Dear Sir / Madam,

Licensing Act 2003

Re: Variation Application – Preem, 118-122 Brick Lane, London, E1 6RL

This Licensing Authority as a Responsible Authority wishes to make representation against the application for variation on the grounds of the prevention of public nuisance and the prevention of crime and disorder.

The application states that the recorded music will only be background, if this is the case there is no need to apply for recorded music as a licensable activity and would therefore ask the applicant to remove this element of the application.

The licence was recently reviewed by the Police on 18th August 2014 with the Licensing Authority supporting the review. Substantial evidence was produced of breaches of conditions of the licence and Mr. Hussain, the licence holder pleading guilty to those offences. The licence was suspended for 3 months of which a test purchase was made during that suspension with a case file going to Legal Services.

On 10 July 2014 Mr. Hussain pleaded guilty to offences for breach of licence condition 7, failure to display the licence summary and failure to produce the premises licence. Court advised fine would have been £9,000 but gave him credit for his guilty plea so reduced this to £6,000 with Costs awarded of £729.

In December 2013 Mr Hussain applied to extend the hours of the licence, including the sale of alcohol. This was refused by the Tower Hamlets

Licensing Sub Committee due to evidence from the Licensing Authority, Police and Environmental Health of clear disregard to the laws and the licensing objectives.

In January 2013 Mr Hussain pleaded guilty to 2 offences for breach of condition under Section 136 received a fine of £1000 including costs of £850 from Thames Magistrates Court as a result of touting offences at the premises.

In September 2012, Tower Hamlets Trading Standards reviewed the premises licence as a result of continued touting. The licence was suspended from 6th February 2013 to 5th March 2013. The premises was found to be serving alcohol during that period, for which a warning letter was issued by Trading Standards.

Mr Hussain also owns 124-126 Brick Lane (on the opposite side of the road from this application). We continue to receive complaints in relation to touting, the most recent being 16th April 2015 with both premises being next to each other, albeit separated by Hanbury Street, it can be perceived that both premises are touting with the same touts operating for both premises.

As a result of the above, I believe that Mr Hussain has total disregard of many of his legal obligations under the Licensing Act 2003. The licence has already been suspended on two occasions with conditions added and despite this the Police and the Licensing Authority continue to find further offences.

I believe the extension of hours will increase anti social behaviour and public nuisance in an area of which a cumulative impact zone exists. The Police and Licensing Authority receive complaints from local residents and visitors to the area on a regular basis of violence with touting; public urination and general ASB, by allowing this extension will lead to disorder into the early hours of the morning with residents living nearby and above the businesses being disturbed even later.

The applicant has not addressed the licensing objectives within the application, merely repeating the existing conditions of the licence that I have shown have already been breached. I do not believe any conditions imposed to address the concerns will be complied with and therefore ask Members to refuse this application.

Yours sincerely,



Kathy Driver
Principal Licensing Officer

C.c. KC Solicitors, 2nd Floor, 291 Whitechapel Rd, London E1 1BY

Appendix 8

**PROFESSOR KARIM BROHI FRCS FRCA
CONSULTANT TRAUMA & VASCULAR SURGEON**

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

28th May 2015

To: Licensing Department
Tower Hamlets Council

Re: Preem, 118 Brick Lane
Applications for licensing variation

Dear Sir / Madam,

I am writing to strongly object to the repeat application to made by the proprietor of Preem restaurant at 118-122 Brick Lane to extend the hours of operation to 03:00 every day; to play music until 03:00 every day and to sell alcohol on the premises. I believe this will significantly adversely impact public safety, disorder, nuisance, antisocial and criminal behaviour, and will exposure children to harm.

This restaurant is notorious in the area for its poor behaviours in respect of the licensing, touting and other regulations governing its conduct in the area. It has been a source of multiple problems related to late night drinking, aggressive touting behaviours and the subsequent effect this has on residents in the surrounding areas until late in the night which are well known to the Committee from our previous objections.

The Licensing Sub-Committee recognised these deficiencies themselves and actually suspended the license for these premises for 3 months last year. The same premises made a similar application earlier in 2014 which was refused for the reasons highlighted above. I can assure the Committee that nothing has changed and there is no evidence that granting a license for extended hours would be in the public interest and would not increase public safety, disorder and nuisance, as well as putting the public at risk.

The restaurant lie within the Cumulative Impact Zone and it is inconceivable that the Committee would grant this extension in view of the history of the property and the proprietor, the current situation in Brick Lane regarding antisocial behaviour, and the presence of the CIZ which is slowly working to make Brick Lane a more normal place for people to play, work and live.

I strongly urge the Committee to refuse the application.

Yours sincerely,

[REDACTED]

Appendix 9

Andrew Heron

From: Critchley [REDACTED]
Sent: 20 May 2015 09:31
To: Licensing; [REDACTED]
Cc: 'Critchley'
Subject: Licensing Application by Preem Restaurant, 118-122 Brick Lane, London E1 6RL
Premises within the Brick Lane Area CIZ!

