

# Appendix 1

**(KFC)**  
**84 Whitechapel High Street**  
**London**  
**E1 7QX**

**Licensable Activities authorised by the licence**

The provision of late night refreshment

**See the attached licence for the licence conditions**

**Signed by**

**Jacqueline Randall** \_\_\_\_\_  
**Licensing Services Manager**

**Date: 18<sup>th</sup> January 2011**



**Part A - Format of premises licence**

Premises licence number

14651

**Part 1 - Premises details**

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

84 Whitechapel High Street

**Post town**

London

**Post code**

E1 7QX

**Telephone number**

020

**Where the licence is time limited the dates**

N/A

**Licensable activities authorised by the licence**

The provision of late night refreshment

**The times the licence authorises the carrying out of licensable activities**

Late Night Refreshment.

Friday and Saturday 23:00 hours to midnight.

**The opening hours of the premises**

Sunday to Thursday 10:00 hours – 23:00 hours  
Friday and Saturday 23:00 hours to midnight.

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

Not applicable

## **Part 2**

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

Mohammed Tahir



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

Not applicable

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

Not applicable

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

Not applicable

### **Annex 1 - Mandatory conditions**

Not applicable.

### **Annex 2 - Conditions consistent with the operating Schedule**

1. A CCTV camera system covering both internal and external to the premise is to be installed.
2. The CCTV recordings are to be maintained for 30 days and to be provided upon request to either a Police Officer or an officer of any other Responsible Authority.
3. At all times the premises is open, a person who can operate the CCTV system must be present on the premises.
4. Staff will patrol the pavement and gutter outside the premises at least every four hours and clear it of any litter.
5. No music system shall operate on the premises where the music is audible by any customer.

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

Not applicable.

### **Annex 4 - Plans**

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

26<sup>th</sup> October 2011, covering the ground floor of the premises only.



**Part B - Premises licence summary**

**Premises licence number**

14651

**Premises details**

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

84 Whitechapel High Street

**Post town**

London

**Post code**

E1 7QX

**Telephone number**

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

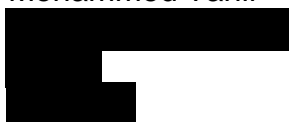
Late Night Refreshment.  
Friday and Saturday 23:00 hrs to midnight.

The opening hours of the premises

Sunday to Thursday 10:00 hrs – 23:00 hrs  
Friday and Saturday 23:00 hrs to midnight.

Name, (registered) address of holder of premises licence

Mohammed Tahir



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

Not applicable

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

Not applicable

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

Not applicable

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

No restrictions



# Appendix 2

London Borough of Tower Hamlets

**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/We Mohammed Tahir

*(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<br>14651 |
|----------------------------------|

**Part 1 – Premises Details**

|   |
|---|
| Postal address of premises or, if none, ordnance survey map reference or description<br>KFC<br>84 Whitechapel High Street |
|---|

|           |        |          |        |
|-----------|--------|----------|--------|
| Post town | London | Postcode | E1 7QX |
|-----------|--------|----------|--------|

|                                       |  |
|---------------------------------------|--|
| Telephone number at premises (if any) |  |
|---------------------------------------|--|

|   |            |
|---|------------|
| Non-domestic rateable value of premises | £23,250.00 |
|---|------------|

**Part 2 – Applicant details**

|                                  |  |
|----------------------------------|--|
| Daytime contact telephone number |  |
|----------------------------------|--|

|                           |  |
|---------------------------|--|
| E-mail address (optional) |  |
|---------------------------|--|

|   |  |
|---|--|
| Current postal address if different from premises address |  |
|---|--|

|           |        |           |  |
|-----------|--------|-----------|--|
| Post town | London | Post-code |  |
|-----------|--------|-----------|--|

STANDARDS  
LICENSING

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?  Yes  No

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

|    |    |      |
|----|----|------|
| DD | MM | YYYY |
|    |    |      |

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  Yes  No

**Please describe briefly the nature of the proposed variation (Please see guidance note 1)**  
To extend the provision of late night refreshment from the current hours of Friday and Saturday 23.00 to midnight to the proposed hours of Monday to Thursday 23.00 to midnight and Friday and Saturday 23.00 to 03.00 the following morning.

The opening hours will be Monday to Thursday 10.00 to midnight, Friday and Saturday 10.00 to 03.00 the following morning and Sunday 10.00 to 23.00.

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: 

|     |
|-----|
| N/A |
|-----|

**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 all that apply**

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

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Sale by retail of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

A

|   |       |        |  |          |                          |
|---|-------|--------|--|----------|--------------------------|
| Plays<br>Standard days and timings<br>(please read guidance note 6) |       |        | Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)  | Indoors  | <input type="checkbox"/> |
|   |       |        |  | Outdoors | <input type="checkbox"/> |
|   |       |        |  | Both     | <input type="checkbox"/> |
| Day   | Start | Finish | <u>Please give further details here</u> (please read guidance note 3)  |          |                          |
| Mon   |       |        |  |          |                          |
|   |       |        |  |          |                          |
| Tue   |       |        |  |          |                          |
|   |       |        |  |          |                          |
| Wed   |       |        |  |          |                          |
|   |       |        |  |          |                          |
|   |       |        | <u>State any seasonal variations for performing plays</u> (please read guidance note 4)  |          |                          |
| Thur  |       |        |  |          |                          |
|   |       |        |  |          |                          |
|   |       |        |  |          |                          |
|   |       |        | <u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5) |          |                          |
| Fri   |       |        |  |          |                          |
|   |       |        |  |          |                          |
|   |       |        |  |          |                          |
| Sat   |       |        |  |          |                          |
|   |       |        |  |          |                          |
| Sun   |       |        |  |          |                          |
|   |       |        |  |          |                          |

B

|   |       |        |   |          |                          |
|---|-------|--------|---|----------|--------------------------|
| Films<br>Standard days and timings<br>(please read guidance note 6) |       |        | Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2) | Indoors  | <input type="checkbox"/> |
|   |       |        |   | Outdoors | <input type="checkbox"/> |
|   |       |        |   | Both     | <input type="checkbox"/> |
| Day   | Start | Finish | <u>Please give further details here</u> (please read guidance note 3)   |          |                          |
| Mon   |       |        |   |          |                          |
|   |       |        |   |          |                          |
| Tue   |       |        |   |          |                          |
|   |       |        |   |          |                          |
| Wed   |       |        |   |          |                          |
|   |       |        |   |          |                          |
|   |       |        | <u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)                  |          |                          |
| Thur  |       |        |   |          |                          |
|   |       |        |   |          |                          |
|   |       |        |   |          |                          |

|     |  |  |   |
|-----|--|--|---|
| Fri |  |  | <u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)</u> |
|     |  |  |   |
| Sat |  |  |   |
|     |  |  |   |
| Sun |  |  |   |
|     |  |  |   |

