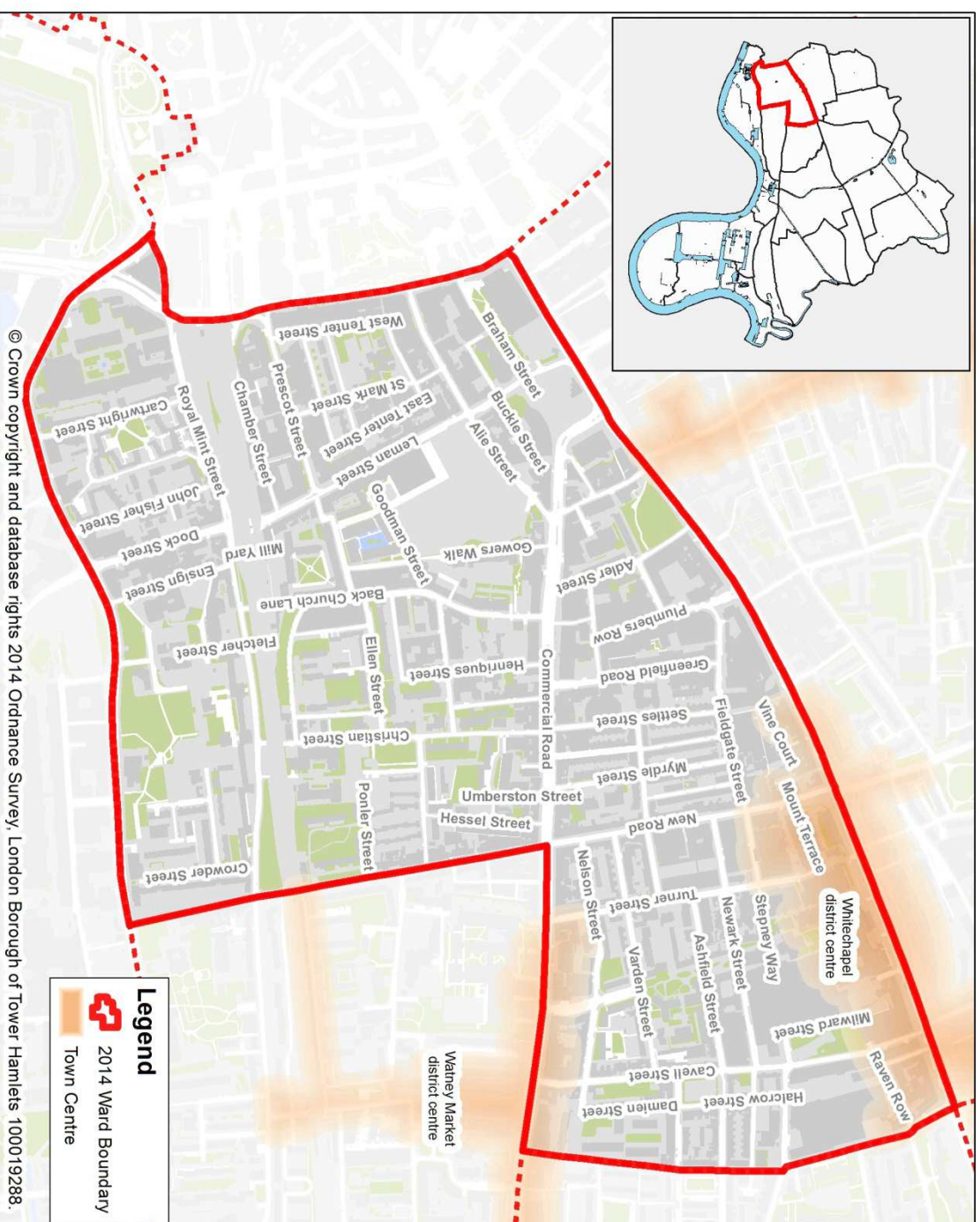


Appendix 10

Whitechapel Ward Profile

Corporate Research Unit
May 2014



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Introduction

The ward profiles have been produced for all 20 wards in Tower Hamlets. They provide the social, economic and demographic characteristics of each ward in the borough developing a broad picture of the area and help describing local differences.

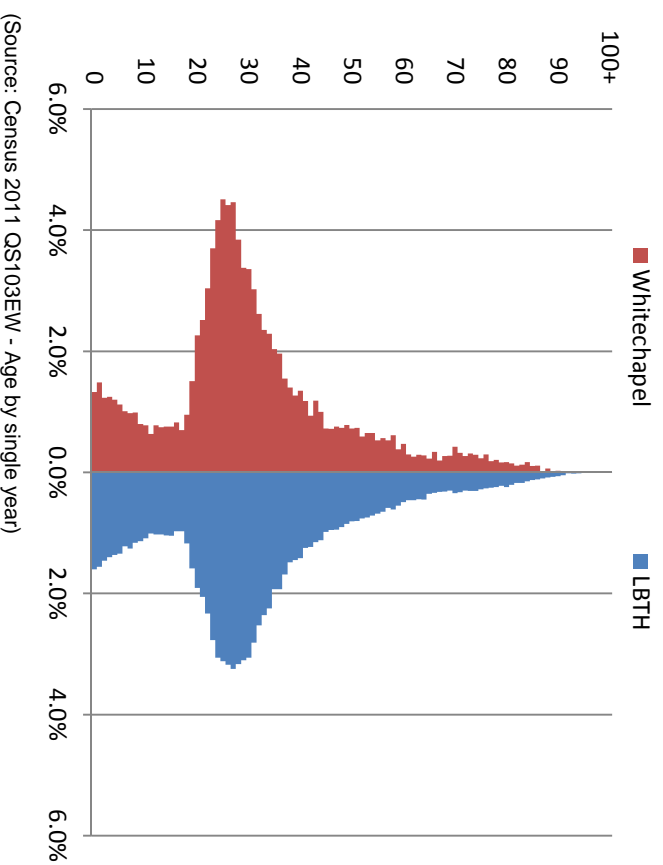
In May 2014, the number of wards increased from 17 to 20. The changes were made by the Local Government Boundary Commission for England, in order to ensure that every councillor in Tower Hamlets represented roughly the same number of residents. The changes mean that no ward will have a population variance of greater than 10 per cent. As a result of the changes, the average population per councillor will be 4,029 in 2014, rising to 4,417 by 2018, according to projected population growth.

Data from the 2011 Census has been used throughout this ward profile as this still provides the single best source of statistics which are available at geography small enough to be aggregated up in to the new wards. While more recent estimates of the resident population are available for the borough and old ward boundaries, these cannot be used to infer the current population according to the new ward boundaries.

Population

Age Structure

Figure 1: Proportion of population by age



(Source: Census 2011 QS103EW - Age by single year)

Table 1: Number and proportion of residents by age range

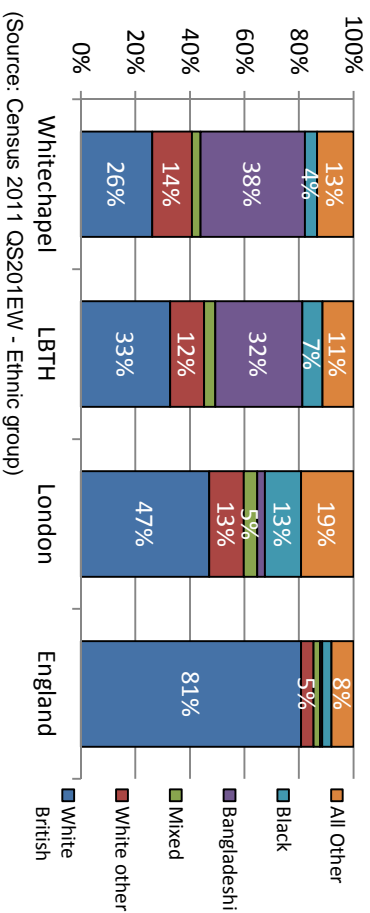
Residents by Age	0-15	16-64	65+	Total
Whitechapel	2,245	11,215	730	14,190
Whitechapel %	15.8%	79.0%	5.1%	100%
Tower Hamlets %	19.7%	74.1%	6.1%	100%

(Source: Census 2011 QS103EW - Age by single year)

- At the time of the 2011 Census, the population for the Whitechapel ward was 14,190 which accounted for 5.9 per cent of the total population of Tower Hamlets.
- The ward had 6,682 males and 6,203 females providing a gender split in the ward of 51.9 per cent male and 48.1 per cent female.
- The population density in this ward was 148 people per hectare, higher than the borough average of 129 people per hectare.
- The Whitechapel ward had a lower proportion both of residents aged 65+ and aged 0-15 years old than the borough average.

Ethnicity

Figure 2: Ethnicity

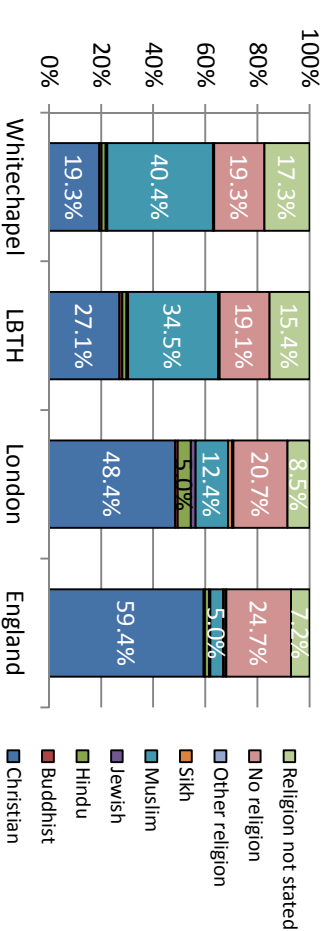


(Source: Census 2011 QS201EW - Ethnic group)

- At the time of the 2011 Census, 8,416 residents in the ward were BME (59 per cent). This proportion was higher than the borough average of 54 per cent.
- Residents of Bangladeshi origin accounted for 38 per cent of the population (5,421 residents), a higher proportion than the borough average.
- There were 3,718 White British residents in the Whitechapel ward. There was a higher proportion of residents who are White British in the ward compared to the borough average.
- The three largest ethnic groups in the borough (White British, Bangladeshi and White Other) accounted for 79 per cent of all residents in this ward.

Religion

Figure 3: Religion



(Source: Census 2011 QS208EW – Religion)

- The proportion of residents who identified themselves as Christian was 19.3 per cent – the second lowest proportion of residents out of the borough's 20 wards. At 40.4 per cent of the population, the proportion of Muslim residents was significantly higher than the borough average.
- 2,742 residents in the Whitechapel ward explicitly stated that they had no religion, this equated to 19.3 per cent of the ward population, compared to the borough average of 19.1 per cent.
- Tower Hamlets had a significantly higher proportion of residents who did not state their religion on the census form when compared to London and the rest of England. In the Whitechapel ward there were 2,460 residents who did not state their religion – accounting for 17.3 per cent of the ward's population, higher than the borough average.