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir or Madam,

As local residents, we would like to request that this Licence Application for extended hours should be wholly refused on the grounds of:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance

as the premises are within the Brick Lane “Cumulative Impact Zone” (CIZ) and the Licence application asks for a Licence to 03.00 hours.

The very last thing needed in Brick Lane is yet another restaurant open for the sale of food and alcohol beyond core hours. Indeed we believe that to grant any such licence for extended hours would be a clear breach of the Saturation Policy in the Brick Lane area CIZ.

The CIZ is already (by definition!) over-supplied with alcohol, and is stated by our Borough Police Commander to be the “number one policing problem in Tower Hamlets”. Until and unless this area ceases to be such a policing problem we believe that no such licence should be granted to Preem Restaurant.

The Brick Lane area is plagued by Anti Social behaviour (ASB) and hospital admissions to A&E. Recent police action in response to violence at other Brick Lane restaurants just highlights this problem of ASB in the local area. We believe the Licensing Committee should be assisting the Police and other authorities in reducing the over-supply of alcohol in the area (particularly out of normal hours), alcohol which the driving force behind these problems.

For all the reasons quoted above we request most strongly that this Licensing Application should be wholly rejected. We firmly that this Licensing application is in breach of the CIZ Licensing Policy.

Yours faithfully,

John and Sandy Critchley

[REDACTED]
[REDACTED]

Appendix 10

Andrew Heron

From: Mohshin Ali on behalf of Licensing
Sent: 05 June 2015 10:13
To: Andrew Heron
Subject: FW: Preem 118-122 Brick Lane license variation

Follow Up Flag: Follow up
Flag Status: Completed

From: David Cunningham [REDACTED]
Sent: 04 June 2015 18:12
To: Licensing
Subject: Preem 118-122 Brick Lane license variation

To - Licensing, Tower Hamlets Council.

I object to the recent application to vary the license for Preem 118-122 Brick Lane E1 6RL on the following grounds:

As a local resident I suffer regular disturbance from late night disorder in Brick Lane. Later opening can only exacerbate the existing problems of persistent late night noise and anti-social behaviour that affects the safety and wellbeing of residents.

This restaurant has a history of touting and other licensing breaches and an extension of existing hours seems likely to increase the risk of crime and disorder and public nuisance. The proposed hours extend beyond the hours that Tower Hamlets Enforcement Officers and PCSOs finish patrolling the area.

yours

David Cunningham

[REDACTED]

[REDACTED]

Appendix 11

Andrew Heron

From: Jane Curtis <[REDACTED]>
Sent: 21 May 2015 22:18
To: Licensing
Subject: Preem restaurant

Follow Up Flag: Follow up
Flag Status: Completed

Dear Licensing

I wish to object to the application to extend the licence of Preem restaurant, Brick Lane. I object for the following reasons; the restaurant is in a CIZ and extending this licence would have a negative impact on the residential homes surrounding the premises; problems of anti social behaviour would be increased as the licence holder is unable to control the behaviour of customers when they leave the premises and move through the area; the premises is in the middle of a residential area with existing problems from the numerous licensed premises in the area; the premises do not keep to the existing licensing hours.

I ask you to refuse this application as the licensing objectives can not be upheld. I would also ask that the CIZ is supported by the licensing department as the area can not manage the impact of the existing licensed premises. Thank you.

Jane Curtis

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

Appendix 12

THE SPITALFIELDS SOCIETY

The Licensing Committee
The London Borough of Tower Hamlets
Development Control
Mulberry Place
5 Clove Place
London E14 2BG

22 May 2015

**Licensing Application by Preem Restaurant, 118-122 Brick Lane, London E1 6RL –
Premises within the Brick Lane Cumulative Impact Zone**

Dear Sirs:

We are writing in objection to the Preem license application for extending hours of operation until 03.00 every day of the week.

We last wrote in objection to an application for these premises and extending their licensed hours of operation on 30 December 2013 (objection sent by Sandy Critchley on behalf of the Spitalfields Society).

Brick Lane is a high density residential area. Such extended hours of operation are wholly outside of the character of a residential area which needs to co-exist with a night time economy in a way that does not render life – and sleep – impossible for those in the community. Late hours such as this would significantly disturb the resident right to sleep.

Brick Lane has a high incidence of anti-social behaviour, much of this fuelled by excessive alcohol consumption. Serving alcohol until 03.00 will only contribute to increasing anti-social behaviour incidents.

In recognition of the proliferation of the night time economy and the vast number of premises operating and supplying alcohol to the community, the council enacted a cumulative impact zone for each application to be considered within the context of the area as a whole. Brick Lane is already saturated with such establishments and does not need another.

The Spitalfields Society is extremely concerned by the increase of crime and police call outs to Brick Lane. We have been shocked to see the reports of violence at restaurants. We think such incidents will only increase should late hours opening be granted.

We note that the premises currently operate well past their permitted hours at present – until 23:30 Monday to Saturday and until 23:00 on Sunday. We believe

these hours to be appropriate for the area, given the high density residential nature as well as being a designated cumulative impact zone with a track record of anti-social behaviour. We would like to ask that the council and its officers please enforce the currently permitted hours of operation so as to safeguard the residents as well as the character of the conservation area. We also ask that the committee consider imposing a requirement on the restaurant to ensure that staff supervise the orderly exit of the premises of their customers, to ensure that the area is quiet and free from disturbance.