C

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

D

|  |       |        |  |                          |
|--|-------|--------|--|--------------------------|
| Boxing or wrestling entertainments<br>Standard days and timings<br>(please read guidance note 6) |       |        | <u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</u> |                          |
| Day  | Start | Finish | Indoors  | <input type="checkbox"/> |
| Mon  |       |        | Outdoors   | <input type="checkbox"/> |
|  |       |        | Both   | <input type="checkbox"/> |
|  |       |        | <u>Please give further details here (please read guidance note 3)</u>  |                          |

|      |  |  |   |
|------|--|--|---|
|      |  |  |   |
| Tue  |  |  |   |
|      |  |  |   |
| Wed  |  |  | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)  |
|      |  |  |   |
| Thur |  |  |   |
|      |  |  |   |
| Fri  |  |  | <u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5) |
|      |  |  |   |
| Sat  |  |  |   |
|      |  |  |   |
| Sun  |  |  |   |
|      |  |  |   |

E

|  |       |        |   |          |                          |
|--|-------|--------|---|----------|--------------------------|
| Live music<br>Standard days and timings<br>(please read guidance note 6) |       |        | <u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)  | Indoors  | <input type="checkbox"/> |
|  |       |        |   | Outdoors | <input type="checkbox"/> |
|  |       |        |   | Both     | <input type="checkbox"/> |
| Day  | Start | Finish |   |          |                          |
| Mon  |       |        | <u>Please give further details here</u> (please read guidance note 3)   |          |                          |
|  |       |        |   |          |                          |
| Tue  |       |        |   |          |                          |
|  |       |        |   |          |                          |
| Wed  |       |        | <u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)  |          |                          |
|  |       |        |   |          |                          |
| Thur   |       |        |   |          |                          |
|  |       |        |   |          |                          |
| Fri  |       |        | <u>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</u> (please read guidance note 5) |          |                          |
|  |       |        |   |          |                          |
| Sat  |       |        |   |          |                          |
|  |       |        |   |          |                          |
| Sun  |       |        |   |          |                          |
|  |       |        |   |          |                          |

F

|  |       |        |   |          |                          |
|--|-------|--------|---|----------|--------------------------|
| Recorded music<br>Standard days and timings<br>(please read guidance note 6) |       |        | <u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)  | Indoors  | <input type="checkbox"/> |
|  |       |        |   | Outdoors | <input type="checkbox"/> |
|  |       |        |   | Both     | <input type="checkbox"/> |
| Day  | Start | Finish | <u>Please give further details here</u> (please read guidance note 3)   |          |                          |
| Mon  |       |        |   |          |                          |
|  |       |        | <u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)  |          |                          |
| Tue  |       |        |   |          |                          |
|  |       |        | <u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) |          |                          |
| Wed  |       |        |   |          |                          |
|  |       |        |   |          |                          |
| Thur   |       |        |   |          |                          |
|  |       |        |   |          |                          |
| Fri  |       |        |   |          |                          |
|  |       |        |   |          |                          |
| Sat  |       |        |   |          |                          |
|  |       |        |   |          |                          |
| Sun  |       |        |   |          |                          |

G

|   |       |        |   |          |                          |
|---|-------|--------|---|----------|--------------------------|
| Performances of dance<br>Standard days and timings<br>(please read guidance note 6) |       |        | <u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors  | <input type="checkbox"/> |
|   |       |        |   | Outdoors | <input type="checkbox"/> |
|   |       |        |   | Both     | <input type="checkbox"/> |
| Day   | Start | Finish | <u>Please give further details here</u> (please read guidance note 3)   |          |                          |
| Mon   |       |        |   |          |                          |
|   |       |        | <u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)                         |          |                          |
| Tue   |       |        |   |          |                          |
|   |       |        |   |          |                          |
| Wed   |       |        |   |          |                          |
|   |       |        |   |          |                          |
| Thur  |       |        |   |          |                          |



|     |  |  |   |
|-----|--|--|---|
| Fri |  |  | <b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5) |
|     |  |  |   |
| Sat |  |  |   |
|     |  |  |   |
| Sun |  |  |   |
|     |  |  |   |

H

|   |       |        |   |          |                          |
|---|-------|--------|---|----------|--------------------------|
| <b>Anything of a similar description to that falling within (e), (f) or (g)</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | Please give a description of the type of entertainment you will be providing  |          |                          |
| Day   | Start | Finish | <b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)  | Indoors  | <input type="checkbox"/> |
| Mon   |       |        |   | Outdoors | <input type="checkbox"/> |
|   |       |        |   | Both     | <input type="checkbox"/> |
| Tue   |       |        | <b><u>Please give further details here</u></b> (please read guidance note 3)  |          |                          |
|   |       |        |   |          |                          |
| Wed   |       |        |   |          |                          |
| Thur  |       |        | <b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)   |          |                          |
| Fri   |       |        |   |          |                          |
| Sat   |       |        | <b><u>Non standard timings. Where you intend to use the premises for the entertainment of a 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></b><br>(please read guidance note 5) |          |                          |
|   |       |        |   |          |                          |
| Sun   |       |        |   |          |                          |
|   |       |        |   |          |                          |

I

|   |       |        |  |          |                                     |
|---|-------|--------|--|----------|-------------------------------------|
| <b>Late night refreshment</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b><br>(please read guidance note 2)  | Indoors  | <input type="checkbox"/>            |
|   |       |        |  | Outdoors | <input checked="" type="checkbox"/> |
|   |       |        |  | Both     | <input type="checkbox"/>            |
| Day   | Start | Finish | <b>Please give further details here</b> (please read guidance note 3)  |          |                                     |
| Mon   | 23.00 | 00.00  |  |          |                                     |
|   |       |        |  |          |                                     |
| Tue   | 23.00 | 00.00  |  |          |                                     |
|   |       |        |  |          |                                     |
| Wed   | 23.00 | 00.00  |  |          |                                     |
|   |       |        |  |          |                                     |
|   |       |        | <b>State any seasonal variations for the provision of late night refreshment</b><br>(please read guidance note 4)  |          |                                     |
| Thur  | 23.00 | 00.00  | <b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 5) |          |                                     |
|   |       |        |  |          |                                     |
| Fri   | 23.00 | 03.00  |  |          |                                     |
|   |       |        |  |          |                                     |
| Sat   | 23.00 | 03.00  |  |          |                                     |
|   |       |        |  |          |                                     |
| Sun   |       |        |  |          |                                     |