Housing Tenure¹

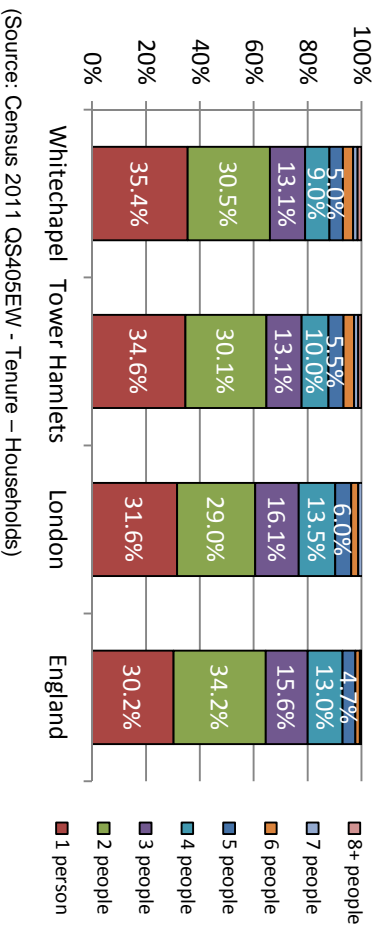
Figure 4: Tenure of households



(Source: Census 2011 QS405EW - Tenure – Households)

Household size

Figure 5: Tenure of households



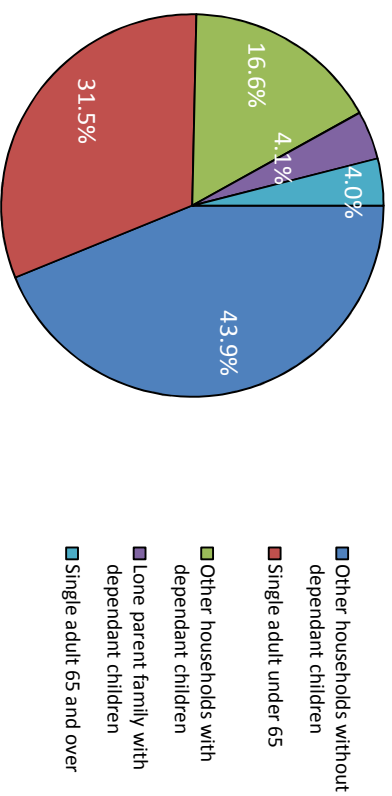
(Source: Census 2011 QS405EW - Tenure – Households)

- Tower Hamlets as a whole had a significantly lower proportion of households who were owner-occupier compared to the London average (26.6 per cent compared to 49.5 per cent). The proportion of socially rented households in the borough was almost double that of the London average. There was also a higher proportion of privately rented households compared to the London average.
- There were 5,707 households in the Whitechapel ward. Compared to the other wards, Whitechapel had a higher than average proportion of households compared to the borough average, accounting for 5.6 per cent of the whole.
- 22.7 per cent of households in the wards were owner-occupied, a lower rate than the borough average of 26.6 per cent.
- There were a lower than average proportion of socially rented properties in this ward but a higher than average proportion of private rented properties. Together, the proportion of renters (76.1 per cent) was lower than the borough average (72.2 per cent).
- The proportion of households in the Whitechapel ward with three or more people accounted for 34 per cent of the total households in the ward. This proportion was just below the borough average of 35 per cent.
- On Census day, 680 households were recorded as having five or more people living in them. This equates to 11.9 per cent of the households in the ward and was lower than the average for Tower Hamlets (12.3 per cent).
- The average household size in the ward was 2.49 compared to the borough average of 2.51.

¹ Tenure provides information about whether a household rents or owns the accommodation that it occupies and, if rented, combines this with information about the type of landlord who owns or manages the accommodation.

Household composition

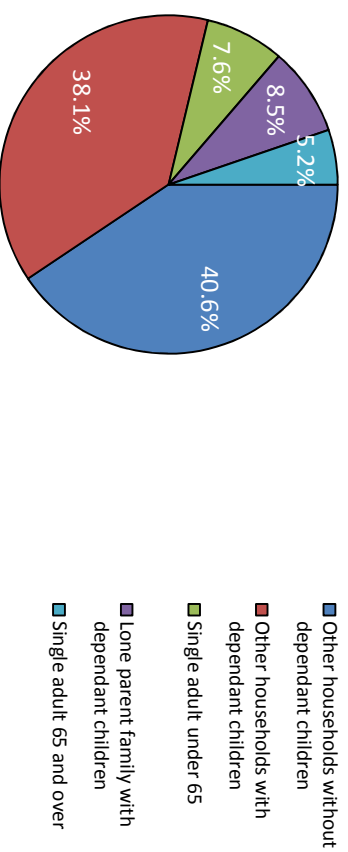
Figure 6: Household composition - percentage of households by type



(Source: Census 2011 QS113EW - Household composition – Households)

- At the time of the Census, 39.3 per cent of all residents in the ward lived in family households with dependent children; this proportion was lower than the borough average of 46.2 per cent.
- However, families with dependent children occupied 20.7 percent of the households in the ward, lower than the borough average of 26.6 per cent.
- Single adult households accounted for 35.4 per cent of all households in the ward; however 14 per cent of the ward's residents live in this type of household.
- Older people living alone (65+) accounted for 4 per cent of households which was lower than the borough average of 6 per cent.
- Table 3 shows the proportion of households that were overcrowded, had the required number of bedrooms, or were under-occupied at the time of the Census. 18 per cent of households in the ward (1,026 households) were overcrowded – higher than the average for the borough.

Figure 7: Household composition: percentage of residents that live in each household type



(Source: Census 2011 QS112EW - Household composition – People)

Table 2: Average household size

	Whitechapel	Tower Hamlets	London	England
Average residents per household				
Households with dependent children	4.65	4.30	3.89	3.78
Households with non-dependent children	1.88	1.81	1.84	1.78

(Source: Census 2011 QS406EW - Household size)

Table 3: Occupancy ratings

Area	Overcrowded (-1 or less)	Required Bedrooms (0)	Under Occupied (+1 or more)
Whitechapel	1,026 (18%)	3,146 (55%)	1,535 (27%)
Tower Hamlets	16,605 (16%)	51,058 (50%)	33,594 (33%)
London	370,531 (11%)	1,282,883 (39%)	1,612,759 (49%)
England	1,024,473 (5%)	5,885,951 (27%)	15,152,944 (69%)

(Source: Census 2011 QS406EW - Household size)

Health - Limiting illness or disability

Table 4: Limiting illness and disability

Area	Day-to-day activities limited a lot	Day-to-day activities limited a little	Day-to-day activities not limited
Whitechapel	808	887	12,495
Whitechapel (%)	5.7%	6.3%	88.1%
Tower Hamlets (%)	6.8%	6.7%	86.5%
London (%)	6.7%	7.4%	85.8%
England (%)	8.3%	9.3%	82.4%

(Source: Census 2011 QS303EW - Long-term health problem or disability)

Unpaid care provision

Table 5: Unpaid care provision

Area	Provides no unpaid care	Provides 1 to 19 hours unpaid care a week	Provides 20 to 49 hours unpaid care a week	Provides 50 or more hours unpaid care a week
Whitechapel	13,073	680	209	228
Whitechapel (%)	92.1%	4.8%	1.5%	1.6%
Tower Hamlets (%)	92.4%	4.3%	1.4%	1.9%
London (%)	91.6%	5.3%	1.3%	1.8%
England (%)	89.8%	6.5%	1.4%	2.4%

(Source: Census 2011 QS301EW - Provision of unpaid care)

- On Census day, around 808 residents (5.7 per cent) in Whitechapel had a long term health problem or disability *limiting the persons day to day activities a lot*, while 6.3 per cent (887 residents) had a long term health problem or disability *limiting the persons day to day activities a little*.
- In Whitechapel, the rate of people with a long term health problem or disability *limiting day to day activities a lot* was below the Tower Hamlets (6.8 per cent), London (6.7 per cent) and England rates.
- The rate of people with a long term health problem or disability *limiting day to day activities a little* of 6.3 per cent was also below the Tower Hamlets (6.7 per cent), London and England averages.
- Around 7.9 per cent of residents in Whitechapel provided unpaid care. The Whitechapel rate was slightly above the Tower Hamlets average (7.6 per cent) but below London (8.4 per cent) and England (10.2 per cent) rates.
- From 1,117 residents in Whitechapel who provided unpaid care, around 209 residents provided care for 20 to 49 hours a week, while 228 residents provided care for 50 or more hours a week.
- The proportion of those providing care for 50 hours or more of 1.6 per cent in Whitechapel was slightly below the Tower Hamlets rate of 1.9 per cent.

Labour market participation

Table 6: Labour market participation - Economic active (EA) and Economic Inactive (EI) (totals and %)

Area	EA: In employment	EA Unemployed	EA: Full-time student	EI: Retired	EI: Student (incl. full-time)	EI: Looking after home / family	EI: Long-term sick or disabled	EI: Other
Whitechapel	6,940	660	713	436	1,224	738	423	495
Whitechapel (%)	59.7	5.7	6.1	3.7	10.5	6.3	3.6	4.3
Tower Hamlets (%)	57.6	6.7	5.5	4.7	9.9	7.0	4.5	4.0
London (%)	62.4	5.2	4.1	8.4	7.8	5.2	3.7	3.2
England (%)	62.1	4.4	3.4	13.7	5.8	4.4	4.0	2.2

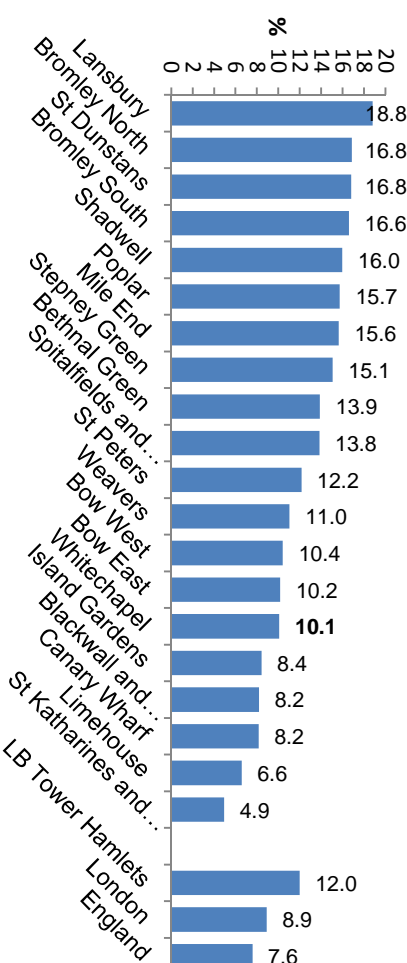
(Source: Census 2011 KS601EW to KS603EW - Economic activity by sex, Population 16 to 74)

- above the Tower Hamlets rate (57.6 per cent), but below London (62.4 percent) and England (62.1 per cent) averages.
- The proportion of economically inactive residents, including those looking after home & family (6.3 per cent) and long term sick (3.6 per cent) was lower in Whitechapel. However, the proportion of economically inactive students (10.5 per cent) was above the borough average.
- A total of 660 residents were unemployed in Whitechapel. While the rate of 5.7 per cent was below the Tower Hamlets (6.7 per cent) rate, it was above London (5.2 per cent) and England (4.4 per cent) averages.

Unemployment rate of 16 to 64 (economic active population only)

- Figure 8 on the right shows the unemployment rate based on the economically active population only. This measure is the better unemployment measure but it is in general higher compared to the rate based on the proportion of all residents in the 16 to 74 age group as shown above.
- Whitechapel had the 6th lowest unemployment rate in the borough with 10.1 per cent, nearly 2 percentage points below the Tower Hamlets rate.
- On Census day, the highest unemployment rate was recorded in Lansbury (18.8 per cent) and the lowest in St Katharine's and Wapping with only 4.9 per cent.