Thank you in advance for your consideration of the resident point of view in your deliberations.

With best regards,



Donna DeWick
Executive Committee Member, The Spitalfields Society

Appendix 13

Andrew Heron

From: Olwen Evans [REDACTED]
Sent: 27 May 2015 10:50
To: Licensing
Subject: Preem restaurant Brick Lane

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sirs

I live in [REDACTED] which is about 500 metres from Brick Lane.

I wish to object to the application for a license by this restaurant to serve alcohol until 3.00 am.

There is frequent shouting and screaming in Folgate street late at night and in the early hours of the morning caused by revellers leaving the bars and clubs of Brick Lane and heading towards Bishopsgate for night buses.

As local residents we have to put up with noise , litter , vomit and urine in the streets left by drunken people passing through. Preem is a restaurant , there would appear to be no reason to serve alcohol until 3.00 am . This would simply act as a magnet for people wishing to continue drinking after other licensed premises were closed. Preem is very near a highly residential area , and there would inevitably be additional anti social behaviour caused if this were granted.

Yours faithfully

Olwen Evans
[REDACTED]
[REDACTED]

[REDACTED]

Appendix 14

Andrew Heron

From: Jeremy Freedman [REDACTED]
Sent: 20 May 2015 17:55
To: [REDACTED]; Licensing
Subject: Licensing Application by Preem Restaurant, 118-122 Brick Lane, London E1 6RL at the heart of Brick Lane Area CIZ!

Importance: High

Dear Committee,
I am local resident and would like to request that this Licence Application for extended hours be wholly refused on the grounds of:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- Preem is already clearly breaching their current alcohol license!

These premises are at the heart of the "Cumulative Impact Zone" (CIZ) and the Licence application asks for a Licence to **03.00 hours.**

The last thing Brick Lane needs is yet another restaurant selling of alcohol beyond core hours. permitting this licence is a clear breach of the Saturation Policy in the Brick Lane area CIZ.

We already have too many premises selling alcohol. The CIZ is already (by definition!) over-supplied with alcohol, and is stated by our Borough Police Commander to be the "number one policing problem in Tower Hamlets". This problem is not going away and no such licence should be granted to Preem Restaurant.

The Brick Lane area is plagued by Anti Social behaviour (ASB), drunken attacks, and hospital admissions to A&E. Recent police action in response to violence at other Brick Lane restaurants just highlights this problem of ASB in the local area. We believe the Licensing Committee should be assisting the Police and other authorities in reducing the over-supply of alcohol in the area (particularly out of normal hours), alcohol which is the driving force behind these problems and Preem is at the heart of many of these....

I ask that this Licensing Application should be wholly rejected. This Licensing application is clearly in breach of the CIZ Licensing Policy.

Sincerely,

Jeremy Freedman
[REDACTED]
[REDACTED]
[REDACTED]

Appendix 15

Andrew Heron

From: StGeorgeResidents'Association [REDACTED]
Sent: 28 May 2015 18:24
To: Licensing; Andrew Heron
Cc: [REDACTED] Jon Shapiro
Subject: Fw: Preem Restaurant & Balti House Application for extended licensed hours.

To: Licensing Section
LBTH
Mulberry Place (AH)
5 Clove Crescent
London
E14 2BG

From:
M Gordon – Chairman, St George Residents' Association

[REDACTED]

29th May 2015

Dear Mr Heron,

Re: PREEM Restaurant and Balti House 118-122 Brick Lane

St George Residents' Association Spitalfields asks that sale of alcohol on or off the premises until 3:00am Monday through to Sunday and regulated entertainment until 3:00am is not permitted.

Our association represents owners of about 200 flats facing onto Commercial Street, Lamb Street, Elder Gardens and Folgate Street. Lamb Street and Folgate Street are routes used by people who have been drinking at places in Brick Lane, Hanbury Street and Commercial Street. Their noise continues late into the night as they walk rowdily towards Bishopsgate for transport.

Many of our residents live about three minutes' walk from the junction of Hanbury Street and Brick Lane. We suffer from:

Noise, as drinkers walk through the streets, shouting to each other.
Urination up the walls of our buildings and garden areas, and on the entrance paths and steps.
Vomiting in corners, on steps and in the gardens.

We ask that the application is refused to prevent escalation of what is already an environmental, social and policing problem for Spitalfields residents, that is, noise nuisance and antisocial behaviour. Whilst this application is not for a new premises licence, the proposed extended hours of 4 hours daily, at a time of day when emergence of clients under the influence of alcohol will cause additional noise disturbance for nearby residents within the Cumulative Impact Zone.

Yours faithfully,
Margaret Gordon, Chairman - St George Residents' Association, Spitalfields

Appendix 16

Andrew Heron

From: [REDACTED]
Sent: 21 May 2015 09:54
To: Licensing
Subject: RE: Licensing Act 2003 - Preem Restaurant and Balti House, 118-122 Brick Lane, London E1 6RL

Follow Up Flag: Follow up
Flag Status: Completed

This is to confirm that my previous representation still stands, our concerns are valid and current and need to know how the Applicant intends to address these.

