

Committee : Licensing Committee	Date	Classification Unclassified	Report No. <i>LSC019/809</i>	Agenda Item No.
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Report of Colin Perrins Head of Trading Standards and Environmental Health (Commercial) Originating Officer: Mohshin Ali Licensing Officer	Title: Licensing Act 2003 Temporary Event Notice Vibe Bar (Main Bar area and Courtyard), 91-95, Old Truman Brewery, Brick Lane London E1 6QL Ward affected: Spitalfields and Banglatown
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Summary

- 1.0 **Applicant:** **Mr Christopher Lewis**
- Address of Premises:** **Vibe Bar**
 91 – 95 Old Truman Brewery
 Brick Lane
 London
 E1 6QL
- Objectors:** **Metropolitan Police**

2.0 **Recommendations**

- 2.1 That the Licensing Committee considers the application and objections then adjudicates accordingly.

LOCAL GOVERNMENT 2000 (Section 97)
LIST OF "BACKGROUND PAPERS" USED IN THE DRAFTING OF THIS REPORT

Brief description of "background paper"	Tick if copy supplied for register	If not supplied, name and telephone number of holder
File Only		Mohshin Ali 020 7364 5498

3.0 **Background**

3.1 This is an application for a Temporary Event Notice

3.2 Enclosed is a copy of the application. (See **Appendix 1**).

3.3 The applicant has described the nature of the application as follows:
DV8 Record Launch, Live Music, spoken word, D.j.'s.

The following regulated activities have been applied for:
The sale by retail of alcohol (on premises only)
Regulated Entertainment and
Late Night refreshment

3.4 The premises that has been applied for is:
Vibe Bar
91 – 95 Old Truman Brewery
Brick Lane
London
E1 6QL

3.5 The dates that have been applied for are as follows:
Saturday 30th August 2008

3.6 The times that have been applied for are as follows:
From 14:00 hours to 02:00 hours the following day

3.7 The capacity that has been applied for is 495.

3.7 A map showing the relevant premises and immediate area is included as **Appendix 2**.

4.0 **Temporary Event Notices**

4.1 Temporary event notices (TENs) are a creation of the Licensing Act 2003. They provide a method by which licensable activities can be carried out on a temporary basis (max. 96 hrs) without a licence. The maximum number that can attend at any one time is 499. At least 10 full working days notice must be given to the licensing authority. When a TEN cannot be obtained, for example the event is over 499, then a full premises licence must be obtained, for a limited duration.

4.2 The licensing authority cannot oppose an application, (nor can local residents or businesses). The licensing authority must reject any application that does not meet the rules as to numbers, maximum per year etc. The only responsible authority that can object is the Metropolitan Police.

4.3 The police can only object on the grounds that allowing the event to go ahead will undermine the crime prevention objective.

4.4 No conditions can be attached to a TEN.

5.0 **Objections**

5.1 The Police objection is contained in **Appendix 3**.

6.0 **Advice to Members**

6.1 This hearing is required by the Licensing Act 2003. As always the decision is on the civil burden of proof, i.e. the balance of probability.

6.2 Members can only consider the crime prevention objective. All other matters must be dealt with elsewhere by primary legislation.

7.0 **Legal Comments**

7.1 The Council's legal officer will give advice at the hearing.

8.0 **Finance Comments**

8.1 There are no financial implications in this report.

9.0 **Appendices**

Appendix 1	A copy of the application
Appendix 2	Map of the area
Appendix 3	Police Objection

Appendix 1

Temporary Event Notice

Information on the Licensing Act 2003 is available on the website of the Department for Culture, Media and Sport (http://www.culture.gov.uk/alcohol_and_entertainment/default.htm) or from your local licensing authority.