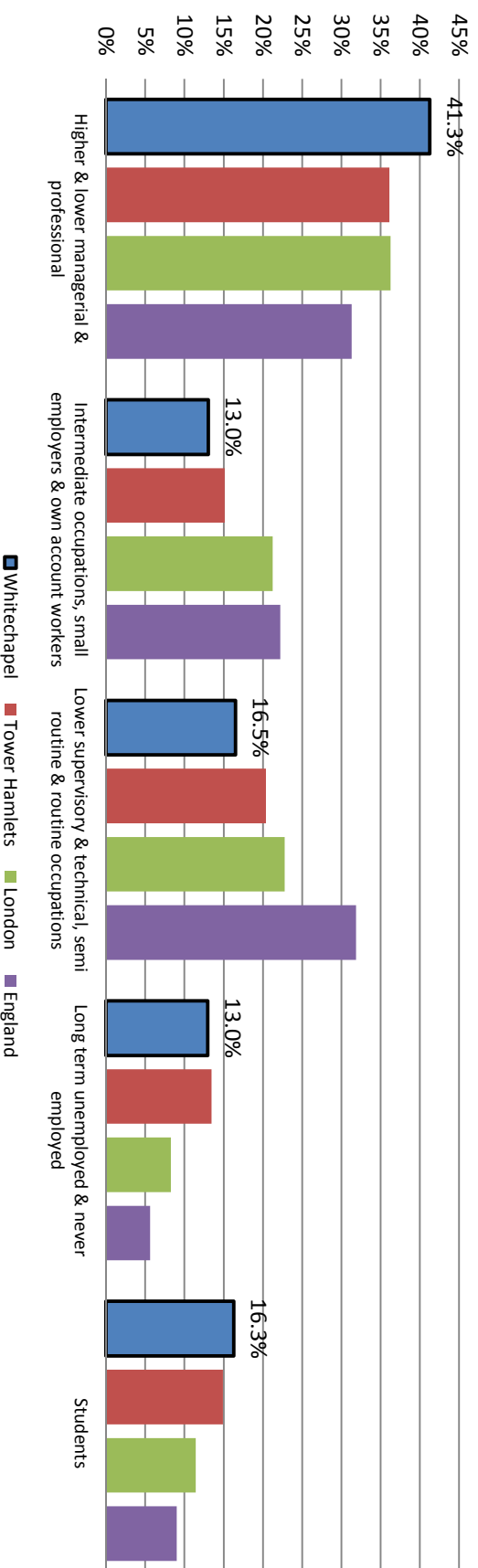
Figure 8: Unemployment rate of 16 to 64 – economic active population only



(Source: Census 2011: QS601EW - Economic activity)

Socio economic groups

Figure 9: Socio Economic groups



(Source: Census 2011 QS607EW - NS-Sec)

- At the time of the Census, there was 41.3 per cent of working aged residents working in managerial and professional occupations. This was higher than the borough average of 36.1 per cent.
- At 16.3 per cent, the ward had a higher proportion of residents who were students than the borough average (14.9 per cent).
- The ward had a slightly lower proportion of working aged residents who were classified as long term unemployed / never employed compared to the borough average of 13.5 per cent (1,506 residents).

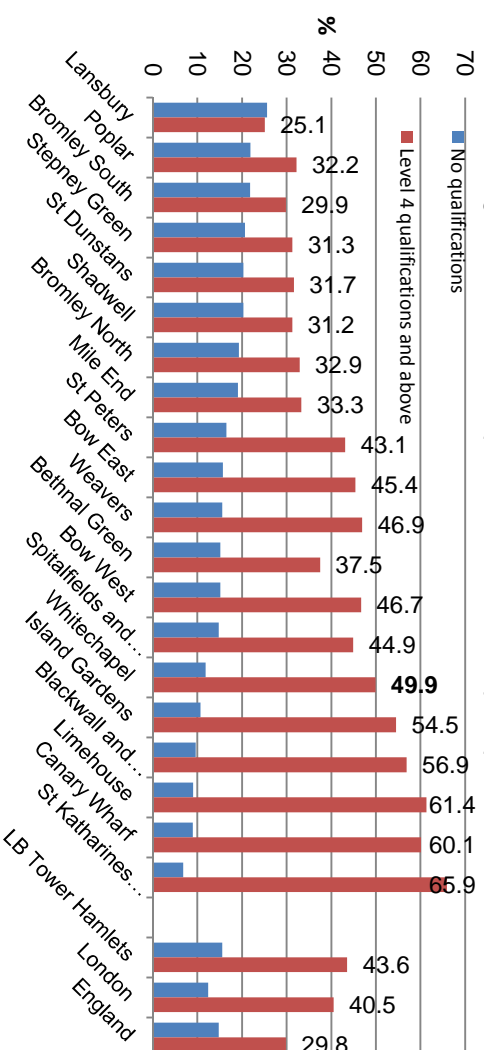
Qualification levels

Table 7: Highest qualification of residents aged 16 to 64

Area	No qualification	Level 1	Level 2	Apprentice-ship	Level 3	Level 4 and above	Other
Whitechapel	1,328	893	868	78	1,263	5,596	1,189
Whitechapel (%)	11.8	8.0	7.7	0.7	11.3	49.9	10.6
Tower Hamlets (%)	15.6	9.8	9.2	0.8	10.8	43.6	10.2
London (%)	12.4	11.5	12.6	1.4	11.5	40.5	10.0
England (%)	14.8	15.2	17.1	3.1	14.5	29.8	5.6

(Source: Census 2011 LC5102EW - Highest level of qualification by age)

Figure 10: Residents aged 16 to 64 with No qualification and Level 4 plus qualification



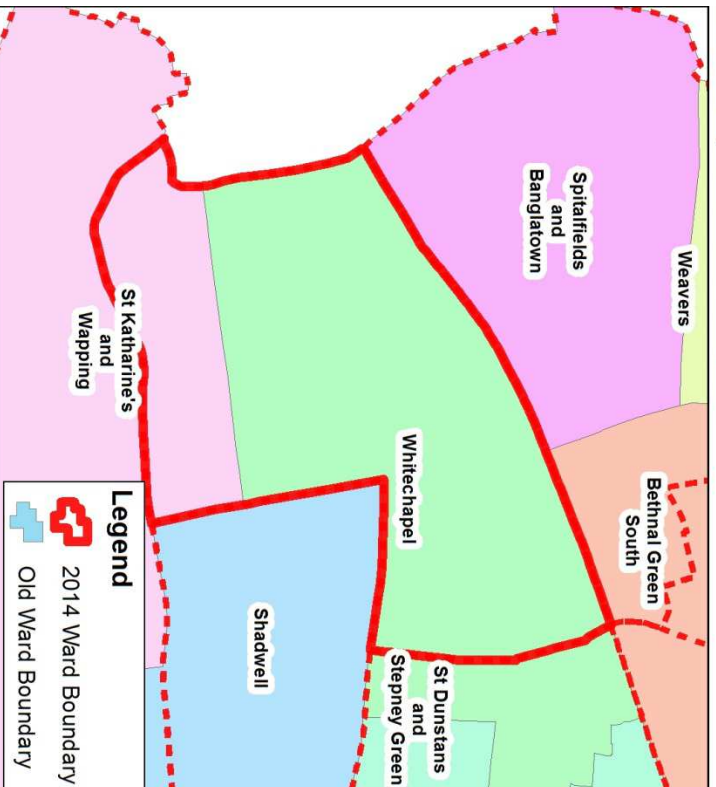
(Source: Census 2011 LC5102EW - Highest level of qualification by age)

- The population aged 16 to 64 in Whitechapel showed a slightly different qualification structure to Tower Hamlets as a whole with a higher proportion of highly qualified residents.
- The proportion of those with a level 4 qualification was above the average in Whitechapel (49.9 per cent) when compared to Tower Hamlets (43.6 per cent) and London (40.5 per cent).
- Around 1,328 residents or 11.8 per cent aged 16 to 64 did not hold a formal qualification. This rate was substantially below the Tower Hamlets average (15.6 per cent), London (12.4 per cent) and England rates (14.8 per cent).
- The proportion of Whitechapel residents with no formal qualification was the 6th lowest out of all 20 wards in Tower Hamlets.
- The lowest proportion of residents with no qualification was recorded in St Katherine's and Wapping ward (6.8 per cent) while the highest proportion with no qualification was in the Lansbury ward with 25.6 per cent.
- The proportion of Whitechapel residents with a level 3 qualification was 11.3 per cent, a rate slightly above the Tower Hamlets average.

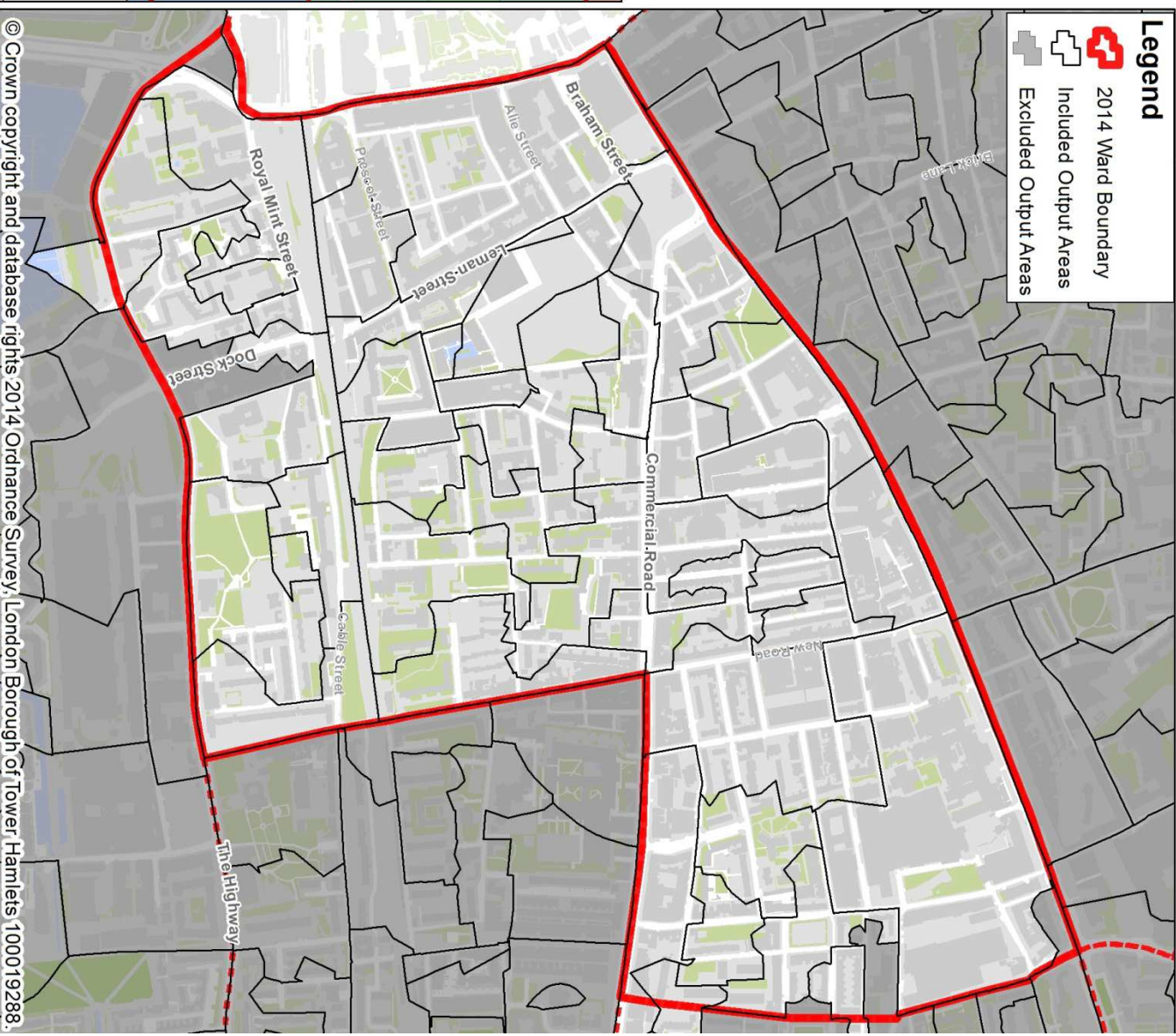
Statistical Areas

The map (right) shows which Census Output Areas have been included in the summary statistics for this ward, and which areas have been assigned to other wards. Census Output Area (OA) data has been aggregated on a best fit basis to match the new Tower Hamlets ward boundaries as closely as possible. This has been done in accordance with methodology employed by the Office for National Statistics (ONS) in producing census statistics for non-standard geographies. Details of this methodology can be found on the ONS website at: <http://www.ons.gov.uk/ons/guide-method/geography/geographic-policy/best-fit-policy/index.html>.