Kind Regards,

G. Guglielmi

On Thu, May 21, 2015 at 1:50 AM -0700, "[REDACTED]"

Dear Giampaolo Guglielmi

Further to your representation in relation to 118-122 Brick Lane, a replacement application was resubmitted on 14th May 2015 as there was a discrepancy in the name of the Applicant. The application in relation to licensable activities is no different.

As your representation was received before the resubmission date, it therefore means that your objection has been received outside of the current consultation period.

Can you therefore please respond to this email to advise that your representation still stands before 11th June 2015.

I look forward to hearing from you.

Regards,

Andrew Heron
Licensing Officer

Licensing Section
London Borough of Tower Hamlets
Mulberry Place (TC)
6th Floor Mulberry Place
5 Clove Crescent
London, E14 2BG
Tel: 020 7364 2665
Fax: 020 7364 6935
www.towerhamlets.gov.uk

From: G. Guglielmi [REDACTED]
Sent: 10 May 2015 13:00
To: Licensing
Subject: Licensing Act 2003 - Preem Restaurant and Balti House, 118-122 Brick Lane, London E1 6RL
Importance: High

- We are writing to you to voice serious concerns about the above Application to serve Alcohol, late night refreshments past 23:00 hrs. and late entertainment at the above stated address: This location is immediately adjacent Hanbury Street and if successful, this would result in high levels of noise and consequent disturbance and disruption to daily life in Hanbury Street, preventing Families to sleep, rest and go about their daily life.
-
- This would be truly unreasonable and we ask that this License not be permitted as per the guidelines from the Environmental Protection Act. We want it to be recognized that we are, as Residents, entitled to be protected from adverse sound level exposure and we ask that Tower Hamlets prevent any such activity affecting the peace of all of Hanbury Street from taking place .
-
- We suggest that the Applicants perform a measurement of the exterior acoustic environment prior to seeking a License for such activities in order to determine the performance standard required for their choice of venue for this type of entertainment, which is also known to attract the presence of drunken and often uncontrolled, loud and improper behaviour at night.
-
- We ask that these requests for license are scrutinized and assessed appropriately by the Environmental Team as if granted, permission to conduct these activities would cause high levels of noise and disruption and we ask that the Council puts in place a permanent ban to any further activities that would affect Hanbury Street as this is unsuitable for such type of services of entertainment, considering the high percentage of Families in the Area.

Kind Regards,

Giampaolo Guglielmi.
[REDACTED]
[REDACTED]

Working Together for a Better Tower Hamlets
Web site : <http://www.towerhamlets.gov.uk>

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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 17

Andrew Heron

From: Mark Lancaster <[REDACTED]>
Sent: 20 May 2015 18:49
To: Licensing
Subject: Preem and Prithi Restaurant, 118-122, Brick Lane E1 6RL,

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir or Madam,

License application to extend hours

As local residents, we would like to register our objections to this Licence Application for extended hours.

We believe that granting this license would be likely to encourage crime and disorder, to endanger public safety and would also cause a public nuisance within the Brick Lane "Cumulative Impact Zone" (CIZ).

The very last thing needed in Brick Lane is yet another restaurant open for the sale of food and alcohol beyond core hours. Indeed we believe that to grant any such licence for extended hours would be a clear breach of the Saturation Policy in the Brick Lane area CIZ.

The Brick Lane area is already crammed with people selling alcohol, and the Borough Police Commander has described it as the "number one policing problem in Tower Hamlets".

We live opposite this restaurant and believe this restaurant to be frequently in breach of the terms of its current licence in any event. They often open late already and certainly employ numerous touts to try and get business in.

The Brick Lane area is plagued by Anti Social behaviour (ASB) Drunken people make noise, cause damage and cause an unpleasant nuisance by using doorways and so on as toilets. Their drunken-ness often leads to admissions to A&E.

Recent police action in response to violence at other Brick Lane restaurants just highlights this problem of ASB in the local area. We believe the Licensing Committee should be assisting the Police and other authorities in reducing the over-supply of alcohol in the area (particularly out of normal hours), alcohol which the driving force behind these problems.

For all the reasons quoted above we request most strongly that this Licensing Application should be wholly rejected. We firmly believe that this Licensing application is in breach of the CIZ Licensing Policy.

Yours faithfully,

Mark and Suzanne Lancaster
[REDACTED]

Appendix 18

Andrew Heron

From: Glenn Leeder [REDACTED]
Sent: 22 May 2015 06:39
To: Licensing
Subject: Objection to Late Night Licensing - Preem Restaurant

Follow Up Flag: Follow up
Flag Status: Completed

I am concerned and worried about the proposed extension to licensing at Preem Restaurant in Brick Lane.