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

You should keep a copy of the completed notice for your records. You must send two copies of this notice to the licensing authority and an additional copy must be sent to the chief officer of police for the area in which the premises are situated. The licensing authority will endorse one of the two copies and return it to you as an acknowledgement of receipt.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	Lewis		
Forenames	Christopher		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth		Day02	Month1
4. Your place of birth		Year1969	
5. National Insurance Number		Wales	
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)		NR 690200 B	
26, Marten Road, Walthamstow.			
Post town London		Post code E17 4NN	
7. Other contact details			
Telephone numbers Daytime	0207 247 3479	<div style="border: 1px solid black; padding: 5px;"> <p style="font-size: 1.2em; margin: 0;">LBTH</p> <p style="margin: 0;">TRADING STANDARDS</p> <p style="margin: 0;">31 JUL 2008</p> <p style="margin: 0; font-size: 0.8em;">LICENSING</p> </div>	
Evening (optional)	0207 377 2899		
Mobile (optional)	0786 221 9271		
Fax number (optional)	0207 426 0641		
E-Mail Address (optional)	Chris@vibe-bar.co.uk		
8. Alternative address for correspondence (If you complete the details below, we			

will use this address to correspond with you)	
Vibe Bar, 91-95, Old Truman Brewery, Brick Lane	
Post town London	Post code E1 6QL
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address (optional)	

2. The premises
Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)
Vibe Bar, 91-95 , Old Truman Brewery, Brick Lane, London E1 6QL Main Bar area and Courtyard.
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)
Although the application for the whole venue is to extend permitted hours until 2a.m., the live music in the courtyard will commence at 14:00 and cease at 22:00 hours. The Music within the main bar area will continue until 02.00 a.m. on the 31.08.08.
Please describe the nature of the premises below. (Please read note 4)
D.J. Lounge Bar, Courtyard, Live performance venue.
Please describe the nature of the event below. (Please read note 5)
DV8 Record Launch, Live Music, spoken word, D.j.'s.

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3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input checked="" type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment	<input checked="" type="checkbox"/>	
The provision of late night refreshment	<input checked="" type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 7)		
Saturday 30 th August 2008		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 8)		
30.08.08 @ 14:00.- 31.08.08 @ 2.00.		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 9)	495	
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 10)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

4. Personal licence holders (Please read note 11)		
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	Yes	No
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	Hackney Council	


Licence number	LBH-PER-T-0689
Date of issue	05/10/2005
Date of expiry	03/10/2015
Any further relevant details	

5. Previous temporary event notices you have given (Please read note 12)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 13)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 14)	
I shall (Please mark the appropriate boxes with an "X")	
Send two copies of this notice to the licensing authority for the area in which the premises are located	<input checked="" type="checkbox"/>
Send a copy of this notice to the chief officer of police for the area in which the premises are located	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, send two copies of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
Make or enclose payment of the fee for the application	<input checked="" type="checkbox"/>
Sign the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 15)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 16)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	19/07/2008
Name of Person signing	Christopher Lewis

For completion by the Licensing Authority

10. Acknowledgement (Please read note 17)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the Licensing Authority
Date	
Name of Officer signing	

NOTES

General

In general, only the police may intervene on crime prevention grounds to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority may intervene of its own volition by issuing a counter notice if the first, second and fourth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person (the "premises user") may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (12 times in a calendar year);
- the length of time a temporary event may last for these purposes (96 hours);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (15 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 13 below explains the definition of an "associate"

When permitted temporary activities take place, a premises user must ensure that either:

- a copy of the temporary event notice endorsed as acknowledged by the licensing authority is prominently displayed at the premises; or that
- the temporary event notice endorsed as acknowledged by the licensing authority is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where neither the temporary event notice nor a notice specifying the nominated person are displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised

person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- allowing the sale of alcohol to children under 18 (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- allowing disorderly behaviour on the premises (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- the sale of alcohol to a person who is drunk (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- obtaining alcohol for a person who is drunk (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (maximum fine on conviction is a fine up to level 1 on the standard scale, currently £200); and
- knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been unlawfully imported (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000).

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed "premises user". Within businesses, clubs or organisations one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9) the licensing authority may use the address to send any counter notice it is required to give under section 107 of the Licensing Act 2003.