Whitechapel and the old wards



Whitechapel Statistical Area



Further information

The data used in this document has been sourced from the Office for National Statistics Census 2011 and specific Census 2011 data tables are quoted in the document.

Contact the Corporate Research Unit: cru@towerhamlets.gov.uk

For more information, see the [Borough Profile](#) page on the council's internet. Census 2011 data tables can be obtained from the [Office for National Statistics](#) official labour market statistics webpage.

Appendix 11



**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
(as amended)**

Notice of Application for the ~~*Grant~~ / Renewal of a Sexual Entertainment Venue
**delete as appropriate*

TAKE NOTICE THAT ON: 31st MAY 2016

~~By~~We: CITY TRADERS LONDON LIMITED *(insert name of applicant)*

Of: 30 ALIE STREET LONDON E1 8DA *(insert address of applicant)*

Made application to London Borough of Tower Hamlets for the *grant / renewal of a licence to use the premises named below as a Sexual Entertainment Venue.

Address of Premises:	CLUB ENVIEE 30 ALIE STREET LONDON E1 8DA
-----------------------------	--

Description and detail of sexual entertainment to be provided including times of operation:	GENTLEMAN'S CLUB PROVIDING POLE DANCING, LAP DANCING & STRIPTISE BETWEEN THE HOURS OF 6.30PM TO 4.00 AM MONDAY - SUNDAY
--	--

Any objections to this application shall be made not later than 30/06/2016 which is 28 days after the above date of the application. Objections must be made in writing, stating in general terms the grounds for objection to:

The Licensing Section, London Borough of Tower Hamlets, 6th Floor, Mulberry Place,
London E14 2BG or licensing@towerhamlets.gov.uk Website: www.towerhamlets.gov.uk
Tel: 020 7364 5008

Please note: Objections must be made in writing and shall contain the name and address of the objector. Such objections will be sent to the applicant and will become public documents, however, personal details such as name, address and telephone number will be removed.

Appendix 12



Legal and Public Notices

Town and Country Planning (Development Management Procedure) (England) Order 2015 NOTICE UNDER ARTICLE 14 OF APPLICATION FOR PLANNING PERMISSION

Proposed development at: Land at Christ Street Market, Poplar, London, E14. Planning application made by Savills on behalf of Telford Homes and PoplarHARCA, for "Comprehensive redevelopment of the site (including existing car park) comprising the demolition of existing buildings with the exception of the Festival of Britain buildings, Clock Tower and Idea Store; erection of 19 new buildings ranging from 3 to 25 storeys providing 649 residential units (C3 Use Class) (including re-provision of 124 affordable residential units); existing market enhancement, including new canopy and service building; refurbishment of retained Festival of Britain buildings; reconfiguration and replacement of existing and provision of new commercial uses including new cinema (D2 Use Class); alterations and additions to existing Idea Store for community use and multi-function space (D1 Use Class); flexible workspace (B1 Use Class); retail floor space (A1 - A3 Use Class), including A1 food store; public house (A4 Use Class); hot food takeaway floor space (A5 Use Class); upgrade and provision of new public open space including child play space; new public realm, landscaping works and new lighting; cycle parking spaces (including new visitor cycle parking); and provision of disabled car parking spaces." Application submitted to London Borough of Tower Hamlets, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG.

Any owner of the land or tenant who wishes to make representations about this application, should write to the council within 21 days of the date of this notice.

Statement of owners' rights: The grant of planning permission does not affect owners' rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or lease.

Statement of agricultural tenants' rights: The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.

'Owner' means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than seven years. 'Tenant' means a tenant of an agricultural holding any part of which is comprised in the land.

LONDON BOROUGH OF TOWER HAMLETS LICENSING ACT 2003 NOTICE OF APPLICATION FOR A PREMISES LICENCE

Notice is given that Clipper Ventures PLC has applied to London Borough of Tower Hamlets Licensing Authority for a Premises Licence under the Licensing Act 2003.

Premises: St Katharine Docks, the areas known as: Marble Quay, St Katharine's Way, Riverside 1, Riverside 2 and Piazza.

The licensable activities and timings are: Thursday 28 July - Sunday 31 July

The licensable aspect of the event will be open from 1000 - 2030 daily, with occasional activities including:

1. Provision of films (informative shorts on the event)
2. Provision of recorded music (Background events music)
3. Provision of live music (short sets with noise management plan)
4. Provision of performances of dance (live internet cultural world dance acts)

Anyone who wishes to make representations regarding this application must give notice in writing to: The Licensing Section, London Borough of Tower Hamlets, Mulberry Place, 5 Clove Crescent, London, E14 2BG Website: www.towerhamlets.gov.uk Tel: 020 7364 5008

Representations must be received no later than 03/07/2016

The Application Record and Register may be viewed between 10am and 4pm Monday to Friday during normal office hours at the above address.

It is an offence under Section 158 of the Licensing Act 2003, knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence is up to level 5 on the standard scale (£5000).

LONDON BOROUGH OF TOWER HAMLETS LICENSING ACT 2003 NOTICE OF APPLICATION FOR A PREMISES LICENCE

Notice is given that H2C Enterprises LLP has applied to London Borough of Tower Hamlets Licensing Authority for a Premises Licence under the Licensing Act 2003.

Premises: Unit G.04, New Loom House, 101 Backchurch Lane, London E1 1LU

The licensable activities and timings are: Supply of Alcohol, Sunday-Wednesday 11.00-23.00, Thursday-Saturday 11.00-00.00. Provision of recorded music: Sunday-Wednesday 07.30-23.00, Thursday-Saturday 07.30-00.00. Provision of films/provision of live music Monday-Sunday 10.00-23.00.

Anyone who wishes to make representations regarding this application must give notice in writing to: The Licensing Section, London Borough of Tower Hamlets, Mulberry Place, 5 Clove Crescent, London, E14 2BG Website: www.towerhamlets.gov.uk Tel: 020 7364 5008

Representations must be received no later than 05/07/2016.

The Application Record and Register may be viewed between 10am and 4pm Monday to Friday during normal office hours at the above address.

It is an offence under Section 158 of the Licensing Act 2003, knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence is up to level 5 on the standard scale (£5000).

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 (as amended) Notice of Application for the Grant of a Sexual Entertainment Venue Licence

TAKE NOTICE THAT ON: 31st May 2016 We City Traders London Limited of 329 Romford Road London E7 9HA made application to London Borough of Tower Hamlets for the grant of a licence to use the premises named below as a Sexual Entertainment Venue. Address of Premises: Club Envice (formerly known as Charlie's Angels), 30 Alie Street London E1 8DA. Description and detail of sexual entertainment to be provided including times of operation: Gentleman's club providing pole dancing, lap dancing and striptease between the hours of 6.30pm and 4.00am Monday to Sunday. Any objections to this application shall be made not later than 28/06/2016 which is 28 days after the date of the application. Objections must be made in writing, stating in general terms the grounds for the objection to: The Licensing Section, London Borough of Tower Hamlets, 6th Floor, Mulberry Place London E14 2BG or licensing@towerhamlets.gov.uk Website: www.towerhamlets.gov.uk Tel: 0207 364 5008. Please note: Objections must be made in writing and shall contain the name and address of the objector. Such objections will be sent to the applicant and will become public documents, however personal details such as name, address and telephone number will be removed.

SPECIAL TREATMENT LICENCES

NOTICE IS GIVEN THAT Rudi Fieldgrass has applied to the London Borough of Tower Hamlet for Radio Frequency, Mesotherapy, LED, Peels. Licence for the premises: E F. Medispa, 1 Scotts House, Admirals Way, Marsh Wall, London E14 9UG.

Anyone wishing to oppose the application must give notice in writing to David Tolley, Head of Consumer and Business Regulations Service, 6th Floor, Mulberry Place, 5 Clove Crescent, London E14 2BG WITHIN THREE WEEKS specifying the grounds of opposition. Persons objecting to the grant of a licence must be prepared to attend in person at a hearing before a Committee of the Council.

LICENSING ACT 2003

NOTICE OF APPLICATION FOR A PREMISES LICENCE

NOTICE IS HEREBY GIVEN THAT ERHAN OVER has applied to London Borough of Tower Hamlets for a Premises Licence in respect of the premises known as ANTORA WINE BAR, 367 CAMBRIDGE HEATH ROAD LONDON E2 9BA for the following licensable activities: The sale by retail of alcohol on the premises - from 12.00 to 00.00 on Monday to Wednesday, - from 12.00 to 01.00 on Thursday and Sunday, - from 12.00 to 02.00 on Friday and Saturday. Any person wishing to make representation in respect of the above activities may do so by writing to the Licensing Section, London Borough of Tower Hamlets, Mulberry Place 5 Clove Crescent London E14 2BG by 29 JUNE 2016. A copy of the premises application is kept by the Licensing Authority, The Licensing Section, London Borough of Tower Hamlets Mulberry Place 5 Clove Crescent London E14 2BG. Website: www.towerhamlets.gov.uk Tel: 020 7364 5008. The application can be viewed Monday to Friday 10.00am to 4.00pm, except bank holidays. It is an offence knowingly or recklessly to make false statement in connection with this application, the maximum fine on summary conviction being £5,000.

Ada Group Licensing Team Tel: 0845 300 9424 e-mail: info@adagroup.org.uk

LONDON BOROUGH OF TOWER HAMLETS TOWN & COUNTRY PLANNING ACT 1990

MAJOR APPLICATIONS UNDER ARTICLE 15(4) OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015 AND OTHER SIGNIFICANT APPLICATIONS.

Notice is hereby given that the London Borough of Tower Hamlets is considering the following applications:

42-44 Thomas Road, London, E14 7BJ PA/16/01041
Demolition of existing building and redevelopment of the site to provide new buildings ranging from five to twelve storeys comprising 220 residential units (Use Class C3) and 139.5sqm commercial space (Use Class A1, A2, A3 or D1), together with associated car parking, landscaping and infrastructure works.

The application and supporting drawings may be viewed electronically at the Planning Office between 9am and 1pm Mondays to Fridays. However, paper files are available for major applications only. You can visit between these times without making an appointment and a planner will be available to help with any general enquiries. The information will also be available on the Council's web site at <https://development.towerhamlets.gov.uk>. If you respond by email, please tell us your postal address.

Any person who wishes to make representations relating to any of these applications should do so, in writing, within a period of 14 days from the date of publication of this notice to the Development Control Manager at:

Tower Hamlets Planning Department, Mulberry Place, 5 Clove Crescent, London E14 2BG email: development.control@towerhamlets.gov.uk

Dated: 9th June 2016

OWEN WHALLEY

HEAD OF PLANNING & BUILDING CONTROL

Licensing Act 2003

Application to vary Premises Licence (Section 34)

Notice is hereby given that St John Restaurant Company Limited has applied to vary the Premises Licence in respect of St John Bread and Wine, 94-96 Commercial Street, London E1 6LZ and intends to vary the Premises Licence to permit a new internal layout and the consumption of alcohol by patrons within a limited frontage of the premises. The application setting out the full details can be viewed at the offices of the licensing authority at Licensing Section, 6th Floor, Mulberry Place, 5 Clove Crescent, London E14 2BG during normal office hours (ring in advance to checks). Further information may be available at www.towerhamlets.gov.uk. Any representations by a Responsible Authority or any other person must be made in writing to Tower Hamlets Council by 4th July 2016. All representations must be made in writing. It is an offence under Section 158 of the Licensing Act 2003 for anyone to recklessly or knowingly make a false statement in connection with a licensing application. The maximum fine on summary conviction is £5,000.