I am a local Spitalfields resident and live between Brick Lane and transport hubs of Liverpool Street Station and City of London. As a resident I am regularly disturbed by late night antisocial behaviour, mainly of drunk people. It is not nice for people to urinate in our street, or to yell and scream and sing at all hours of the night. They often leave litter in our streets, or worse, we sometimes find vomit. To extend this licence to 3am daily will further exacerbate this problem and contribute to lowering my quality of life. Surely restaurant patrons could have finished their meal and drinks by 11pm!

It is my belief that Tower Hamlets introduced a 'Saturation Zone' to the Brick Lane area to help protect residents from extra liquor licences. Please stick to your original plan and reject this application. To grant the licence will be detrimental to existing residents who have lived here for many years.

Thank you.

Glenn Leeder
[REDACTED]
[REDACTED]

Appendix 19

Andrew Heron

From: Conor McLernon <[REDACTED]>
Sent: 20 May 2015 20:23
To: Licensing; [REDACTED] Jon Shapiro
Subject: Preem Restaurant, 118-122 Brick Lane, London E1 6RL

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/ Madam,

I am the resident at [REDACTED] and I write to you to object to the licensing application for Preem at 118-122 Brick Lane.

I feel this establishment stands out as one of the most problematic for the night time economy around Brick Lane. I have routinely seen the restaurant opened beyond its agreed closing time, with touts constantly shouting and obstructing the pavement for business. This severely damages the quality of local amenity for nearby residents.

The proprietor has shown that he is perfectly happy to destroy the peace and quiet of the area with loud music into the night already. Accepting this license request would send a terrible message, particularly as the suggested closing time of 3am, seven days per week is totally out of line with the rest of Brick Lane. Similar requests for license extension have been turned down and I do not believe there has been any change in circumstances.

The restaurant has been investigated many times by the Licensing team, particularly in terms of sticking to its licensed hours and touting, and been fined accordingly.

During the previous four license reviews for this establishment, the Police, Trading Standards and local residents have all made clear their opposition to extending licensing hours and have specifically stated this would worsen ASB and disorder.

Given that these premises lie within the Cumulative Impact Zone specified by the Saturation Policy, it would be ridiculous to approve this application. There is a rebuttable presumption that license extension within this area would worsen conditions. I do not see how this presumption can be convincingly rebutted.

My concerns are as follows:

1. The proposed licensing application is not consistent with the Management Guidelines for the Brick Lane and Fournier Street Conservation Area
2. The proposed license is likely to diminish the right of local residents to safe and pleasant enjoyment of the neighbourhood.
3. There is an impact on public safety, in terms of drunken members of the public being in the area long into the night.
4. Likewise there is an impact in terms of crime and disorder. This premises has been linked to many previous problems and this request, if approved would certainly not help.
5. The premises as already operated is as a public nuisance, regularly staying open after its licensed hours, which I note are outside the core hours as defined by the Saturation policy.

The area is developing into an attractive upscale destination in accordance with these guidelines. On Hanbury Street opposite Ely's Yard, two exclusive shoe shops have recently opened, a clothing boutique and a number of stylish coffee bars.

This upscaling is lucrative, and makes the area easier to Police and easier for LBTH to administrate.

A cursory internet search shows 110 restaurants and bars in the area immediately surrounding Brick Lane. What is needed is more of the upscale, boutique shops and cafes that are springing up on the streets surrounding the market and in Hanbury Street such as YMC, MAC, Gresson, Keep Zero Gravity, Nude, Blitz, Love in a Cup, Doppio Coffee.

These are all desirable businesses that add both to the economy and the attractiveness of the area. What we don't need are more restaurants open until 3am.

Can I ask you to please:

1. Decline this application for an alcohol licence on the basis that it is not consistent with the Management Guidelines for the Brick Lane and Fournier Street Conservation Area;
2. Properly enforce the conditions of current alcohol licenses in the neighbourhood;
3. Encourage the police to enforce the "responsible drinking borough".

Yours,

C McLernon

Appendix 20

Andrew Heron

From: Spitalfields Community Group [REDACTED]
Sent: 21 May 2015 21:04
To: Licensing
Cc: Alan Cruickshank
Subject: premises licence at Preem Restaurant, 118-122 Brick Lane E1 6RL

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam,

Spitalfields Community Group OBJECTS to the application to vary a premises licence at Preem Restaurant, 118-122 Brick Lane E1 6RL. The application is excessive, for late night refreshment with recorded music and supply of alcohol until 0300 seven days a week.

Spitalfields Community Group was formed in September 2011 with the aim of promoting and protecting the quality of life of people living and working in the ward of Spitalfields and Banglatown. We have over 200 members and are growing. Our current survey, conducted to identify priorities for action, highlighted the growing problems faced by locals as a result of the existing dense concentration of licensed premises in the area, exacerbating the negative impact on us of the night time economy. In accordance with this focus, SCG has recently supported the adoption of a cumulative impact zone for the Brick Lane area, within which the premises at 118-122 is situated.

Preem restaurant is currently licensed until 2300 but is frequently seen operating later than that, in flagrant breach. It is also a notorious offender as regards touting, an antisocial and intrusive practice which blights Brick Lane and flourishes largely unchecked.