J

|  |       |        |   |                  |                          |
|--|-------|--------|---|------------------|--------------------------|
| <b>Supply of alcohol</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)  | On the premises  | <input type="checkbox"/> |
|  |       |        |   | Off the premises | <input type="checkbox"/> |
|  |       |        |   | Both             | <input type="checkbox"/> |
| Day  | Start | Finish | <b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)  |                  |                          |
| Mon  |       |        |   |                  |                          |
|  |       |        |   |                  |                          |
| Tue  |       |        |   |                  |                          |
|  |       |        |   |                  |                          |
| Wed  |       |        |   |                  |                          |
|  |       |        |   |                  |                          |
|  |       |        | <b>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</b> (please read guidance note 5) |                  |                          |
| Thur   |       |        |   |                  |                          |
|  |       |        |   |                  |                          |

|     |  |  |  |
|-----|--|--|--|
| Fri |  |  |  |
|     |  |  |  |
| Sat |  |  |  |
|     |  |  |  |
| Sun |  |  |  |
|     |  |  |  |

K

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

L

|   |       |        |   |
|---|-------|--------|---|
| <b>Hours premises are open to the public</b><br>Standard days and timings (please read guidance note 6) |       |        | <b>State any seasonal variations</b> (please read guidance note 4)  |
| Day   | Start | Finish |   |
| Mon   | 10.00 | 00.00  |   |
|   |       |        |   |
| Tue   | 10.00 | 00.00  |   |
|   |       |        |   |
| Wed   | 10.00 | 00.00  |   |
|   |       |        |   |
| Thur  | 10.00 | 00.00  |   |
|   |       |        |   |
| Fri   | 10.00 | 03.00  |   |
|   |       |        |   |
|   |       |        | <b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5) |

|     |       |       |  |
|-----|-------|-------|--|
| Sat | 10.00 | 03.00 |  |
|     |       |       |  |
| Sun | 10.00 | 23.00 |  |
|     |       |       |  |

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.  
 N/A

Please tick as appropriate

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

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

Reasons why I have not enclosed the premises licence or relevant part of premises licence.  
 The premises licence will be sent under separate cover.

## 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 and e) (please read guidance note 9)

### b) The prevention of crime and disorder

1. Staff training will include training on dealing with violence, aggression and confrontation and crisis management.
2. CCTV cameras shall cover both the inside and outside of the premises, with 24 hour recording, and shall be kept in good working order.
3. CCTV recordings to be kept for a minimum of 30 days and made available on request to either a police officer or officer of another responsible authority.
4. At all times the premises are open to the public, a member of staff capable of operating the CCTV system shall be present.
5. A panic button shall be installed at the premises, linked to an external security firm.
6. Cash control procedures will be in force at the premises and staff will be trained in these.
7. There shall be no seating provided at the premises.
8. The maximum number of persons permitted on the premises at any time shall be 15, excluding staff.
9. A team member shall be appointed for every shift to carry on such liaison with police as is necessary.
10. A sign shall be displayed at the premises warning customers about the need to be aware of pickpockets and bag snatchers, and to guard their property.
11. An incident log shall be kept and maintained at the premises, in which shall be recorded any incident of crime or disorder, any visits by the Licensing or any Responsible Authority, and any other matters relating to the safe and orderly operation of the premises.

### c) Public safety

**d) The prevention of public nuisance**

1. Staff will use best endeavours to encourage customers to leave the premises promptly upon being served and to disperse quickly from the immediately surrounding area.
2. A sign shall be prominently displayed at the premises encouraging customers to respect the needs of local residents and to leave the premises and the surrounding area quickly and quietly.
3. A sign shall be prominently displayed at the premises asking customers to use bins inside and outside to dispose of rubbish.
4. A sign shall be prominently displayed at the premises asking customers to use bins inside and outside to dispose of rubbish
5. Waste collection shall be by a designated contractor and all waste shall be properly prepared and presented for collection no more than one hour prior to the designated collection time
6. Deliveries to, and collections from, the premises shall only take place between 23.00 and 08.00 on any day.
7. Staff will patrol the pavement and gutter outside, and the alleyway adjacent to, the premises at least every four hours and clear them of any litter
8. The premises licence holder shall ensure, insofar as this is within its control, by the affixing of lights to the walls of its demise or otherwise, that the alley adjacent to the premises is adequately lit at all times the premises are on to the public without causing a nuisance to adjacent premises
9. No music shall be played on the premises where the music is audible by any customer
10. No noise or vibration shall emanate from the premises so as cause a nuisance to nearby properties
11. All doors and windows at the premises shall be kept closed save for the access and ingress of patrons
12. No noxious smells shall emanate from the premises such as to cause a nuisance to nearby properties.
13. The premises shall be regularly inspected by a reputable pest control company.

**e) The protection of children from harm**

1. No children under 12 unaccompanied by an adult shall be allowed on the premises after 23.00 on any day.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan 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 SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 5 – Signatures (please read guidance note 10)**

**Signature of 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 | [REDACTED]   |
| Date      | 21 August 2015                                     |
| Capacity  | Woods Whur 2014 Limited – Solicitors for applicant |