Clifton Davies Consultancy Limited

LICENCES FOR SPECIAL TREATMENT

Notice is given that MIKKI MCGAUGHNAN has applied to London Borough of Tower Hamlets for Manicure, Pedicure, Massage, Sunbeds, Sauna, Hairs, Beautician.

Licences for the premises: the Heavens Salon Ltd, 19 White Church Lane, London E1 7QR.

Anyone wishing to oppose the application must give notice in writing to David Tolley, Head of Consumer and Business Regulations Service, 6th Floor, Mulberry Place, 5 Clove Crescent, London E14 2BG WITHIN THREE WEEKS specifying the grounds of opposition.

Persons objecting to the grant of a licence must be prepared to attend in person at a hearing before a Committee of the Council.

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Appendix 13

Andrew Heron

From: [REDACTED]
Sent: 14 June 2016 14:18
To: Licensing
Subject: Objection to the renewal of sexual entertainment licence - Club Enivee, Alie Street

Follow Up Flag: Follow up
Flag Status: Completed

To whom it may concern

I strongly object to the renewal of the sexual entertainment licence for Club Enivee on Alie Street E1.

I live within the immediate vicinity of this venue and I'm repeatedly woken up on weekdays during the early hours of the morning due to their customers leaving this premises, parked mini cabs sitting outside on the street until 3am and also due to the noise of their staff as they leave the premises. As a result there is a lot of anti social behaviour in the area, for example my door is often used as a urinal or as a place to be sick. This is unacceptable and most inconvenient as I and most of my neighbour's are professional who have responsible jobs and careers. I don't believe this premises should be allowed to operate in its current location due to the high volume of residential accommodation within the immediate vicinity. I have lived here for over 10 years, even before this premises existed and the frequency of the anti social behaviour has increased due to the constant flow of people attending this premises. The police have also been very ineffective in dealing with this and have failed to support the victims.

This premises is currently closed at weekends, however I noted that on the notice it states Monday to Sunday. I further object to this premises extended their opening schedule to include Saturday and Sunday. These are the only 2 days that I'm able to get any sleep due to being woken up every day Monday - Friday, consistently every week.

This premises may have been suited to this location when it initially opened as 'Oops'. However, as you know the residential accommodation in this part of the borough has increased significantly, as a result this premises is on the door step of many professional tax paying residents who have professional jobs and lifestyles. Why should we be woken up at unreasonable times in the morning or not be able to have peace and rest time on our own homes? It's no longer appropriate to have a late venue like this here.

Submitted for your consideration

Thanks
[REDACTED]

Andrew Heron

From: [REDACTED]
Sent: 21 June 2016 14:08
To: Andrew Heron
Subject: Fwd: Your complaint about Dumping Waste on Alie Street E1 (ref: 4558665)

Hi Andrew,

I'm just forwarding this email onto you regarding the licensed premises Enivee.

The contents speaks for itself, can you please add this along with my objection to their licence renewal.

Regards

[REDACTED]

Begin forwarded message:

From: [REDACTED]
Date: 18 May 2016 at 14:03:20 BST
To: Neil Crump <icx@towerhamlets.gov.uk>
Cc: Corporate Complaints <Corporate.Complaints@towerhamlets.gov.uk>
Subject: Re: Your complaint about Dumping Waste on Alie Street E1 (ref: 4558665)

Hi Neil,

Thanks for the reply, much appreciated.

There is one ongoing issue which hasn't been resolved yet though, hopefully you can help with this too. Each time Veolia empty their commercial waste bin, I think on Tuesday and Saturdays, they unlock it in order to empty it however they don't re-lock it again so over the weekend other residents dump their waste in that bin. Then on Monday, staff from the premises empty the bin onto the street because it doesn't belong to them. I've challenged them about doing this and asked them to stop and contact the council to make sure the bin gets locked after being emptied. But they don't care. They think they have a legitimate right to scatter the waste onto the street because other people have used their bin.

Staff at a licensed premises shouldn't be acting in this way, they should have more respect for the local community. I do understand their point that no one else should be using their bin, I totally agree with that but it's their responsibility to ensure their bin is locked so this doesn't happen in the first place.

I have a number of videos of the staff doing this if you need to see them.

I would appreciate if the premises can be spoken to about this as well.

Many thanks

[REDACTED]

On 18 May 2016, at 12:57, Neil Crump <neil.crump@towerhamlets.gov.uk> wrote:



Dear [REDACTED]

Your complaint 4558665 about Dumping Waste on Alie Street E1

Thank you for your recent complaint received on 4 May 2016

I have reviewed the information available and Mr Crawford's actions with regard to the issues at the location.

Mr Crawford has monitored the location and taken appropriate action based on the evidence obtained. I can confirm that the commercial waste bin at the rear of the premises is being monitored approximately 4 times per week which has confirmed it is being used correctly. I understand that previously there was some waste deposited by the live-in staff at the premises but that has now ceased.

The other domestic waste issues in the location have been referred to the Street Care team whom have issued letters outlining the regulations and collection days to assist the matter and whom will take further action as needed.

We have raised the waste issues in the location with our contractor whom is making extra efforts to clear waste and to clean the location promptly as needed.

We will continue to monitor the location and will take appropriate action where there is evidence to support it.

We do take all complaints seriously, however, if you are dissatisfied with the outcome please provide details of why my response has not resolved your complaint and what action you would require as a resolution.

If you have any queries, please contact me at neil.crump@towerhamlets.gov.uk or on 020 7364 6978

Yours sincerely

Neil Crump
Commercial Waste Enforcement Manager

Kathy Driver

From: [REDACTED]
Sent: 28 June 2016 08:15
To: Andrew Heron; Mohshin Ali
Subject: FW: OBJECTION to Enviee Club licence renewal

To Whom It May Concern

Please accept this email as my formal objection to the renewal of the licence for the above. A female friend of mine no longer visits me in the evening after an incident concerning verbal abuse from men attending this club and Whites. Aside from this there is a junior school just around the corner and the area is now home to families living in the new developments in Alie St and its environs.

Tower Hamlets' residents should not be subject to having to walk past abusive men waiting to go into a sex encounter club in the heart of a residential district.

In addition the gate just outside my front door is used as a toilet on a regular basis. This is highly unpleasant as well as extremely unhygienic.

I object to the renewal of this licence.

[REDACTED]
[REDACTED]
[REDACTED]

Andrew Heron

From: [REDACTED]
Sent: 27 June 2016 12:19
To: Licensing
Subject: Re: Objection to renewal of licence for Enviee

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam

I wish to object in the strongest possible terms to the renewal of the licence for Club Enviee. The club is open until the early hours of the morning and attracts customers who leave (and often arrive) drunk as well as minicabs which take parking spaces, which are at a premium these days, and cause noise nuisance. The club is a few metres away from a junior school and I have seen what are presumably employees hanging around outside the club/smoking in what appears to be their work outfits. This is highly inappropriate when children from the school walk past on their way home.

Since the arrival of this club (in its former guise) and Whites I (and neighbours and visitors) have been subjected to harassment whilst passing the club and our gateway is regularly used as a urinal overnight. This never happened before LBTH deemed it reasonable to allow sex encounter clubs next to our homes. In the past couple of years the area has changed from primarily business to primarily residential with hundreds of people living in the 26 storey Altitude Tower and the other new developments that now litter this area.

It is highly inappropriate to have this type of club in a residential/school area and, so I understand, contrary to LBTH's policy.

Please refuse this application.

Faithfully

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

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Re: Objection to renewal of licensing of Club Enviee

I'm writing as a director of The Old German School residents and flat owners association.

It has come to our attention that the so-called gentleman's clubs 'Whites Club' in Leman Street and 'Club Enviee' in Alie Street, both just a stone's throw away from our building, are both seeking renewal of their alcohol and entertainment licences, including an opening time until 4am.

We seriously object to their licence being renewed.

The area has undergone a marked change from business fringe to residential area. Therefore, any potential argument in favour of the licence, as was argued before, i.e. "there are no local residents who would be disturbed, offended, intimidated or inconvenienced", holds no longer true.

We have had problems with harassment of our female residents walking past; noise and nasty misbehaviour from the 'gentlemen' leaving in the early hours and - totally disgusting and unacceptable - the regular use of our gateway as a urinal!

Our previous protests have not been heard (as voiced in your survey in October 2011), but now is the time to close the two establishments and let them re-locate in a more commercial area where they don't inconvenience anybody.

We understand that it is Tower Hamlet's licensing policy not to permit sex encounter establishments, certainly not in a residential area. We therefore urge you to stop the operation of the two above named sex clubs, enforcing your own policy.

We object herewith to the renewal of both licenses.

[REDACTED]

[REDACTED]



LB Tower Hamlets Licensing Section

8th June 2016

Dear Madam/Sir,

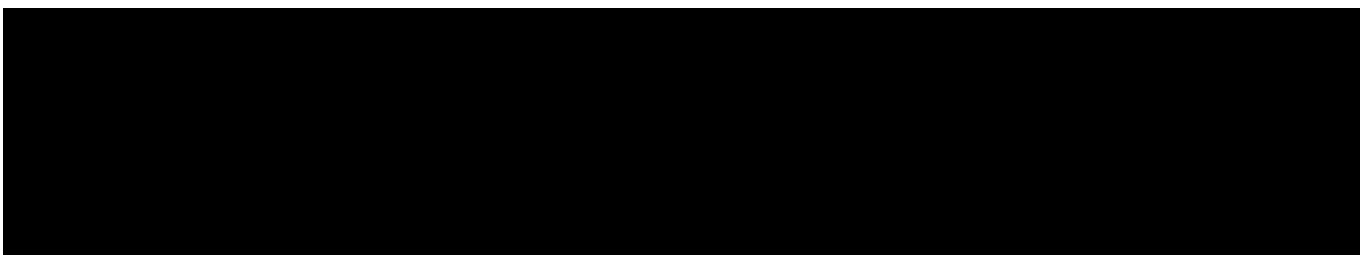
Sex Encounter Club in Alie Street

Club Enviee

We are the owners and Trustees of St George's German Lutheran Church, Alie Street, a registered place of worship in Alie Street less than 100 metres from Club Enviee in Alie Street. It has come to our attention that the above sex encounter club is currently both seeking renewal of their alcohol and sexual entertainment licences and wish to continue to remain open to 4am.

I understand that when the establishment was first licensed the Tower Hamlets Licensing Committee considered them acceptable - despite vocal objections from nearby residents - because the surrounding area was considered commercial in character. As you will know, the area has changed massively in the last three years, and nobody can now claim it is residential

With the completion and ongoing construction of high-rise apartment blocks resulting in a great increase residential population, including many students, and a budget hotel popular with families. The nature of the environment adjacent to these sex encounter premises is overwhelmingly residential (measured by square footage) and densely



occupied. This is a trend that will continue with the building out of further consented schemes.

Both residents and visitors must pass by these premises daily, often in late evening, to reach Aldgate & Aldgate East Stations and bus routes. Historic Chapels Trust also need to consider the impact on our visitors, especially women, to the evening and other events including marriages, held in our church during the day and evening, and on the volunteers who support our work as a charity.

We read that it is the Borough's licensing policy not to permit sex encounter premises, anywhere in Tower Hamlets, let alone in densely occupied residential areas. We are therefore at a loss to know why the present premises are permitted to continue operation.

We therefore request that these concerns and in particular the degree of change in the character of the area should be taken into account when considering whether it is in the public interest to renew these licences.

Historic Chapels Trust objects to the renewal of the license.