ASB caused by excessive alcohol consumption in the Brick Lane area is well documented, with many recent reports by residents of problems caused by drunken patrons at night and throughout the weekend. These problems include noise nuisance (screaming, shouting, swearing, singing, playing music etc) litter and vandalism to cars and homes, street urination and defecation, vomiting, and aggressive and intimidating behaviour. Patrons leaving Brick Lane for transport hubs on Bishopsgate and Commercial Street pass along residential streets causing unwanted mayhem and misery.

The hours applied for by Preem are excessive; there can be no justification for making alcohol available for consumption until 0300 throughout the week. All train, tube and bus services have finished by this time, bar a few night buses. This means drunken revellers have no means of returning home and will loiter in residential streets causing a nuisance. The high crime incident rate in the Brick Lane is fuelled, at least in part, by premises with late licences. The strain on police and public health resources is unacceptable.

For the reasons above Spitalfields Community Group OBJECTS to the application for a variation to a premises licence at 118-122 Brick Lane E1 6RL.

From and on behalf of the Spitalfields Community Group

c/o Selina Mifsud, [REDACTED]

Appendix 21

Andrew Heron

From: clive murphy [REDACTED]
Sent: 29 May 2015 13:51
To: Andrew Heron
Subject: Re Preem 118-122 Brick Lane premises licence application

Follow Up Flag: Follow up
Flag Status: Completed

I object most strongly to the premises above obtaining a licence to provide alcohol at so late/early an hour as 3 a.m.. This area of Brick Lane is often a bedlam of noise and drunken brawling as it is. I live only a few doors from the site of this potentially exacerbating nuisance. My bedroom overlooks the street in a section of it that is supposed to be partially residential. Yours sincerely, Clive Murphy

Appendix 22

Andrew Heron

From: Michael & Dolores <[REDACTED]>
Sent: 22 May 2015 17:11
To: Licensing; Alan.D.Cruickshank@met.pnn.police.uk
Subject: Licensing application Preem restaurant 118-122 Brick lane London E1 6RL

Follow Up Flag: Follow up
Flag Status: Completed

**“Subject: Licensing Application by Preem Restaurant, 118-122 Brick Lane, London E1 6RL
Premises within the Brick Lane Area CIZ!”**

Dear Sir ,

We refer to the above application and as local residents object to the extension of licensing hours

We believe the extended hours will encourage more crime and disorder and create a public nuisance. As the premises are within the Brick Lane “Cumulative Impact Zone” (CIZ) extended hours would be a breach of the Saturation Policy in the Brick Lane CIZ area .

The area is already oversupplied with alcohol which is the cause of so much Anti Social behaviour and leads to the excessive use of the NHS through hospital A & E admissions. We in the neighbourhood are already inundated with noise and filth – vomiting, urination etc- from drunken revellers and binge drinking. It will add to the policing problem in Tower Hamlets.

We object to any extended hours beyond their existing licence, being granted to Preem Restaurant.

Yours faithfully,

Michael & Dolores Nanson
[REDACTED]
[REDACTED]
[REDACTED]

Appendix 23

Andrew Heron

From: Mohshin Ali on behalf of Licensing
Sent: 03 June 2015 13:22
To: Andrew Heron
Subject: FW: Licensing Application by Preem Restaurant, 118-122 Brick Lane, London E1 6RL
..... Premises within the Brick Lane Area CIZ

Follow Up Flag: Follow up
Flag Status: Completed

From: Sian Phillips [REDACTED]
Sent: 03 June 2015 13:07
To: Licensing; [REDACTED]
Subject: Licensing Application by Preem Restaurant, 118-122 Brick Lane, London E1 6RL Premises within the Brick Lane Area CIZ

From Sian Phillips
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear Sir or Madam,

I would like to object to the above application. The level of noise and violence on Brick Lane due to drunkenness is already very difficult to live with. This brings crime to the area especially crimes relating to drunkenness which are most anti-social - fighting, sexual activity, etc. This automatically affects public safety. I am already reluctant to let young members of my family unaccompanied at night.

As a local resident, I would like to request that this Licence Application for extended hours should be wholly refused on the grounds of the prevention of crime and disorder, public safety and the prevention of public nuisance as the premises are within the Brick Lane "Cumulative Impact Zone" (CIZ) and the Licence application asks for a Licence to 03.00 hours.

I request most strongly that this Licensing Application should be wholly rejected. I firmly that this Licensing application is in breach of the CIZ Licensing Policy.

Yours truly

Sian Phillips

Appendix 24

Andrew Heron

From: Jon Shapiro [REDACTED]
Sent: 17 May 2015 15:29
To: Licensing
Cc: [REDACTED]
Subject: Licensing Application by Preem Restaurant, 118-122 Brick Lane, London E1 6RL
Premises within the Brick Lane Area CIZ!

Dear Sir or Madam,

I would like to request that this Licence Application for extended hours should be wholly refused on the grounds of:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance

as the premises is within the Brick Lane "Cumulative Impact Zone" (CIZ) and the Licence application asks for a Licence to 03.00 hours.