**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  |  |

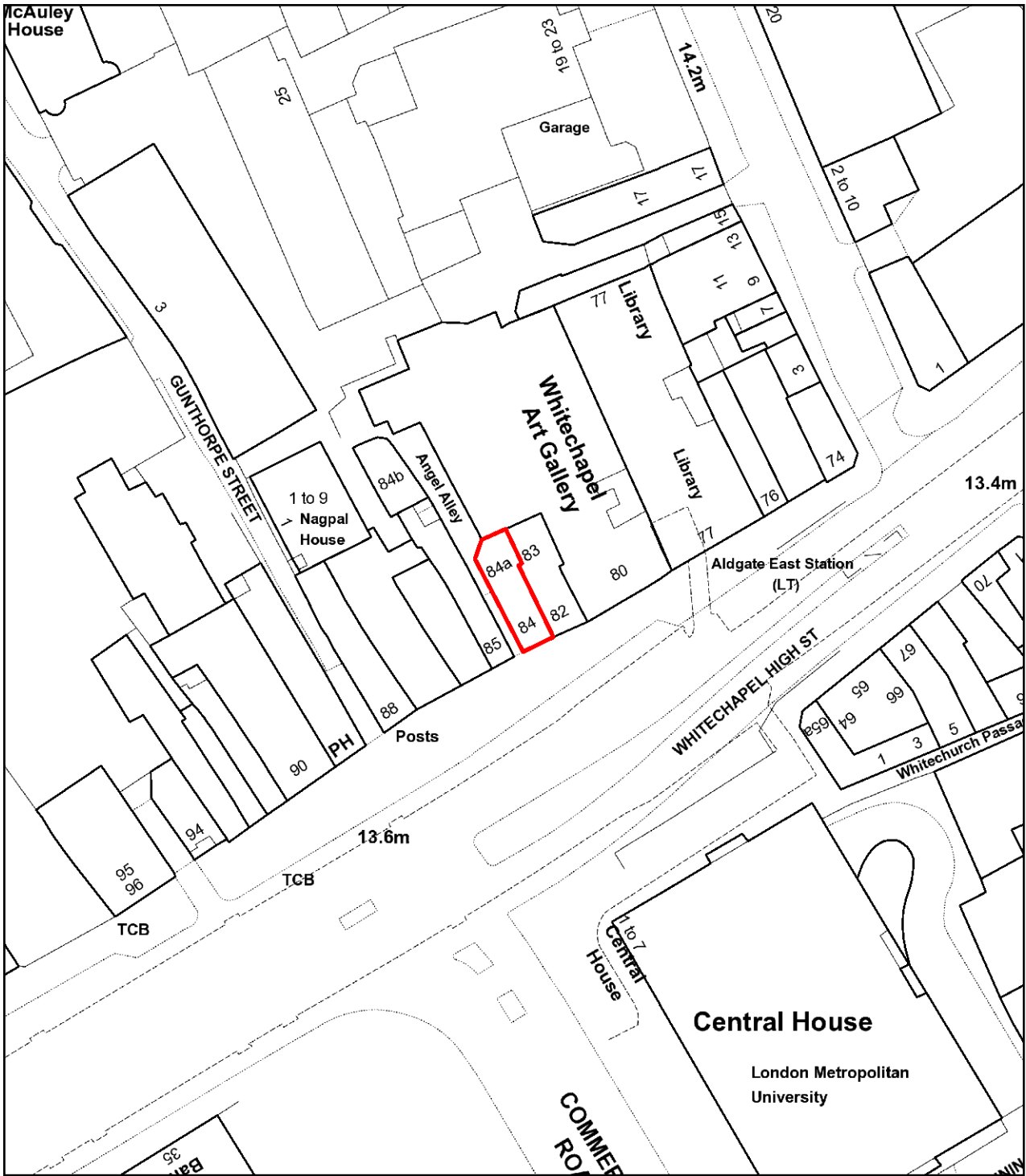
**Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)**

Anna Mathias  
 Woods Whur 2014 Limited  
 Devonshire House  
 38 York Place

|   |            |           |         |
|---|------------|-----------|---------|
| Post town   | Leeds      | Post code | LS1 2ED |
| Telephone number (if any)   | [REDACTED] |           |         |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) |            |           |         |
| [REDACTED]  |            |           |         |

# Appendix 3

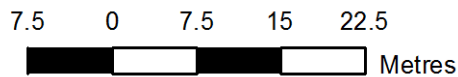




# 84 Whitechapel High Street



Scale 1:822





# 84 Whitechapel High Street



Scale 1:2878

25 0 25 50 75



Metres



# 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

## Mohshin Ali

---

**From:** Mohshin Ali on behalf of Licensing  
**Sent:** 01 September 2015 16:30  
**To:** Mohshin Ali  
**Subject:** FW: KFC 84 Whitechapel High St, E1  
**Attachments:** 84 Whitechapel High St ( August 15 ).doc

---

**From:** [Alan.D.Cruickshank@met.pnn.police.uk](mailto:Alan.D.Cruickshank@met.pnn.police.uk) [<mailto:Alan.D.Cruickshank@met.pnn.police.uk>]  
**Sent:** 01 September 2015 14:01  
**To:** Licensing  
**Cc:** [REDACTED]  
**Subject:** KFC 84 Whitechapel High St, E1

Dear all

Please find my representation re: the application to vary the premises licence.

Regards

Alan Cruickshank PC 189HT

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**Find us at:**

**Facebook:** [Facebook.com/metpoliceuk](https://www.facebook.com/metpoliceuk)

**Twitter:** [@metpoliceuk](https://twitter.com/metpoliceuk)

John McCrohan  
LBTH Licensing  
Toby Club  
Vawdrey Close  
E1 4UA

HT - Tower Hamlets Borough  
Licensing Unit  
Licensing Office  
Limehouse Police Station  
27 West India Dock Road &  
5 Birchfield Street  
E14 8EZ

Telephone:  
Facsimile:  
Email:  
Alan.D.Cruickshank@met.pnn.police  
.uk  
www.met.police.uk

Your ref:  
Our ref:  
25th August 2015

Dear Mr McCrohan

Application to vary a premises licence

84 Whitechapel High St, E1 7QX

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 Metropolitan Police Licensing Unit made a representation on the 18th May 2015 regarding a variation application to this licence. Our position remains the same, that we oppose these late hours.

The applicant has applied for the following hours in relation to late night refreshments

Monday - Thursday: until midnight

Friday - Saturday: until 0300



LBTH has adopted a Saturation Policy / Cumulative Impact Policy for this part of Whitechapel and Brick Lane. This policy was adopted due to the concerns about the number of licensed premises and late night eateries in such a small area and the resulting number of ASB calls and the potential for disorder.

With regards to this policy, the licensing authority will normally refuse any new applications or any variation of these in the cumulative impact zone; *unless the applicant can demonstrate there will be no negative cumulative impact on one or more of the licensing objectives.*

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

One more late night opening venue will only compound the problems in this area. This will be one of the longest opening hours in the area and will be a destination for people, many of whom will clearly be under the influence of alcohol. The availability of hot food on a Friday and Saturday until 0300 will mean more people staying for longer within the CIZ, with the potential for ASB and violence.

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

One of the main reasons for the introduction of the CIZ was to combat the expansion of late night takeaways.

It is unfortunate that many people who attend these types of venues are under the influence of alcohol. Quite a considerable number would be in high spirits and boisterous. Others can be aggressive and shouting at the top of their voices. It is often very difficult for staff to deal with disruptive customers. Violence can occur quickly and result in quite serious assaults.

I am hoping to produce a statement from the local policing team regarding this application.

Can the applicant provide evidence that the operation of the premise will not add to the negative cumulative impact already being experienced in this area?

I ask the committee to refuse this application.

However, if the committee is to grant the variation, I would ask them to consider the following hours.

Monday - Saturday: 2300 - midnight

Alan Cruickshank PC 189HT

## Mohshin Ali

---

**From:** Mohshin Ali on behalf of Licensing  
**Sent:** 22 September 2015 13:47  
**To:** Mohshin Ali  
**Subject:** FW: KFC, 84 Whitechapel High St  
**Attachments:** p185533\_220920153140\_001.pdf.pdf

-----Original Message-----

**From:** [Alan.D.Cruickshank@met.pnn.police.uk](mailto:Alan.D.Cruickshank@met.pnn.police.uk) [<mailto:Alan.D.Cruickshank@met.pnn.police.uk>]  
**Sent:** 22 September 2015 13:35  
**To:** Licensing  
**Subject:** KFC, 84 Whitechapel High St

Hi Licensing

Can you please add this to my representation.