Note 2

For the purposes of the Licensing Act 2003, "premises" means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police in deciding if any crime prevention issues are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police in making his decision whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers' market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Note 6

The licensable activities are:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Please refer to Schedules 1 and 2 to the Licensing Act 2003 for fuller details of the definitions and exemptions relating to regulated entertainment and late night refreshment.

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;

- (g) a performance of dance;
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

Regulated entertainment also includes the provision of "entertainment facilities" for:

- (a) making music;
- (b) dancing; and
- (c) entertainment of a similar description to that falling within (a) or (b).

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 7

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 96 hours (four days).

Note 8

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 9

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 does not just include the audience, spectators or consumers and includes, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 10

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 11

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Note 12

As stated under Note 11 the holder of a valid personal licence holder issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year. An individual who does not hold a valid personal licence may only give 5 temporary event notices in England and Wales within a calendar year. A calendar year is the period between 1 January to 31 December, inclusive, in any year.

If an event straddles two calendar years, it will count against the limits on temporary event notices (12 for each premises, 15 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year, however, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 13 below sets out the definition of an "associate".

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user himself. Note 13 below sets out the definition of an "associate".

Note 13

An "associate" of the proposed premises user is:

- a. the spouse of that person;
- b. a child, parent, grandchild, grandparent, brother or sister of that person;
- c. an agent or employee of that person; or
- d. the spouse of a person within (b) or (c).

For these purposes, a person living with another as that person's husband or wife is to be treated as that person's spouse.

These provisions will be subject to amendment by the Civil Partnerships Act. These amendments are due to take effect from 5th December 2005.

Note 14

It is a requirement that you send two copies of this notice to the licensing authority at least ten working days before the commencement of the proposed licensable activities. The authority will endorse one of the two copies and return it to you as an acknowledgement. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, two copies must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you need to receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to the chief officer of police for the area in which the premises is situated at least ten working days before the commencement of the proposed licensable activities. Where the premises are situated in two police areas, a further copy will need to be sent to the second police force.

Note 15

Under the Licensing Act 2003, all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 16

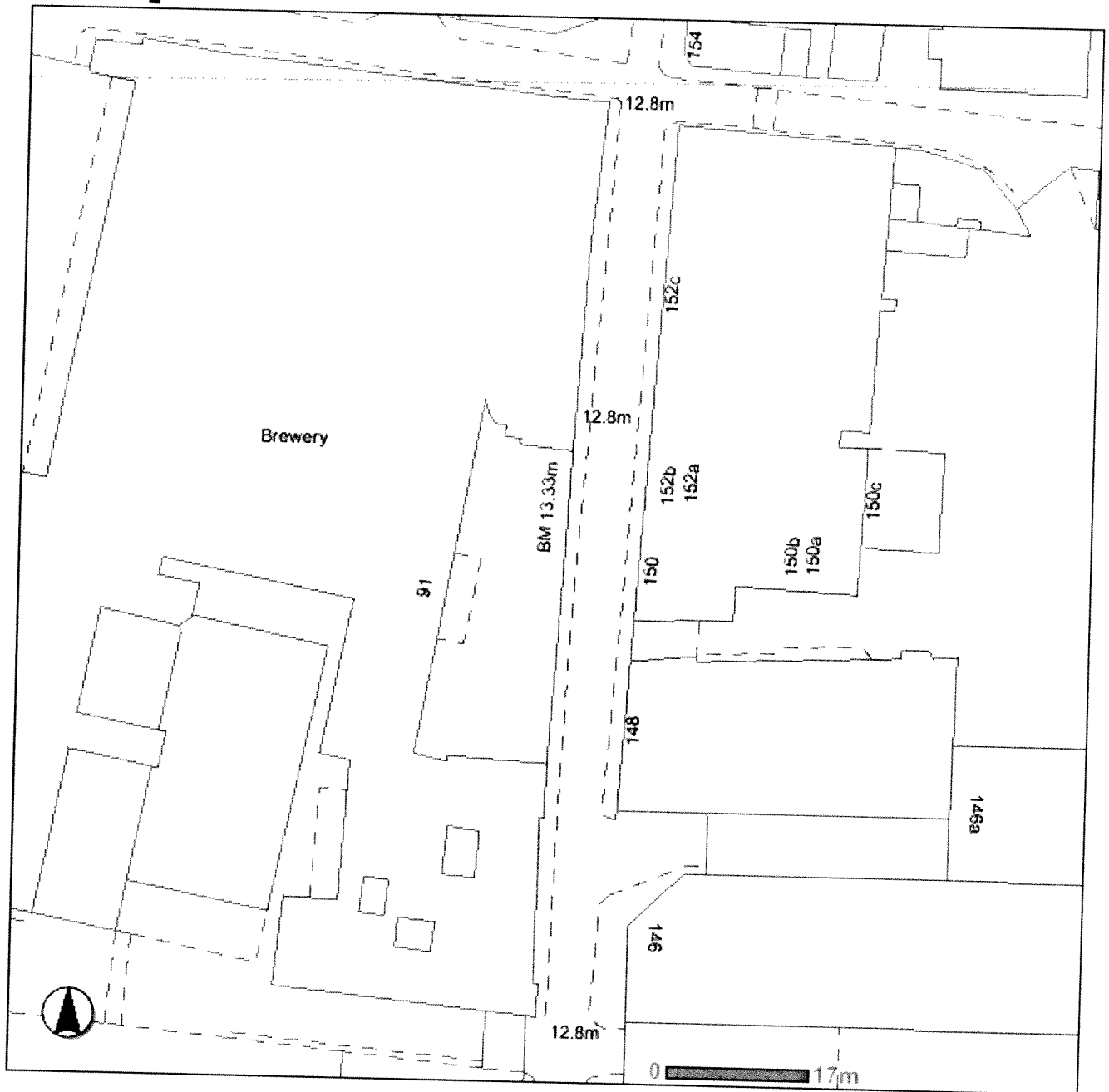
It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement). To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