Yours sincerely,

A solid black rectangular redaction box covering the signature area.



27 June 2016

FAO: Tower Hamlets Licensing Section

Re: Objection to the Renewal of SEV Licence Club Enviee, 30 Alie Street, E1 8A.

To whom it may concern,

We act as Management of the Building at Central Square and represent the residents of 29 Flats in the building on St Mark Street, located around the corner from Club Enviee.

We wish to lodge an objection against the licence renewal for the above premises on the following grounds:

- The club is in an area with a high proportion of residential units, the demography of the area has changed with significantly more residents than when the original club obtained a licence at this address, and therefore the nature of the business is not appropriate to the location .
- Proximity to a primary school, place of worship and residential areas frequented families and children.
- Noise, antisocial behaviour and public nuisance, particularly late at night, with people leaving the club walking down St Mark Street.
- Significant numbers of taxis waiting to collect patrons of the club late in the evening causing noise and disruption.

Yours sincerely,

[Redacted signature]

[Redacted text]

[Redacted text]

[Redacted text]

Andrew Heron

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

[REDACTED]
[REDACTED]

Sent: 18 June 2016 09:37
To: Licensing
Subject: Objections

Dear Sirs,

I am writing to express my objections to the renewal of a sexual entertainment license for 'Enivee' - 30 Alie Street, E1 8DA.

I live only metres away from this club and I feel the constant flow of people coming and going from here is creating a lot of noise and anti social behaviour into the early hours of the morning, when my family and I are trying to sleep. Patrons of this premises seem to think that my basement flat window is a toilet. I have reported this many times to the police and the council, however they don't seem to be taking my concerns seriously. There are also mini cabs sitting outside the club constantly with their engines running, which is also causing noise and severe levels of pollution. I have reported this to the club manager but he doesn't care. However, when my neighbour contacted the manager of Whites bar, they were extremely professional and worked with the local residents to help improve the situation. The manager of club Eniveee should be more like the manger of Whites.

I think it's wholly inappropriate to have a venue with a late license in this location due to the amount of families living nearby.

I strongly urge you to reject this application.

Yours Sincerely,

[REDACTED]
[REDACTED]

Kathy Driver

From: [REDACTED]
Sent: 27 June 2016 11:20
To: Licensing
Subject: Licensing renewals

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam,

I write to object to the renewal of licenses for Whites 32-38 Leman Street and also Club Envie at 30 Alie Street.

As the landlord of [REDACTED] I object most strongly to these applications. The area has become increasingly residential and no longer exhibits the characteristics conducive to enable these kind of businesses to operate.

As more and more high density residential apartments are erected these clubs will begin to create even greater social problems than currently exhibited and I would ask you , in line with your own policies, to refuse applications for licenses for these businesses.

Yours faithfully,

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

Appendix 14

IN THE EAST LONDON MAGISTRATES' COURT

APPEAL UNDER LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS)
ACT 1982

BETWEEN:

CITY TRADERS LONDON LIMITED

Appellant

and

LONDON BOROUGH OF TOWER HAMLETS

Respondent

This is an appeal by City Traders London Limited against a decision by the extraordinary Licensing Committee of the London Borough of Tower Hamlets to refuse an application for a Sexual Entertainment Venue (SEV) licence made under Schedule 3 of the 1982 Act. The original hearing took place on 12 May 2015. The decision of the committee was communicated to the appellants on 17 July 2015.

There is a premises licence granted under the Licensing Act 2003 in respect of the premises now known as Charlie's Angels at 30 Alie Street, London E1 8DA. From 1 June 2014 it became necessary for this business and others in the borough providing sexual entertainment also to apply for an SEV licence under the 1982 Act to enable those businesses to continue to provide that form of entertainment which had previously been allowed by virtue of the premises licence alone. The application was made in the name of the company rather than in the name of the individual, Abdul Malik, holding the premises licence. The consequence of this was that the LA declined to treat this company as an 'existing operator' for the purposes of the application but accepted that 'exceptional circumstances existed' to depart from the council's policy to issue no additional licences to new applicants for similar premises within the borough and to allow the application to be considered by the committee.

The reasons for the refusal to grant the licence are summarised at page 13 of the committee's decision (page 186 of the bundle). The finding under the Act was under Schedule 3, paragraph 12 (3) a):

'That the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason.'

It is that decision that is appealed. On appeal the magistrates' court 'may make such order as it thinks fit' under paragraph 27(7) of Schedule 3.

Both parties summarise the law to be applied at such an appeal. There is no disagreement as to the principles to be applied that derive from case law, much of it relating to appeals under the Licensing Act 2003.

On appeal the court has to consider all of the evidence before it and determine whether, after considering that evidence, the decision of the committee was wrong. The task of the court on appeal is summarised by Lindblom J in paragraph 36 of the judgment in **Townlink**:

'What the District Judge had to do was to consider the evidence before him with the relevant principles in mind. Those principles included the necessity that the licensing objectives be promoted, and proportionality. Bearing in mind the decision of the Council's licensing sub-committee and the significance of that decision as the result of the democratically elected members having applied their minds to the issue, the District Judge nevertheless had to adopt the approach approved by the court in Joffe, Sagnata, and Hope and Glory. He had to do this by considering "whether, because he [disagreed] with the decision below in the light of the evidence before him, it [was] therefore wrong".'

It is for the appellant to persuade the court that it should reverse the decision.

Case for the Appellant

The case for the appellant company is set out in the skeleton argument dated 23 December 2015. In addressing the court Mr Butt draws attention to the fact that there was no opposition to the grant of the licence by any of the appropriate authorities such as the police, the fire service or trading standards when the application was before the committee. Five businesses applied to LBTH for SEV licences. All of those

businesses already provided this form of entertainment. All applications for licences save for this was granted, some with conditions in addition to the standard conditions required by the LA.

The decision for this court to determine is whether the licensing committee was wrong to conclude that the applicant, a limited company, is 'unsuitable' to run this business. Neither the company, nor either of its directors, Mr Malik and Mr Martino, has convictions. It is accepted that it is open to the court to consider whether the second sub-paragraph (b) of paragraph 12 also applies.

Mr Malik remains the premises licence holder as he was at the time this application was considered by the LA. At that time he was also the Designated Premises Supervisor (DPS) and was responsible for running the premises. At that time he was also the sole director of the appellant company. The other person named on the original application who would be responsible for management in the absence of Mr Malik was the floor manager, Antonio Pomerico, who continues to be employed in that role. He also holds a personal licence. The committee was told that Abdul Ali also continued to be involved in the running of the premises at that time although he was not named on the application form.

The connection with JKO Holdings was disclosed on the application form (p56) – 'City Traders London Ltd occupy and manage the premises under a licence and management agreement from JKO Holdings'. It was the involvement of one of the directors of that company, Abdul Ali, (also known as Ali Jacko), who was present at the hearing in May that was of considerable concern, and remains a concern, to the LA. Mr Ali made a statement in support of the application and spoke at the licensing committee but has played no part in the appeal proceedings. He has a conviction in 2011 that resulted in a fine for an offence under the Licensing Act although the detail has not been provided. He has not held the premises licence since that time and it is now said he no longer has any role in the management of the premises. It seems from his statement to the licensing committee that he continues to hold a personal licence despite that conviction. The only evidence at the appeal about the relationship between JKO Holdings and the appellant company was that of Mr Marino who gave evidence that there was a contract between the two companies for the use of the

premises. He said that “we have to pay JKO Holdings a flat rate to the best of my knowledge”. He conceded that JKO Holdings could terminate the agreement but said that “there is a contract that both parties respect”. Without any acceptance that he is necessarily an unsuitable person to hold the licence, the appellant company offers a condition on the licence that Abdul Ali must not work at the premises in any capacity.

Mr Ali did however have some part in the employment of the new manager and DPS, Vito Marino. Mr Ali introduced him to Mr Malik but did not then take part in further negotiations between the two. Mr Marino was the only witness to give evidence in person at the appeal. He is now a director of the applicant company and became DPS in December 2015. He was appointed a director on 11 November, was employed as manager on 12 November and was present at the premises when a licensing visit took place on 13 November. He is a personal licence holder and a man with considerable relevant experience as set out in his CV.

It is accepted that it was unsatisfactory that Mr Marino had been left alone in charge of the premises by Mr Malik on 13 November. He was not up to speed and accepts that was the case. There was no-one on the premises who could operate the CCTV and there were only two security staff when the licensing conditions requires there to be four from 8pm onwards. It was also evident that a number of concerns raised during an earlier visit in April had not been addressed. Mr Marino however, to his credit, within hours of that visit, contacted the LA by email to identify the inadequacies that had been apparent and his proposals to address them. He had the offending signs and logos removed promptly. He revised the website. He reviewed and amended the house rules and codes of conduct for staff. Mr Marino gave evidence that these were already in place but he chose to revise them as part of his duties as DPS. He said that “it is better to be over-preventive. I may be a bit more pedantic.” He reviewed security and CCTV training. He bought long coats for the performers to wear in the screened smoking area outside the premises. Unfortunately the newly raised screen that was installed in response to expressed concerns has led to problems with the ‘smoke-free’ legislation and is the subject of ongoing revision in cooperation with the LA. Mr Marino was very clear that “I do not answer to anybody for management”. He presented as an efficient and experienced manager who knows his

trade well. I formed the opinion that he was a man in whom one could have confidence as the manager of such a business.

Mr Marino was not prepared to disclose the terms of his employment contract with the company, nor his remuneration other than to say that he has a basic salary and a bonus based on a percentage of turnover. Mr Malik still has a role in the management of the premises if only as the co-director of the appellant company and as the premises licence holder. He has run the licensed premises for a number of years without any cause for a review of the premises licence. None of the relevant authorities were sufficiently concerned about the management of the premises to oppose the application for the SEV licence. It is fairly accepted on behalf of the company that there were inadequacies in his management – perhaps complacency about maintaining standards. A warning was properly given, and deserved, following the 13 November visit for breaches of the conditions of the premises licence. At that time Mr Malik was still the DPS. That position changed in December. The appellants offer a similar condition that Mr Malik should not work at the premises. That appears to be unrealistic and unnecessary in the circumstances that Mr Marino remains as the general manager in overall control.

Case for the Respondent LA

The case for the LA is set out on the skeleton argument of Mr Charalambides. Paragraphs 16 – 22 describe the three specific concerns of the LA that are said to demonstrate ‘why the decision of the Respondent was correct and remains correct’.

They are: 1. The spectre of Abdul Ali/Ali Jacko.

2. The enigmatic involvement of Abdul Malik.

3. The eleventh hour intervention of Vito Marino.

At the time of the committee hearing it was said that Mr Ali and Mr Malik had run the premises since 2007. Mr Ali had been present during the site visit on 8 April 2015. He was not named on the application form for the SEV licence. It was said at the meeting that he was a part-time manager with a consultancy role. The decision of the LA Licensing Committee notes the fact that Mr Ali rather than Mr Malik gave evidence about issues arising in respect of the premises and appeared to be instructing counsel at the hearing rather than Mr Malik. The decision is also critical of an e-mail sent by

the appellant's solicitor on 13 May describing it as 'the 11th hour e-mail' that 'confirmed the view that the management was vague and disorganised and not to the standard expected by the council'. The Licensing Committee took 'the view that the named managers on the application form were not in sole control of the premises'. Despite an assertion that the sole beneficiary of the premises was Mr Malik, the committee concluded that 'Mr Abdul Ali played a significant and potentially controlling influence over Mr Abdul Malik and that his part-time managerial and/or consultancy role was central to the operation of the premises'. It was further determined that the applicant 'demonstrated lax and poorly considered standards of management, the management structures were vague, confused and lacked clarity'. The conclusion was that the applicant company was 'unsuitable' as it 'did not demonstrate the ability to adhere to the revised Standard Conditions nor the high standards of management expected of it'.