Best wishes

Alan

-----Original Message-----

**From:** "Cruickshank Alan D - HT" [<mailto:Alan.Cruickshank@met.police.uk>]  
**Sent:** 22 September 2015 13:29  
**To:** Cruickshank Alan D - HT  
**Subject:** Attached Image

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WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Pk Anderson URN: [ ] [ ] [ ] [ ]

Age if under 18 Over 18..... (if over 18 insert 'over 18') Occupation: Police Officer.....

This statement (consisting of: .... 2..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: [Redacted] Date: 17/2/15

Tick if witness evidence is visually recorded [ ] (supply witness details on rear)

This statement is in regards to the proposed licensing changes to KFC on 84 WHITECHAPEL STREET, ALDGATE, LONDON E1 7QX to further the opening time to 0300hrs.

I am a Police officer on The Spitafields and Banglatown Safer neighbourhood team I regularly patrol in the area of WHITECHAPEL ROAD E1 where KFC is located. I believe that this opening time being allowed will increase and promote anti-social behaviour in that immediate area.

Burger King which is only a few doors away is the subject of many different drug users and street drinkers in the area creating anti social and intimidating behaviour towards customers and members of staff. During these hours in my experience being on such a main road and by transport links there is no lull in this behaviour.

If the KFC is to stay open this late it will increase street drinkers and drug users going in trying to stay warm as the weather changes towards being colder, it is not unusual for them to ask for free food and become hostile towards members of staff. There are only a few seats inside the shop and again in my experience the known subjects in the area are normally hostile towards members of the public aswell and will take advantage of members of the public if they were to come in to the shop intoxicated this will certainly increase the amount of begging in the area.

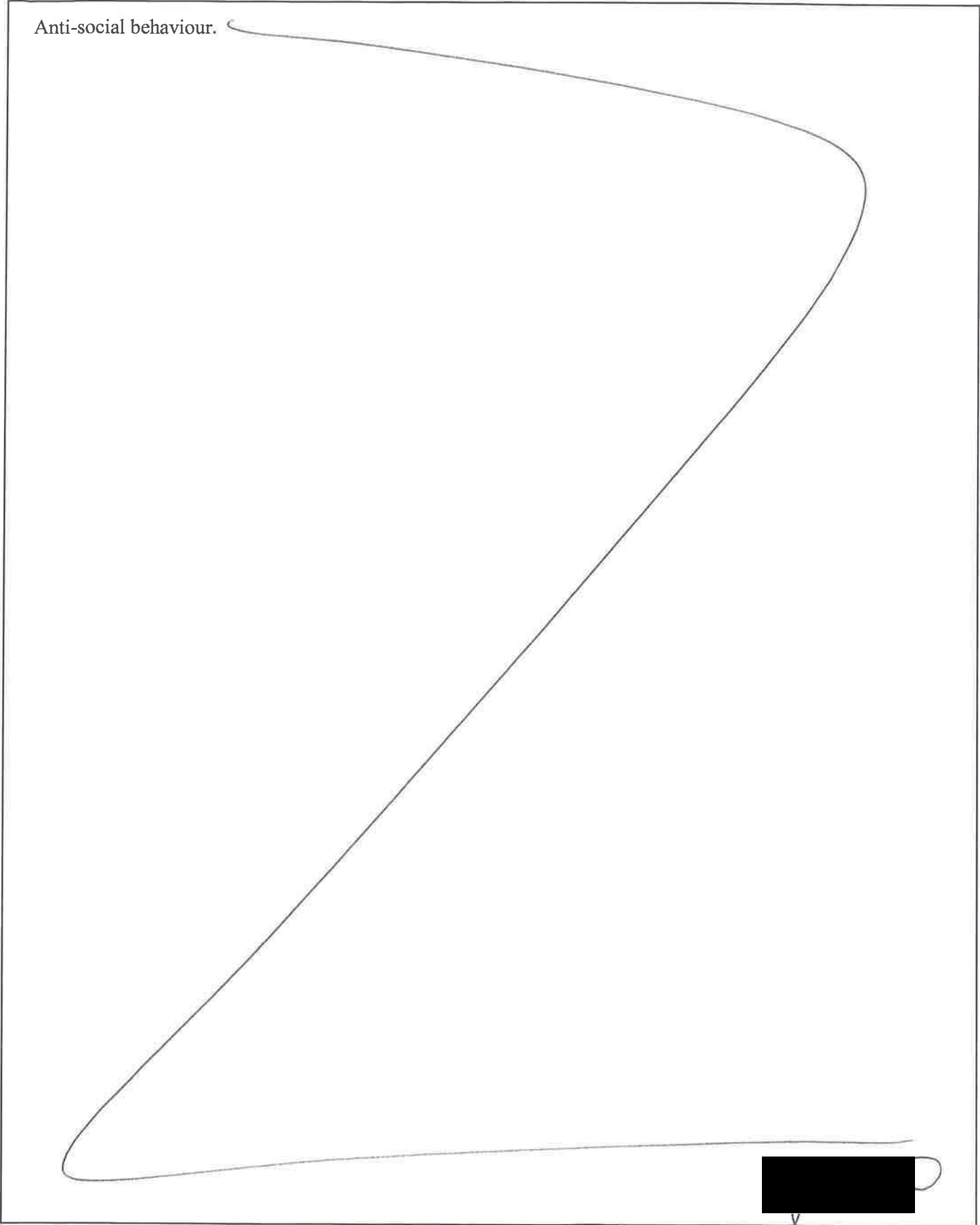
Although the pubs and clubs are close to the WHITE CHAPEL ROAD E1 and it is a highly social area, I believe the location of KFC is the issue in terms of being on the main road and a hotspot for hostile begging.

On Friday and Saturday night both members of the public on nights out who are intoxicated will loiter outside the shop combined with begging this is mix that is regularly seen on BRICKLANE E1 and will inevitably lead to

Signature: [Redacted] Signature witnessed by: .....

Continuation of Statement of Dr Andrew

Anti-social behaviour.



Signature: 

Signature witnessed by: .....

# Appendix 6

## Mohshin Ali

---

**From:** Andrew Heron  
**Sent:** 10 September 2015 14:15  
**To:** [REDACTED]  
**Cc:** Mohshin Ali  
**Subject:** KFC - 84 Whitechapel High Street, E1  
**Attachments:** LA Rep.pdf

Dear Ms Mathias,

Please find attached representation to your clients application at the above premises, from the Licensing Authority.