Note 17

You should not complete section 10 of the notice, which is for use by the licensing authority. They will complete this section and return one of the copies that you have sent to them as an acknowledgement of the notice you have given.

Appendix 2

Map



Scale 1:750

Map of:

Vibe Bar

Notes:

91-95 Brick Lane

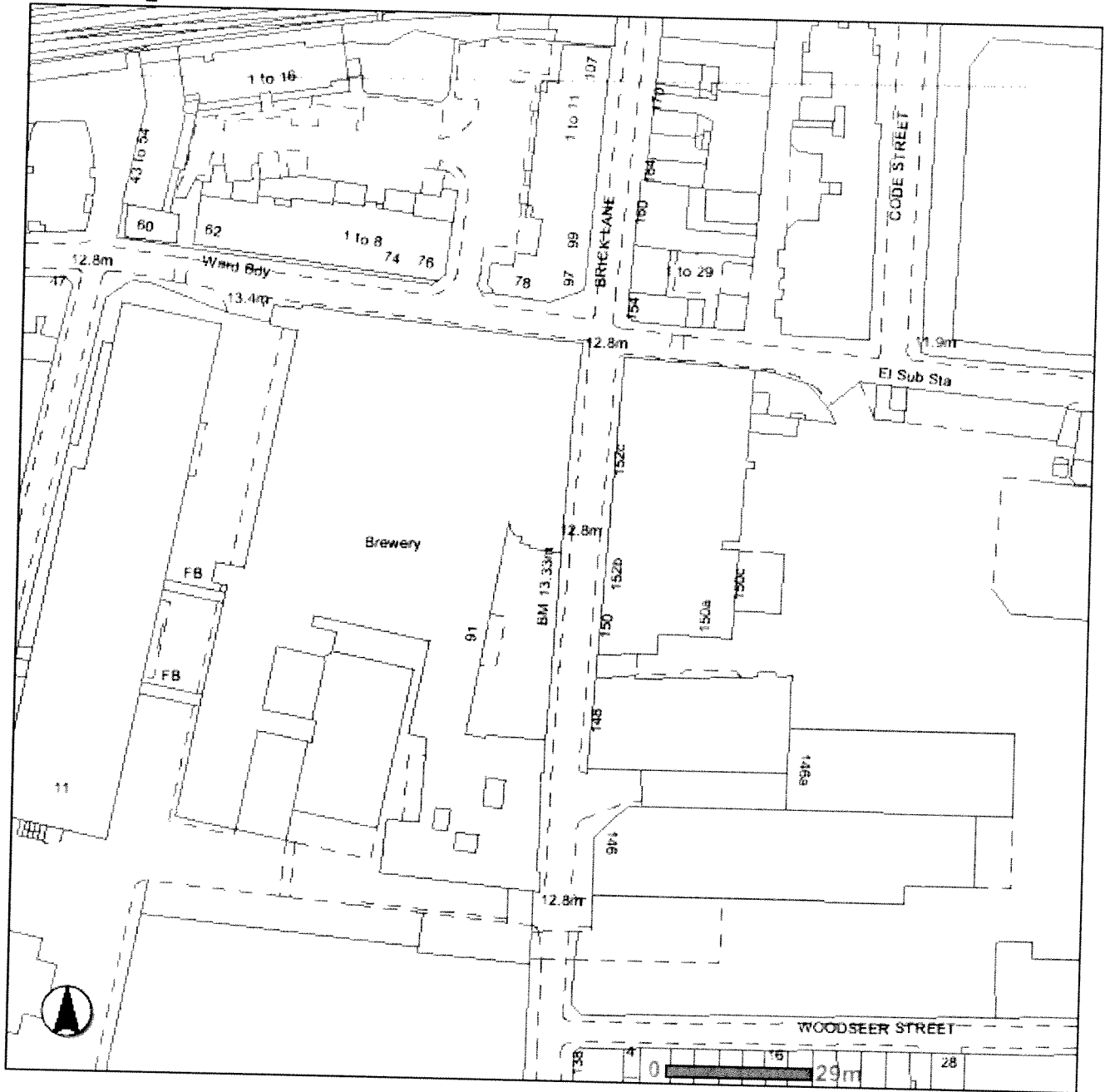
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Map



Scale 1:1250

Map of:

Vibe Bar

Notes:

91-95 Brick Lane

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Appendix 3

Date : 1st August 2008



John Cruse
London Borough of Tower Hamlets
Mulberry Place(AH)
PO Box 55739
5 Clove Crescent,
London, E14 1BY

Metropolitan Police Service
Tower Hamlets Division (HT)

Licensing Office
Bethnal Green Police Station
12 Victoria Park Square
London E2 9NZ

Tel: (020) 8217 6699

Re: Time limited Premise Licence Application and two TEN applications, to be held at the Truman Brewery complex

The Metropolitan Police as a responsible authority wish to object to the following three applications, as it would run counter to the licensing objective of:

1.The prevention of crime and disorder.

The three applications are:

1. The Chilli Crab Festival, U-Block & The Yard, The Old Truman Brewery. This dates being the 29th-31st of August 2008, between 1100 – 1900. (This is the time limited Premises Licence application)
2. The Vibe Bar, 91-95 Old Truman Brewery. This TEN is for the 30th August 2008 between 1400 – 0200. The application is not only for the bar but the courtyard area. Live music will be played in the courtyard till 2200 and then in the bar till 0200. This Notice is for the DV8 record launch
3. The Vibe Bar (as above). This TEN is for the 24th August, between 1900 – 0200. The application is for the bar and Courtyard. Once again it will be live music and a DJ. There is no mention of curtailing the time the music is to be played in the Courtyard. This Notice is for the Wah Wah record launch.

This objection is not a reflection on the individual applicants and how they manage an event, neither is it a reflection on the DPS of the Vibe Bar. Also, it has nothing to do with their clients, who are mainly the victims of crime. The objection is based around the issue of the Truman Brewery management having failed to take on board any advice given to them by the police in relation to crime prevention matters.