The very last thing needed in Brick Lane is yet another restaurant open for the sale of food and alcohol beyond core hours. Indeed I believe that to grant any such licence for extended hours would be a clear breach of the Saturation Policy in the Brick Lane area CIZ.

The CIZ is already (by definition!) over-supplied with alcohol, and is stated by our Borough Police Commander to be the "number one policing problem in Tower Hamlets". Until and unless this area ceases to be such a policing problem I believe that no such licence should be granted to Preem Restaurant.

The Brick Lane area is plagued by Anti Social behaviour (ASB) and hospital admissions to A&E. Recent police action in response to violence at other Brick Lane restaurants just highlights this problem of ASB in the local area. I believe the Licensing Committee should be assisting the Police and other authorities in reducing the over-supply of alcohol in the area (particularly out of normal hours), alcohol which the driving force behind these problems.

For all the reasons quoted above I request **most strongly** that this Licensing Application should be **wholly rejected**. Since I believe firmly that this Licensing application is in breach of the CIZ Licensing Policy I would like to make this request as:

- 1) A resident of Spitalfields
- 2) Chair of the Police Ward Panel, and on behalf of the Ward Panel
- 3) Chair of SPIRE which now speaks on ASB matters for local resident and community groups representing over 700 local residents in the Brick Lane area, and on behalf of those 700+ local residents.

Yours faithfully,
Jon Shapiro.

Resident at:

[REDACTED]
[REDACTED]
[REDACTED]

Appendix 25

Andrew Heron

From: Alex Gordon Shute [REDACTED]
Sent: 20 May 2015 11:26
To: Licensing; [REDACTED]
Subject: Licensing Application by Preem Restaurant, 118-122 Brick Lane, E1 6RL - objection

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam,

This email is to object in the strongest possible terms to the licence application by Preem Restaurant, which seeks to extend their licence to 3am opening. I would like to ask that it is rejected on the following grounds:

- Public safety
- The prevention of Public nuisance
- The prevention of crime and disorder

The Preem premises are within the Brick Lane "Cumulative Impact Zone" (CIZ) which is already (by definition) oversupplied with licensed premises. To extend the licence for any of the bars or restaurants to beyond 11pm would breach the Saturation Policy for the Brick Lane CIZ and form an unwelcome precedent for an area which is already experiencing serious anti-social behaviour problems and hospital admissions to A&E as a result of drunk and disorderly behaviour.

The CIZ is already stated by our Borough Police Commander to be the "number one policing problem in Tower Hamlets". Until and unless this area ceases to be such a policing problem we believe that no such licence should be granted to Preem Restaurant.

For all the reasons quoted above I request most strongly that this Licensing Application should be wholly rejected. I am firmly of the view that this Licensing application is in breach of the CIZ Licensing Policy.

Yours faithfully,

Alex Gordon Shute



Appendix 26

Andrew Heron

From: James Warwick [REDACTED]
Sent: 20 May 2015 18:02
To: Licensing
Cc: [REDACTED]
Subject: "Subject: Licensing Application by Preem Restaurant, 118-122 Brick Lane, London E1 6RL"

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sirs

I understand that Preem restaurant on Brick lane is applying for a licence to serve alcohol until 3am every day.

Being a resident in the immediate vicinity I must object to this application on the basis on a public nuisance caused by excessive drinking that this application will encourage.

This is both a crime risk and safety risk to what is fundamentally a residential area.

Brick lane is inundated with restaurants and whilst enterprise is to be encouraged within the area this is not the way to do it. It will merely enable the restaurant to make a bigger profit with very little benefit to anyone else other than the owner and cause considerable distress to the local residents who already have to endure sleepless nights as the clientele spill out of these restaurants at closing time. A 3am closing seems to me to be unnecessary and will only cause an increased strain on Policing and community services as the known problem of excessive drinking makes it's impact felt over a wide area.

I therefore urge that that council rejects this application forthwith.

Finally many applications have been rejected in the past for the above reasons and this one will no doubt be monitored closely for consistency with past rulings

Best regards

James Warwick
[REDACTED]

LEGAL NOTICE This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify by reply.

Appendix 27

Andrew Heron

From: Lyn Williams [REDACTED]
Sent: 28 May 2015 13:00
To: Andrew Heron
Subject: Re: Preem Restaurant

Dear Mr Heron
Please excuse the fact that I did not reply sooner.
Please note that my objection still stands.

Yours sincerely
Lyn Williams
[REDACTED]

On 28 May 2015, at 12:47, Andrew Heron <Andrew.Heron@towerhamlets.gov.uk> wrote:

Dear Ms Williams,

I have not received a response from you re. your representation.

Should I not hear from you by 11th June 2015 I will assume that you do not wish to raise an objection.

Regards,

Andrew Heron
Licensing Officer

Licensing Section
London Borough of Tower Hamlets
Mulberry Place (TC)
6th Floor Mulberry Place
5 Clove Crescent
London, E14 2BG
[REDACTED]
[REDACTED]
[REDACTED]

From: Andrew Heron **On Behalf Of** Licensing
Sent: 21 May 2015 09:51
To: 'Lyn Williams'
Subject: RE: Preem Restaurant
Importance: High

Dear Ms Williams,

Further to your representation in relation to 118-122 Brick Lane, a replacement application was resubmitted on 14th May 2015 as there was a discrepancy in the name of the Applicant. The application in relation to licensable activities is no different.