Regards,

Andrew Heron  
Licensing Officer

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

**Communities, Localities & Culture**  
Safer Communities

The Licensing Authority  
LBTH

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

Licensing Section  
Mulberry Place  
5 Clove Crescent  
London E14 2BG

Tel **020 7364 2665**

Fax **020 7364 0863**

Enquiries to **Andrew Heron**

Email **andrew.heron@towerhamlets.gov.uk**

10<sup>th</sup> September 2015

My reference: TSS/LIC/86897

**www.towerhamlets.gov.uk**

Your reference:

Dear Mr Sir/Madam,

**Licensing Act 2003**

**Re: KFC – 84 Whitechapel High Street, London, E1 7QX**

On 1<sup>st</sup> May 2015, Mohammed Tahir applied to vary the licence at the above premises. The application was to provide late night refreshment Sunday to Thursday until 03:00hrs and until 04:00hrs Friday and Saturday. I made representation to this application, based mainly on an incomplete Operating Schedule and in response to the excessive hours applied for, primarily drawing the Committee's attention to the premises being located within the LBTH Cumulative Impact Zone (CIZ). The application also received supporting representation from the Metropolitan Police, local residents and a local business.

Democratic Services arranged a Hearing for 14<sup>th</sup> July 2015. The Applicant subsequently withdrew the application at the Hearing. The Chair expressed his disappointment at the late withdrawal of the application and asked that the Applicant to be written to explain the time, effort and work involved in convening meetings; and for applications to be withdrawn on the day of the meeting was inappropriate. Officer Mohshin Ali advised the Applicant of this via written correspondence dated 28<sup>th</sup> July 2015.

On 24<sup>th</sup> August 2015, the current application was received. Whilst each application must be considered on its own merits, much of what was objected to by the Licensing Authority in the previous application remains. It is acknowledged that the hours have been significantly reduced, but still,



providing late night refreshment in that geographical area until 03:00hrs is not reasonable.

In November 2013, Tower Hamlets adopted a Cumulative Impact Policy (CIP) in the Brick Lane Area. Firstly, the premises falls within this designated CIZ. The Council has recognised that because of the number and density of licensed premises selling either alcohol, or providing late night refreshment (sale of hot food after 23:00hrs) within the Brick Lane Area, there might be exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect.

The Licensing Authority recognises that there is a wide diversity of premises requiring a licence and will have full regard to the differing impact these will have on the local community. It therefore also recognises that, within this CIP, it may be able to approve licences that are unlikely to add significantly to the saturation, and will consider the circumstances of each individual application.

The Authority may consider that the imposition of conditions is unlikely to address these problems and may consider the adoption of a special policy of refusing new licences because the area is saturated with licensed premises and the granting of any more would undermine one of the licensing objectives. The Licensing Authority is now of the view that the number, type and density of premises providing late night refreshment in the Brick Lane Area as having a cumulative impact on the licensing objectives and has therefore declared a CIZ.

The effect of this CIZ is to create a rebuttable presumption for applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity).

Where the premises are situated in the CIZ and a representation is received, the licence will be objected to by the Authority. To rebut this presumption the Applicant is expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced. This policy does not act as an absolute prohibition on granting/varying new licences in the CIZ.

The Licensing Authority is therefore making representation against the above application on the grounds of the prevention of crime and disorder and the prevention of public nuisance as the premises lies within the CIZ. The weekend hours applied for are unnecessarily excessive. Very few premises in the Borough are granted the provision of late night refreshment until 03:00hrs, certainly not within the CIZ.

I also draw the Committee's attention to the Operating Schedule as proposed by the Applicant. The Applicant has left blank sections (a) to (c) on Pages 12-

13 of the application therefore fail to fully address the four licensing objectives as expected of any Applicant. This should be of concern to the Committee.

The Licensing Authority asserts that the Operating Schedule has therefore not adequately addressed the Licensing Objectives. If the Applicant is unable to prove to the Licensing Sub Committee, through the implementation of appropriate conditions drawn from the Operating Schedule, that the granting of the application will not affect the cumulative impact of the area; then I ask the Committee to reject the application in full.

If the Committee are minded to grant the application, I would ask the Committee to address the excessive weekend hours by significantly reducing them.

Yours sincerely,

A black rectangular redaction box covering the signature of Andrew Heron.

**Andrew Heron**  
**Licensing Officer**

Cc: Anna Mathias, Woods Whur 2014 Ltd. (  )

# Appendix 7

## Mohshin Ali

---

**From:** Mohshin Ali on behalf of Licensing  
**Sent:** 21 September 2015 15:57  
**To:** Mohshin Ali  
**Subject:** FW: Representation for KFC of 84 Whitechapel High Street [REF: 086897]  
**Attachments:** KFC Late License Representation (18.09.15).pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

---

**From:** Louise Andrews [mailto: ]  
**Sent:** 21 September 2015 12:19  
**To:** Mohshin Ali  
**Cc:** Licensing  
**Subject:** Representation for KFC of 84 Whitechapel High Street [REF: 086897]

Dear Mohshin,

Please find attached the representation of the Whitechapel Gallery for the Variation in Premises Licence of KFC Express, 84 Whitechapel High Street by Mohammed Tahir.

Thank you,

Louise

Louise Andrews  
Operations Trainee  
Whitechapel Gallery

[Redacted signature block]

Barjeel Art Foundation Collection: Imperfect Chronology – Debating Modernism I, until 6 December 2015

Music for Museums, until 29 November 2015

Children's Commission 2015: Rivane Neuenschwander, until 25 October 2015

A Utopian Stage: Festival of Arts Shiraz-Persepolis, until 4 October 2015

Artists' Film International: Summer 2015, until 27 September 2015

Donate to Future Fund - A commissioning fund to create new art at the Whitechapel Gallery. Every £1 you give will be matched by Arts Council England

Text: WCHG001 to 70970 to donate £5 or Online: [www.don8.to/WCHG001](http://www.don8.to/WCHG001)

18th September 2015

The Licensing Section  
London Borough of Tower Hamlets  
Mulberry Place  
5 Clove Crescent  
London E14 2BG

Dear Mohshin Ali,

Mr Mohammed Tahir has proposed a change in the provision of late night refreshment of KFC Express, 84 Whitechapel High Street. Having reviewed the application submitted to Tower Hamlets Licensing on 21<sup>st</sup> August 2015, we are concerned that the proposals made by KFC in their Variation of Premises Licence were predominantly answered with the provision of CCTV recording and signage and therefore do not adequately deal with the problems which occur on a daily basis. We would therefore like to draw attention to a number of ongoing issues we have experienced with the local area and specifically with KFC's operational approach and their staff.