This objection is based on police intelligence, that by the very nature of further events or extended hours at these venues, it will allow the opportunity of further crimes to occur. Although there are a number of different crimes that occur on the Truman Brewery Site, the main crime affecting this area is bag theft.

The victims of these thefts are mainly foreign female tourists who are attracted to this vibrant complex but are unaware that they are in a high crime area.

I enclose a statement from PC Allen, a licensing officer, highlighting her unsuccessful attempts to work in partnership with the Truman management.

I enclose a further statement from PC Philp, the Crime Prevention Design Advisor, detailing his involvement with the Truman management.

I also enclose the crime statistics for the Truman Brewery complex. Suffice to say, the Truman Brewery is the "hot spot" for theft. Not only does it have an impact on the victim, it also puts a strain on police resources.

It is not the intention of the Metropolitan Police to interfere in the success of the Truman Brewery. We would seek to work in partnership to lower these crimes, by the introduction of crime prevention measures.

We would like the management to consider the following improvements to their security.

1. Better targeted CCCTV to cover the main access / egress area
2. The CCTV operator to be SIA trained
3. Direct communication between the CCTV operator and the premises door door supervisors / security teams
4. An increase in security personnel throughout the Truman Brewery complex. These security officers also to be SIA trained.
5. A security co-ordinator for the whole site.
6. An increased use of crime prevention techniques such as posters in various languages, warning of bag theft. Blue tooth contact boxes that send out to mobile phones, forthcoming events and it can also give crime prevention advice.

In conclusion, the Truman Brewery management has failed to keep up their interest in crime prevention strategies, in comparison to their excellent success of the the Brewery. As a result, crime is occurring at all their main venues. Cooperation with the police has been limited; therefore the police object to these applications, to prevent more people becoming a victim of crime

Yours faithfully

Alan Cruickshank PC 189HT
Licensing Officer
Bethnal Green Police Station

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

Statement of **Gavin Philp** URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer 179769**

This statement (consisting of: **3**..... 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: Date:

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

I am currently engaged in the role Crime Prevention Design Advisor for Tower Hamlets Police, I have been employed in my current role since January 2007 having transferred from Haringey where I had worked in the same role for four years. Prior to moving into the field of crime prevention I had been involved in the policing of football matches mainly as the liaison office for Barnet Football Club and additionally working on events at Wembley Stadium and other Premier Division grounds in London. In this role I was involved in pre match planning and coordinating public safety concerns around large crowds working closely with local authority licensing and The Football Association. I also have 15 years experience of policing Camden Market and worked on several projects dealing with crowd management and crime issues.

In November 2007 I was tasked with looking at designing out crime initiatives for the Brick Lane Market area. As part of this work I checked on levels and types of recorded crime and anecdotal evidence around perceived levels of crime. From my initial research it quickly became apparent that on certain types of crime the area had much higher levels of reports than could reasonably be expected. Drilling down on the crime figures I soon identified that there were some clearly identifiable crime hotspots, these centred around The Old Truman Brewery Site and the licensed premises that operate within the site.

I raised my concerns about the high levels of crime with Inspector Davies the local sector Inspector and he commissioned more a detailed piece of analysis from the Borough Intelligence Unit. This analysis produced in February 2008 showed clearly that for theft crimes the rate of offending was disproportionately high within the area known as The Truman Brewery Site.

I was asked by Louise Allen Police Licensing Officer with responsibility for Brick Lane to attend a pub watch meeting to present ideas around crime prevention to reduce victimisation within the licensed premises. The meeting was held on 25th February and was poorly attended and whilst some discussion took place and ideas exchanged there was little progress in addressing the concerns raised by the high level of crime.

There has been some work carried out with individual licensed premises around promoting crime reduction and

Signature: Signature witnessed by:

Continuation of Statement of **Gavin Philp**.....

this has seen a slight reduction in thefts.