In addressing the court, Mr Charalambides made much of the licensing visit on 13 November when it was apparent that there were inadequacies found that were important in the management of the business. This supports the conclusion of the committee about the management. Criticism is fairly made of the fact that Mr Malik had left Mr Marino in charge of the premises on that day. It is conceded that subsequently Mr Marino had done a lot to rectify the situation. Mr Malik remains responsible to some extent as the premises licence holder, director of the company and responsible for the remuneration of Mr Marino as the manager. There was criticism of the failure to produce documentary evidence such as his contract of employment or the documents that show the relationship between JKO Holdings and London City Traders and whether it is 'at arm's length'. It remains the case that the LA asserts that Mr Ali is in control of the business. Reference is made to post for Mr Ali being sent to Mr Malik's home address and then left in the office at the licensed premises. Oddly, the LA does not provide any information about the detail of the conviction of Mr Ali that is principally relied upon to demonstrate his unsuitability to have any role at these premises. The 2011 conviction will become 'spent' at some time in 2016.

Mr Heron, the Licensing Officer, has made two statements that are relied upon. He prepared the report following the visit on 8 April and visited the premises again on 13

November. Pc Perry attended with him on that day and issued the closure notice to Mr Marino. It seems to be the case that that the remedial action that was required was taken as no further sanction followed. Mr Ali was not present at the premises during the November visit. The statement of Peter Golds, who sat as the Chair of the Licensing Committee on 12 May, concludes as follows: 'The overall feeling was that whilst the applicant was willing to make some concessions and to offer up further conditions that overall the applicant had not demonstrated the high standard of management that Members would expect to see'.

The submission of the respondent LA is that 'however competent Mr Marino is', that it is the company that is the applicant and that the court should conclude that it remains 'unsuitable' to hold the licence and that the decision of the Licensing Committee should be upheld.

Decision

I have not been able to conclude from the information before the court that, as suggested by the LA, this is all a 'front' for the benefit of Abdul Ali who it suspects to be the real driving force behind this enterprise. He is obviously a long time colleague of Abdul Malik and has had involvement in running the business over many years. He may well have a financial interest in the premises continuing to trade through his company JKO Holdings Ltd but that is not the same as concluding that it is being run for his benefit and that the licence would be refused if Abdul Ali applied for it himself. I note that, despite his conviction, he still holds a personal licence. There is no detail of that conviction provided. Without any acceptance that he is necessarily an unsuitable person to hold the licence, the appellant company offers a condition on the licence that Abdul Ali must not work at the premises in any capacity.

So far as Mr Marino is concerned, I formed the opinion that he was a man in whom one could have confidence as the manager of such a business. He has an impressive CV and I do not accept that he is likely to allow himself to be treated as the 'puppet' of anyone else. He has clearly taken control of the business and is someone who gives the impression that he can maintain the high standards of management that the LA expects of these businesses. When giving evidence he was clear that he is in charge.

He is a director of the appellant company. It might have assisted the court had the company considered it appropriate to disclose documentary evidence to show the relationship between the companies and individuals concerned.

The criticism of Mr Malik as a manager relates primarily to the visit on 13 November that came after the decision of the committee. He has however run these licensed premises for a number of years without any cause for a review. The role of Mr Ali does not previously appear to have been a cause for concern. Mr Malik has appointed Mr Marino as the manager and a director of the company. Any management deficiencies are being addressed.

The situation has changed considerably since the decision of the Licensing Committee in July with the arrival of Mr Marino. It is a changed business that is now presented at appeal with a new manager in place who has the experience necessary to ensure that high standards are met. An important feature of the legislation regarding SEV licences is that they are subject to annual review. That will ensure that there is a clear motivation to maintain standards in those circumstances.

I have come to the conclusion that, in view of the changed circumstances, the decision of the Licensing Committee is now wrong and that the appellant company is suitable to hold such a licence.

The appeal is allowed.



Alison Rose
District Judge (Magistrates' Court)
1 February 2016

Appendix 15

CITY TRADERS LONDON LTD

File for this company

Company number **08756000**

[Overview](#) [Filing history](#) [People](#)

Registered office address
30 Alie Street, Aldgate, London, England, E1 8DA

Company status
Active

Company type **Private limited Company** Incorporated on **31 October 2013**

Accounts

Next accounts made up to **31 October 2015**
due by **31 July 2016**

Last accounts made up to **31 October 2014**

Confirmation statement

Next statement date **30 June 2017**
due by **14 July 2017**

Last statement dated **30 June 2016**

Nature of business (SIC)

56301 - Licensed clubs

CITY TRADERS LONDON LTD

File for this company

Company number 08756000

- Overview
- Filing history
- People

- Officers
- Persons with significant control

Filter officers Current officers

1 current officer / 2 resignations

NAIR, Santosh ACTIVE

Correspondence address
30 Alie Street, Aldgate, London, England, E1 8DA

Role	Date of birth	Appointed on
Director	October 1983	21 June 2016
Nationality	Country of residence	Occupation
British	England	Company Director

MALIK, Abdul RESIGNED

Correspondence address

3 Vine Cottages, Sidney Square, London, United Kingdom, E1 3EP

Role Director	Date of birth December 1968	Appointed on 31 October 2013	Resigned on 22 June 2016
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Role Director	Date of birth August 1978	Appointed on 11 November 2015	Resigned on 12 February 2016
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Appendix 16

Appendix One

Tower Hamlets Council

Sex Establishment Licensing Policy

Introduction

This policy sets out Tower Hamlets Council's proposed approach to regulating sex establishments and the procedure that it will adopt in relation to applications for sex establishment licences.

The policy of the Council is to refuse applications for sexual entertainment venues. This policy is intended to be strictly applied and will only be overridden in genuinely exceptional circumstances. Such circumstances will not be taken to include the quality of the management, its compliance with licence conditions, the size of the premises or its operating hours.

The policy is intended as a guide to applicants, licence holders, people who want to object to applications and members of the Licensing Committee who are responsible for determining contested applications. It also aims to guide and reassure the public and other public authorities, ensuring transparency and consistency in decision making.

When the decision making powers of the Council are engaged each application will be dealt with on its own merits but this policy gives prospective applicants an early indication of whether their application is likely to be granted or not. It also provides prospective applicants details of what is expected of them should an application be made.

The legal controls for sex establishment premises are contained in the Local Governmental (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009.

There are 3 types of sex establishments which fall into the licensing regime:-

Sex shops

Sex cinemas

Sexual entertainment venues

The role of the Council in its position as Licensing Authority is to administer the licensing regime in accordance with the law and not in accordance with moral standing. The Council recognises that Parliament has made it lawful to operate a sex establishment and such businesses are a legitimate part of the retail and leisure industries.

Policy Rationale

The policy has been developed that sets out how the legislation will be administered and applied. The policy identifies how the Council would exercise the licensing regime in relation to sexual entertainment venues.

The policy has been developed to reflect and complement existing Council plans and strategic approach, namely:-

- Tower Hamlets Community Plan.
- Tower Hamlets Crime & Drug Reduction Partnership Plan.
- Tower Hamlets Enforcement Policy.
- Tower Hamlets Core Strategy.
- Tower Hamlets Town Centre Spatial Strategy.
- Tower Hamlets Statement of Licensing Policy (Licensing Act 2003).
- Tower Hamlets Statement of Licensing Policy (Gambling Act 2005).

The policy has also been prepared with regard to:

- Consultation responses
- Human Rights Act 1998
- Equalities Act 2010

The policy seeks to contribute to the “One Tower Hamlets” principle by fostering community cohesion, reducing inequalities and empowering communities. The public consultation that was undertaken concerning the adoption of a nil policy did not have overwhelming support. Therefore careful consideration has been given to the policy response, given the balance that the consultation returns did not give overwhelming support.

Policy Considerations

Existing Licensed Premises

The Council has had the ability to licence sex shops and sex cinemas under the Local Government (Miscellaneous Provisions) Act 1982 for many years.

There are no licensed sex shops in Tower Hamlets.

The businesses that hold premises licences under the Licensing Act 2003 with permissions that will be affected by the adoption of the sexual entertainment venue licensing regime are as follows:-

NAME	ADDRESS
THE BEEHIVE	104-106 Empson Street, London, E3 3LT
EONE CLUB	168 Mile End Road, London, E1 4LJ
NAGS HEAD PUBLIC HOUSE	17-19 Whitechapel Road, London, E1 1DU
THE PLEASURE LOUNGE	234 Cambridge Heath Road, London, E2 9NN
WHITE SWAN	556 Commercial Road, London, E14 7JD
ASTON'S CHAMPAGNE AND WINE BAR BASEMENT & 1ST FLOOR	187 Marsh Wall, London, E14 9SH
CLUB PAISA	28 Hancock Road, London, E3 3DA
OOPS	30 Alie Street, London, E1 8DA
WHITE'S GENTLEMANS CLUB	32-38 Leman Street, London, E1 8EW
SECRETS	43-45 East Smithfield, London, E1W 1AP
IMAGES	483 Hackney Road, London, E2 9ED

Tower Hamlets Council has adopted schedule 3 Local Government (Miscellaneous Provisions) Act 1982 with effect from 1st June 2014 so that it can:

- set a limit on the number of sexual entertainment venues
- determine premises that are appropriate for the borough and
- licence sexual entertainment venues

Sexual entertainment venues are those that regularly provide lap dancing and other forms of live performance or live display of nudity.

Establishments that hold events involving full or partial nudity less than once a month may be exempt from the requirements to obtain a sex establishment licence and applicants are advised to contact the Licensing Team for advice.

Limits on the number of licensed premises

The Council has determined that there are a sufficient number of sex shops, sex cinemas and sexual entertainment venues currently operating in the borough and it does not want to see an increase in the numbers of premises that are currently providing these activities.

The Council intends to adopt a policy to limit the number of sexual entertainment venues in the borough to nil however it recognises that there are a number of businesses that have been providing sexual entertainment in Tower Hamlets for several years. The Council will not apply this limitation when considering applications for premises that were already trading with express permission for the type of entertainment which is now defined as sexual entertainment on the date that the licensing provisions were adopted by the authority if they can demonstrate in their application:

- High standards of management
- A management structure and capacity to operate the venue
- The ability to adhere to the standard conditions for sex establishments

The Council will consider each application on its merit although new applicants will have to demonstrate why the Council should depart from its policy. Furthermore if any of the existing premises cease trading there is no presumption that the Council will consider any new applications more favourably.

Location of premises

The Council's policy is that there is no locality within Tower Hamlets in which it would be appropriate to license a sex establishment. Accordingly, the appropriate number of sex establishments for each and every locality within Tower Hamlets is zero.

As previously stated in the policy the Council will treat each application on its own merits however applicants should be aware that the Council will take into consideration the location of the proposed premises and its proximity to:

- residential accommodation,
- schools,
- premises used by children and vulnerable persons
- youth, community & leisure centres,
- religious centres and public places of worship
- access routes to and from premises listed above
- existing licensed premises in the vicinity

Impact

In considering applications for the grant of new or variation applications the Council will assess the likelihood of a grant causing impacts, particularly on the local community.