As your representation was received before the resubmission date, it therefore means that your objection has been received outside of the current consultation period.

Can you therefore please respond to this email to advise that your representation still stands before 11th June 2015.

I look forward to hearing from you.

Regards,

Andrew Heron
Licensing Officer

Licensing Section
London Borough of Tower Hamlets
Mulberry Place (TC)
6th Floor Mulberry Place
5 Clove Crescent
London, E14 2BG

[REDACTED]
[REDACTED]
[REDACTED]

From: Lyn Williams [REDACTED]
Sent: 11 May 2015 13:02
To: Licensing
Subject: Preem Restaurant

Dear Mr Lisowski

I understand that Preem Restaurant and Balti House has asked for a variation to their premises licence so that their trading hours would be extended until 3am every day, selling hot food and alcohol and playing music.

I wish to urge the authorities most strongly to dismiss this application.

This is a residential area and those using the restaurant are, on previous showing, going to be very noisy and likely to be committing nuisances as they leave the restaurant and make their way past houses and flats where people are sleeping.

Please acknowledge receipt of this email and please do not make my details available on the internet.

With many thanks
Yours sincerely

Lyn Williams

[REDACTED]
[REDACTED]

Appendix 28

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 Section 6 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 3 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 (1.16).

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 – 10.24).

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 29

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 4.15 and 4.16 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 6.2 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 3 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 7 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 key role of the Police is acknowledged (2.1).

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 (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) CCTV inside & out, communication, police liaison, no glasses are all relevant

There is also guidance issued around public nuisance (2.14 – 2.20).

The pool of conditions, adopted by the Council is recommended (see Appendix 3 of the Licensing Policy). 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 but it is essential that conditions are focused on measures within the direct control of the licence holder (2.18/2.20).

Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned (13.13).

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 30

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 31

Drinking Beyond the Permitted Hours

General Advice

Members need to consider the evidence carefully. Is what is being alleged more properly a criminal matter? The Licensing Act 2003 only makes it an offence to supply alcohol after the permitted time. Thus it may perfectly lawful to have patrons on the premise consuming alcohol several hours after it ceased to be legal to supply it (licence terms vary).

However, if this is causing a problem in relation to one of the licensing objectives, which are most likely to be:

- the prevention of crime and disorder
- the prevention of public nuisance

then, if Members consider it proportionate to do so, they should set appropriate conditions, such as reducing the permitted opening hours.

If Members believe that there is a substantial problem of drinking beyond permitted hours and it cannot be proportionately address by licensing conditions they should refuse the application.

Other Legislation

Planning controls may lay down the hours of operation of the premises.

Appendix 32

Appendix 32

Unusual Drinking Hours (i.e. Extensions of Hours for Unspecified Days)

Association of Chief Police Officers

The Association of Chief Police Officers (ACPO) has issued standard advice on unusual opening hours. As well as limiting the number they are anxious that the Police are given reasonable notice and an absolute veto on any event. Their policy is as stated below.

ACPO suggest that the following approach be applied to applications that include unspecified hours.

- No more than 12 extensions per premises per year (excluding applications made under TENS) should be allowed.
- An operating plan covering the additional measures that will be taken to manage crime and disorder on these occasions to be completed.
- A minimum of 7 days notice to police and the licensing authority.
- An absolute veto for police in respect of any of these occasions.

Appendix 33

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

Appendix 34

Appendix 34

Special Cumulative Impact Policy for the Brick Lane Area

- Section 8 of the LBTH Licensing Policy provides for the Cumulative Impact Policy for the Brick Lane Area.
- As with many other London Borough's the majority of late night licensed premises are concentrated within one area of the Borough. Following guidance issued under the Licensing Act 2003 a cumulative impact policy was adopted on 18th September 2013 by the Council.
- After consultation the Council recognises that because of the number and density of licensed premises selling alcohol, on and off the premises and the provision of late night refreshment (sale of hot food after 11pm) within the Brick Lane Area as defined in **Figure One**, there might be exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect.
- The Licensing Authority is now of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the area highlighted in Figure One is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone.
- The effect of this Special Cumulative Impact Policy is to create a rebuttable presumption for applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity). Where the premises are situated in the cumulative impact zone and a representation is received, the licence will be refused. To rebut this presumption the applicant would be expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced. This policy does not act as an absolute prohibition on granting/varying new licences in the Cumulative Impact Zone.
- The Special Cumulative Impact policy will not be used to revoke an existing licence or certificate and will not be applicable during the review of existing licences.

The Cumulative Impact Zone in the Brick Lane area

The Cumulative Impact Zone is detailed in the map below. The map shows all of the premises (dots) currently licensed under the Licensing Act 2003 in the Brick Lane Area. The Cumulative Impact Zone is defined by the dark line.

Figure One