Whitechapel Gallery would like to raise the following points and propose that improvements should be made before this extension is granted so it will not have further adverse effects on the local environment.

1. From August 2014-August 2015 we have recorded 83 incidents in and around the gallery. This has included 52 separate cases of anti-social behaviour half of which (largely drug use and dealing) occurred in Angel Alley by the side entrance of KFC. Allowing a late night opening would encourage this area to further serve as a hub of anti-social behaviour. Drug use in Angel Alley, between 84 and 85 Whitechapel High Street, occurs on a daily basis.
2. We have deep concerns that granting a late license to a fast food shop would greatly increase the amount of litter left by customers around the Angel Alley area. We have had to change our recycling arrangements to allow for lockable 1100 litre bins as KFC branded litter was constantly being thrown in the recycling bins. Furthermore, KFC staff frequently drop cigarette butts around the staff entrance to the gallery and the side entrance to KFC; the result of this is that we ask our contracted cleaners to tidy this area as the build up is not dealt with by Tower Hamlets street cleaning.

.....  
**Director**  
Iwona Blazwick OBE

**Chair**  
Alex Sainsbury

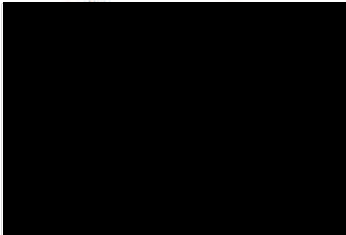
**Trustees/Directors**  
Swantje Conrad  
Maryam Eisler  
Ann Gallagher  
Anupam Ganguli  
Runa Islam  
Rania Khan  
Cornelius Medvei  
Farshid Moussavi  
Dominic Palfreyman  
Catherine Petitgas  
Alice Rawsthorn  
Rohan Silva  
John Smith  
Robert Taylor

**Secretary**  
Clare Hawkins

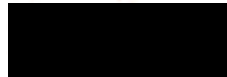
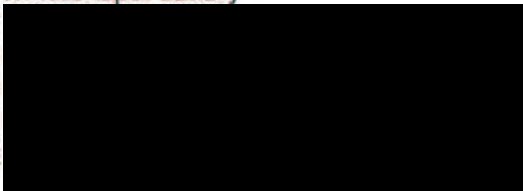
**Whitechapel Gallery**  
77-82 Whitechapel High Street  
London E1 7QX

3. Recently there have also been a number of issues regarding the maintenance and upkeep of the property. A drain in Angel Alley on the KFC side was damaged by a contractor for KFC and a large section of the pipe is missing and has been since at least March 2015. A number of attempts were made by the gallery to contact the manager of KFC after staff reported seeing rats entering the exposed pipe. However, KFC staff were unable to provide any names or contact details. Photographs of the pipe in question have been copied in below.
4. Another issue is the way food deliveries are sent to KFC. Currently large deliveries of raw food are deposited outside of the shop on Whitechapel High Street and down Angel Alley. This blocks the route from Whitechapel High Street to the staff entrance of the gallery and Wentworth Street. Frequently empty boxes are simply left in the alley, we regularly have to give these boxes back to staff in KFC itself for them to be disposed of properly. In April 2013 Whitechapel Gallery paid for Angel Alley (a shared area of land) to be resurfaced. Since then the strip between the side entrance of KFC and the pavement of Whitechapel High Street has constantly been damaged by oil fat dripping from waste bags taken out by KFC staff.
5. An increase in operating hours for KFC would also increase the amount of waste produced and left on Whitechapel High Street. At present waste is left on street for collection leaving the pavement in an untidy and unsanitary condition.
6. Another area of concern is the effect of late night opening on the presence of vermin in Angel Alley and Whitechapel High Street. We already deal with a large amount of rats in the area and extending the opening hours will inevitably open the area to an increase in litter left on the street late at night encouraging rats and other vermin.
7. We have also had to deal with KFC leaving equipment outside in Angel Alley. In mid August 2015, a deep fat fryer was left by KFC in Angel Alley next to our building. This was moved to the High Street in front of KFC and was found with debris and dead mice around the base of the unit. A member of our staff spoke to the KFC Duty Manager she suggested bringing it back inside the KFC shop but we advised this would not be a hygienic thing to do considering the state it was in and the dead mice inside of it. Images of this incident have been copied in below.

I hope you will take these points into consideration when dealing with the application for late license.



**Dominic Peach**  
Head of Operations  
Whitechapel Gallery



**Louise Andrews**  
Operations Trainee  
Whitechapel Gallery



Images of damage to pipe work as per point 3:





Images of the cooker with dead mice left in Angel Alley and moved to the High Street as per point 7:



# Appendix 8

## Mohshin Ali

---

**From:** Mohshin Ali on behalf of Licensing  
**Sent:** 14 September 2015 10:33  
**To:** Mohshin Ali  
**Subject:** FW: KFC - 84 Whitechapel Highstreet, London E1

---

**From:** Serge Tiurin [REDACTED]  
**Sent:** 12 September 2015 14:41  
**To:** Licensing  
**Subject:** FW: KFC - 84 Whitechapel Highstreet, London E1

Hello,

on behalf of 84a Whitechapel high-street tenants, I am writing to express that we are against late night refreshment sale at aforementioned KFC.

We have already expressed a fraction of concerns as per response to first application.

*'Mainly, my main concerns are over noise and pollution. I live few floors above the KFC. Having the KFC open for longer hours will attract more wandering tourists of Bricklane. Late hour drunk ramblers are a particular issue. Formally this will bring more noise and sleep deprivation for me.*

*Another aspect is the pollution level in this area and the Angel alley in particular. Usually drunk and other negligent tourists use alley to dispose their KFC packaging and leftovers. This alley also often stinks urine. I use this alley every day as the entrance to my apartment. My fears are that granting this license will exacerbate the situation, which is already not pretty. My thoughts are that granting this license will attract more trouble to the area.'*

On top of that there is another long lasting problem that has not been resolved for years. There is a big HVAC fan/compressor unit outdoors belonging to KFC at the rear of their facility. This appliance is constantly in operation and continuously emits buzzing noise. This is causing some serious nuisance impacting the comfort feeling when being at home also contributes to stress levels, sleep deprivation and potentially, not limited to impacting the hearing.

We really want to see some positive changes of KFC dealing with the existing problems and only then looking to extend their working hours. Their inability to deal with the existing problems, ignoring the damage it causes to community living around and continuing to apply for late night license is frankly offending.

Regards,

Sergej Tiurin  
[REDACTED]

# Appendix 9

## **Noise while the premise is in use**

### General Advice

If they conclude this is a problem Members should consider whether it is possible to carry out suitable and proportionate noise control measures so that noise leakage is prevented. In addition Members may consider that only certain activities are suitable.