The Council will take the following matters into account:

- the type of activity
- the duration of the proposed licence
- the proposed hours of operation
- the layout and condition of the premises
- the use of other premises in the vicinity
- the character and locality of the area
- the applicant's previous knowledge and experience
- the applicant's ability to minimise the impact of their business on local residents and businesses
- any evidence of the operation of existing /previous licences held by the applicant

- any reports about the applicant and management of the premises received from residents, Council officers or the police
- the ability of the proposed management structure to deliver compliance with licensing requirements, policies on staff training and the welfare of performers
- crime and disorder issues
- cumulative impact of licensed premises, including hours of operation
- the nature and concerns of local residents
- any evidence of complaints about noise or disturbance caused by premises
- planning permission and planning policy considerations

In considering applications for renewal the Council will take into account

- the applicant's ability to minimise the impact of their business on local residents and businesses
- any reports about the licensee and management of the premises received from residents, Council officers or the police
- whether appropriate measures have been agreed and put into place to mitigate any adverse impacts
- any evidence of complaints about noise or disturbance caused by premises

In considering applications for transfer the Council will take into account:

- the applicants previous knowledge and experience
- the applicants ability to minimise the impact of their business on local residents and businesses
- any evidence of the operation of existing /previous licences held by the applicant
- any reports about the applicant and management of the premises received from residents, Council officers or the police

- the ability of the proposed management structure to deliver compliance with licensing requirements, policies on staff training and the welfare of performers

Applicants

Where appropriate the Council expects applicants to:

- demonstrate that they are qualified by experience
- have an understanding of general conditions
- propose a management structure which will deliver compliance with operating conditions for example through
- Management competence
- Presence
- Credible management structure
- enforcement of rules internally – training & monitoring
- a viable business plan covering door staff, CCTV
- policies for welfare of performers
- demonstrate that they can be relied upon to act in best interests of performers through remuneration, facilities, protection, physical and psychological welfare
- have a transparent charging scheme with freedom from solicitation
- a track record of management compliant premises or employ individuals with such a track record

New applicants may be invited for interview by the Licensing Officer and /or Police Officer prior to the application being referred to the Licensing Committee for determination.

Applications from anyone who intends to manage the premises on behalf of third party will be refused.

Premises appearance and layout

The Council expects premises to:-

- have an external appearance which is in keeping with the locality
- prevent the display outside the premises of photographs or other images which may be construed as offensive to public decency

- adequate lighting to allow monitoring of all public areas
- surveillance by CCTV
- surveillance by CCTV of all private booths

Conditions

The council will prescribe, and from time to time revise, standard conditions which will apply generally to licences that the council will grant or renew.

Through standard conditions the council seeks to ensure that sexual entertainment venues are well managed and supervised, restrict the sexual entertainment activities and the manner in which they are permitted to be provided, protect performers, and control the impact of the venue and its customers in relation to its locality.

Specifically, standard conditions could include measures which are found in the appendix of this policy.

The Application Process

Making a new, renewal, transfer or variation application

The Act requires the Council to refuse all application if the applicant:

- Is under the age of 18 or
- Has had their licence revoked in the last 12 months or
- Is not resident in the UK, or has not been a UK resident for the last 6months
or
- Has been refused an application in the last 12 months or
- Is a corporate body which in not incorporated in the UK

Applications forms and details of current fee levels are available:

- on the Council's website ([www.towerhamlets .gov.uk](http://www.towerhamlets.gov.uk))
- from the Licensing Team on 020 7364 5008
- by email to [licensing@towerhamlets .gov.uk](mailto:licensing@towerhamlets.gov.uk)

The Council prefers to receive electronic applications and *offers a choice off payment options the details of which are contained in the application pack.*

The Council expects the premises to have planning consent for the intended use and hours of operation, or otherwise have lawful planning status before making an application for a new licence.

In order for the application to be valid the applicant must:

- Submit the completed application form
- Pay the application fee
- Submit a floor plan, drawn to scale showing the layout of the premises(new applications only)
- Submit a location plan (1;1250) showing the location of the premises(NB. plans will not be required for transfers nor renewal applications)
- 2 passport size photos of the applicant where the applicant is an individual rather than a limited company
- 2 passport size photos of the manager if applicant is a limited company(NB: photos will only be required if there has been a change of applicant or manager since the last application)
- Display an A4 notice at the proposed premises for 21 days following the date that the completed application is submitted setting out the application details. The notice must be in a prominent position so that it can be easily read by passers-by. A notice template will be provided with the application form.
- publish a notice on at least one occasion in a local newspaper, during the period of ten working days starting on the day the application was given Council. The advert can be any size or colour but must be readable.

Applicants who wish to advertise the application in another local newspaper are advised to contact the Licensing Team beforehand, to confirm that it is acceptable.

On receipt of a valid application the Council will consult:

- The Police
- The Fire Brigade
- Building Control
- Health and Safety
- Ward Councillors

For new and variation applications the Council will also consult:

- Development Control Team
- Local residents living within 50m of the premises

Authorised Officers from the Council, Fire Brigade and Police may choose to inspect the premises and require works to be carried out to bring the premises up to the required standard before the premises can be used for licensable activities.

The Council will not determine an application for a licence unless the applicant allows an authorised officer reasonable opportunity to enter the premises to make such examination and enquiries as may be necessary to determine the suitability of the applicant and the sex establishment.

Representations

Anyone wishing to object to the application must submit a representation, in writing, within 28 days of the date that the valid application was received by the Council.

Representations can either be submitted via

- Our website: www.towerhamlets.gov.uk
- Email to: licensing@towerhamlets.gov.uk
- Post to: Consumer and Business Regulations, Licensing Team, 6th Floor, Mulberry Place, 5 Clove Crescent, E14 2BG.

A person making a representation must clearly state their name, address, and the grounds for objecting to the application and indicate whether they consent to have their name and address revealed to the applicant. Copies of representations will be made available to the applicant 14 days before the committee hearing.

The Council will not consider objections that are frivolous or vexatious or which relate to moral grounds (as these are outside the scope of the Act).

The Council prefers to receive electronic representations.

Late representations may be admissible at the discretion of the Council if there's sufficient reason to indicate that applicants will not be significantly prejudiced by the

decision to allow a late objection to be considered. In making such a decision the Council will take into account:

- The length of the delay
- The amount of time that the applicant has to consider the representation before the hearing date
- If other representations have been received before the deadline

Determining an application

Applications with no representations will be approved under delegated authority to officers.

Applications with representations recommending that conditions be attached to the licence and which are acceptable to both the applicant and person making the representation can be approved under delegated authority to officers.

All other contested applications will be referred to the Licensing Committee for determination. The applicant, anyone making a representation and the ward Councillors will be notified the date, time and venue of the hearing and invited to attend to address the committee in person.

Applications can take up to 14 weeks to be determined. If an application is likely to take longer than 14 weeks to determine the Council will notify the applicant in writing before this deadline. Applications for sex establishment licenses are exempt from the tacit consent provisions of the EU Services Directive on the grounds of public interest and the legitimate interests of third parties.

The applicant will be notified in writing about the outcome of their application within 5 working days of the decision being made.

Sex Establishment licences are usually issued for 12 months, but can be issued for a shorter period if deemed appropriate.

In order to continue operating as a sex establishment the licence holder must make a renewal application prior to the expiry of the existing licence.

Appeals

Any applicant who is aggrieved by a decision to refuse an application or by the imposition of any conditions can appeal to the Magistrates Court within 21 days of receiving the decision in writing.

Grounds for refusing an application

1. The applicant is unsuitable to hold a licence by reason of having been convicted of any offence or for any other reason
2. That if the license were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a license if he made the application himself
3. That the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for that locality
4. That the grant or renewal of the license would be inappropriate, having regard:-
 - a. to the character of the relevant locality
 - b. to the use to which any premises in the vicinity are put; or
 - c. to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

Transitional Arrangements

Broadly speaking, those existing sexual entertainment venues (lap dancing clubs etc) with a premises licence under the Licensing Act 2003, under which it is lawful to provide such entertainment, will continue to be able to operate for one year after the Council adopts the 2009 Act provisions or, if later, the determination of any application submitted during that year.

The 'transitional period' will last for 12-months beginning with the date that the Council resolves that Schedule 3 as amended by the 2009 Act will come into force in their area ('the 1st appointed day'). Six months following the 1st appointed day will be known as the '2nd appointed day' and the day on which the transitional period ends will be known as the '3rd appointed day'

Existing Operators

To allow time to comply with the new regime, existing operators, who, immediately before the 1st appointed day, have a 2003 Act licence and lawfully use premises as a sexual entertainment venue under that licence or are undertaking preparatory work to use the venue in that way will be allowed to continue to provide relevant entertainment until the 3rd appointed day or the determination of any application they have submitted before that time (including any appeal against the refusal to grant a licence), whichever is later

For the purposes of the Transition a "2003 Act Licence" means a premises licence or club premises certificate under the Licensing Act 2003 under which it is lawful to provide relevant entertainment.

"Preparatory work" refers to work carried out by an operator, such as a refurbishment or refit, in order that they can use the premises as a sexual entertainment venue in the future. The operator will have been granted a 2003 Act licence before the 1st appointed day but will not have used the premises as a sexual entertainment venue by that date. It is likely that such operators will be known to the Council. However, where a dispute arises between the Council and

a licence-holder over whether the licence-holder qualifies as an existing operator by virtue of this provision the Council will need to seek evidence from the licence-holder to demonstrate that they clearly intended to operate a sexual entertainment venue in the future and work had been done to achieve this end.

For the purposes of the Transition a “2003 Act Licence” means a premises licence or club premises certificate under the Licensing Act 2003 under which it is lawful to provide relevant entertainment.

Appointed Days

1st Appointed Day

The day on which the Sexual Entertainment Venue regime comes into force in the Borough and the beginning of the transitional period (1st June 2014)

2nd Appointed Day

The day 6 months after the 1st appointed day (1st December 2014)

3rd Appointed Day

The day 6 months after the 2nd appointed day and the end of the transitional period (1st June 2015)

New Applications

New applicants are people who wish to use premises as a sexual entertainment venue after the 1st appointed day but do not already have a premises licence or club premises certificate to operate as such under the 2003 Act or do have such a licence but have not taken any steps towards operating as such. After the 1st appointed day new applicants will not be able to operate as a sexual entertainment venue until they have been granted a sexual entertainment venue licence

Determining Applications Received On or Before the 2nd Appointed Day

Applicants will be able to submit their application for a sexual entertainment venue from the 1st appointed day onwards.

As the Council is able to refuse applications having regard to the number of sex establishments they consider appropriate for a particular locality, all applications made on or after the 1st appointed day but on or before the 2nd appointed day shall be considered together. This will ensure that applicants are given sufficient time to submit their application and all applications received on or before the 2nd appointed day are considered on their individual merit and not on a first come first serve basis.

No applications shall be determined before the 2nd appointed day. After the 2nd appointed day the appropriate authority shall decide what if any licences should be granted. If a new applicant is granted a licence it will take effect immediately. If an existing operator is granted a licence, it will not take effect until the 3rd appointed day, up to which point they will be allowed to continue to operate under their existing premises licence or club premises certificate.

Determining Applications Received After the 2nd Appointed Day

Applications made after the 2nd appointed day shall be considered when they are made but only once all applications made on or before that date have been determined. However, reference to determination here does not include references to the determination of any appeal against the refusal of a licence.

As with applications received on or before the 2nd appointed day, licences granted to new applicants shall take effect immediately and licences granted to existing operators shall take effect from the 3rd appointed day or, if later, the date the application is determined.

Outstanding Applications

The Council will attempt where possible to determine outstanding applications made under the 2003 Act, which include an application for the provision of

relevant entertainment, before the date that Schedule 3 as amended by the 2009 Act comes into force in their area.

Where it has not been possible to determine application before the 1st appointed day, applicants will need to submit an application for a sex establishment licence as set out in Schedule 3 if they wish to provide relevant entertainment. From the 1st appointed day onwards outstanding applicants shall be dealt with as though they are new applicants

Additional information and advice

Please contact:

Consumer and Business Regulations
Licensing Team
6th Floor,
Mulberry Place,
5 Clove Crescent,
E14 2BG.
licensing@towerhamlets.gov.uk
020 7364 5008