The hours of operation also need to be considered (see below).

If Members believe that there is a substantial problem of noise while the premises are in use and it cannot be proportionately address by licensing conditions they should refuse the application.

### Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. **(See Sections 8.1 of the Licensing Policy)**.

While all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. **(See Section 12.11)**.

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. **(See Section 8.2 of the Licensing Policy)**.

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

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

- Conditions controlling lighting (this needs to be balanced against potential crime prevention benefits)

### Police Powers

Part 8 of the Licensing Act 2003 enables a senior police officer to close down a premises for up to 24 hrs. a premises causing a nuisance resulting from noise emanating from the premises.

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

The Licensing Policy has adopted the recommended Pool of Conditions as permitted (13.20 and Annex D).

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community (2.33).

Licence conditions should not duplicate other legislation (1.16).

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

### Other Legislation

The Environmental Protection Act 1990, Part 111 gives Environmental Health Officers the power to deal with statutory nuisances.

The Anti-social Behaviour Act 2003, Sections 40 and 41 give Environmental Health Officers the power of closure up to 24 hours in certain circumstances.

# Appendix 10

## **Access and Egress Problems**

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

### Comment

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

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 11

## **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 12

## **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 13



## **Planning**

An application for a Premises Licence can be made in respect of a premises even where the premises does not have relevant Planning Permission. That application has to be considered and Members can only refuse the application where the application itself does not promote one of more of the Licensing Objectives. Members cannot refuse just because there is no planning permission. Where a Premises Licence is granted and which exceeds what is allowed by the Planning Permission and that Premises then operates in breach of planning then the operator would be liable to enforcement by Planning.

# Appendix 14

## **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 15

### **Special Cumulative Impact Policy for the Brick Lane Area**

As with many other London Borough's the majority of late night licensed premises are concentrated within one area of the Borough. Following guidance issued under the Licensing Act 2003 a cumulative impact policy was adopted on 18th September 2013 by the Council.

After consultation the Council recognises that because of the number and density of licensed premises selling alcohol, on and off the premises and the provision of late night refreshment (sale of hot food after 11pm) within the Brick Lane Area as defined in Figure One, there might be exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect.

The Licensing Authority is now of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the area highlighted in Figure One is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone.

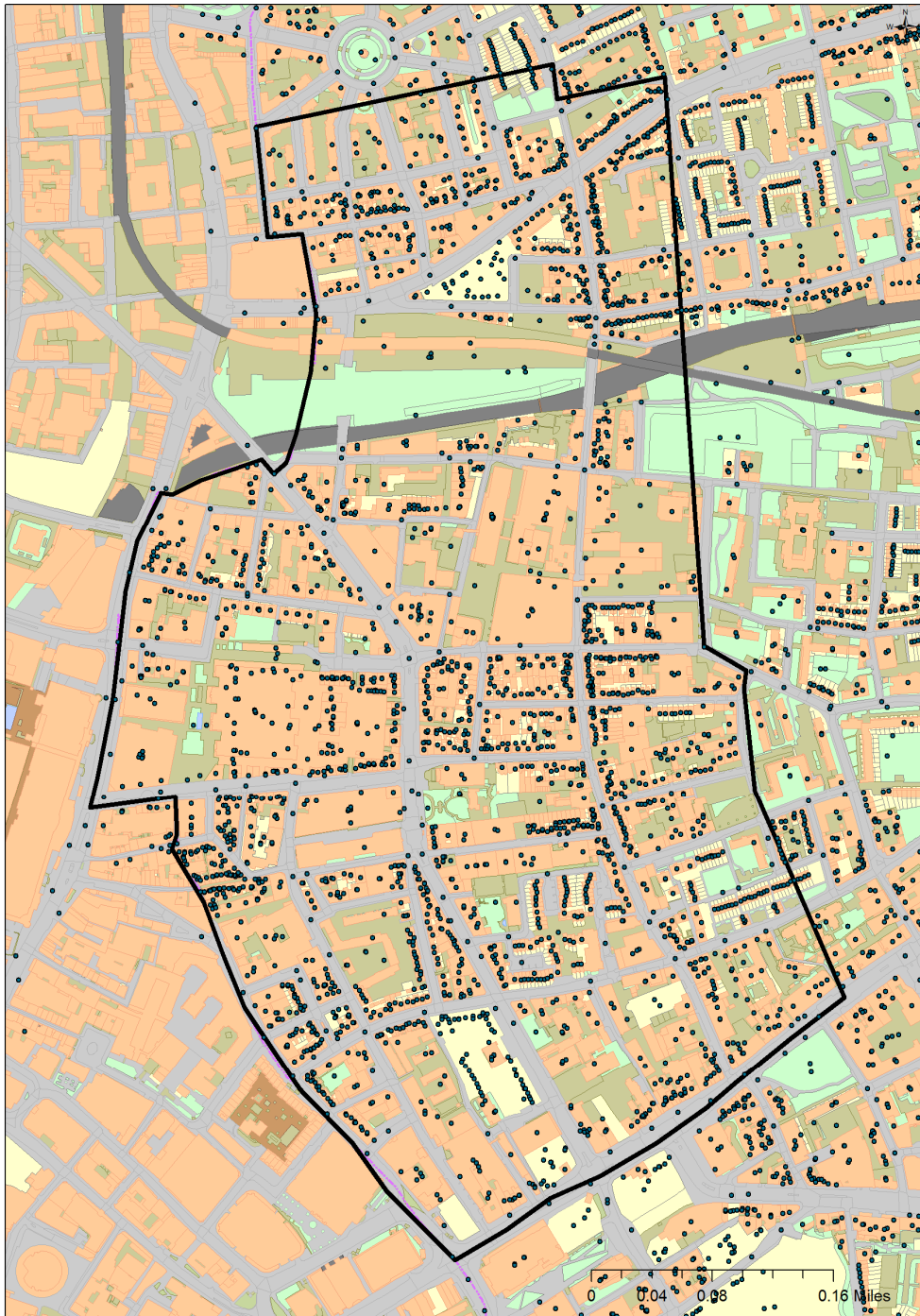
The effect of this Special Cumulative Impact Policy is to create a rebuttable presumption for applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity). Where the premises are situated in the cumulative impact zone and a representation is received, the licence will be refused. To rebut this presumption the applicant would be expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced. This policy does not act as an absolute prohibition on granting/varying new licences in the Cumulative Impact Zone.

The Special Cumulative Impact policy will not be used to revoke an existing licence or certificate and will not be applicable during the review of existing licences.

Figure One

**The Cumulative Impact Zone in the Brick Lane area**

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





# Cumulative Impact Zone