I continued to look at the site which is an old brewery covering 11 acres with several large licensed premises and a number of shops operating. There are also several large venues that are used as temporary exhibition spaces attracting large numbers of visitors. On visiting the site on various days and at different times I concluded that there were obvious problems with management of space and how it relates with the large numbers of people who visit. My initial observations on the security and safety management of the site concluded that there were insufficient numbers of staff, signage and technological aids to manage the site safely, this in turn created an environment where it is possible for criminals to engage in their activity uninterrupted.

I have subsequently attended a series of meetings with representatives of the owners of The Truman Brewery Site where I advised that there is a pressing requirement for them to produce a comprehensive site wide security management plan which overlays the individual security arrangements of the various businesses. I have emphasised that there is a need for review of the existing CCTV provision which from my most recent viewing fails to meet the basic needs of staff to combat crime and assist in managing public safety expectations. To assist I have provided information on developing an effective Operational Requirement for CCTV, I have also offered to assist in developing a coordinated approach between the individual businesses and TBS to cover security and crowd safety. I proposed a greater use of Security Industry Accredited staff (SIA) to manage access and egress on to and away from the site, one area of concern that I do have and I am not sure how this has arisen is that there does not appear to crowd safety limit placed on the whole site, and more importantly any risk management contingency plans for dealing with site wide incidents.

I have been asked by the Licensing Department at Bethnal Green to comment on future applications for events within the site based on the high levels of crime and the response we have had to offers to work with TBS to address these issues. To date I have not been contacted by the management or any representative of TBS to look at security around theft. At present I do not believe that TBS are taking a responsible approach to addressing the clearly identified crime problem that exists on their site.

Using my football policing background if TBS were a football ground it would need to meet the requirement laid down within The Green Guide to achieve a license to operate, at present I do not believe that TBS could do this.

With the levels of personal theft still running at a high level I would ask that no further licensing applications are granted until TBS produce a comprehensive Crime Management Plan for the site that links in with the individual businesses operating within the site, this should include employing or training up staff to SIA standards, a

Signature: Signature witnessed by:

Continuation of Statement of **Gavin Philp**.....

communication strategy to inform users and businesses of crime prevention information; this could be a tannoy or pager system, there needs to be more and clearer signage promoting personal responsibility for crime prevention, many of thefts involve bags left on the floor whilst eating or drinking.

There is an urgent need to address the quality and management of the CCTV system covering the site; this would assist in reducing crime, subsequent investigation but also general public safety.

In conclusion TBS seems happy to pass the responsibility for crime prevention to individual businesses, this leaves large areas of the site unmanaged, it is these unmanaged areas that they are currently applying for event licenses.

Signature: Signature witnessed by:

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(when completed)

Home address:
..... Postcode:
Home telephone number Work telephone number
Mobile/pager number Email address:
Preferred means of contact:
Male / Female (delete as applicable) Date and place of birth:
Former name: Height: Ethnicity Code:
Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on MG6. What can be done to ensure attendance?
- b) Does the witness require 'special measures' as a vulnerable or intimidated witness? Yes / No. If 'Yes' submit MG2 with file.
- c) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- c) I consent to police having access to my medical records in relation to this matter: Yes No N/A
- d) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- e) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings (if applicable) Yes No N/A
- f) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness:

Statement taken by (print name): **PC201HT 179769 Gavin Philp**

Station: **Bethnal Green HT**

Time and place statement taken:

Signature of witness:

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

Statement of **Louise Allen PC150HT**..... URN:

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

This statement (consisting of: **3**..... 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: Date: **29.07.2008**.....

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

I am currently engaged in the role of Police Licensing Officer for Tower Hamlets OCU and have been for six years.

In February 2008, I was tasked with liaising with the owners/managers of the Truman Brewery in an attempt to reduce crime on the site. Analysis had been carried out by the divisional intelligence unit and it was highlighted that one in every ten "other theft" offences in Tower Hamlets is committed in The Truman Brewery along with one in seventeen pickpocket offences. The peak times for these offences were Friday and Saturday nights from 2300 until 0100 and Sunday afternoon in line with the market. The victims were mainly female of varied nationalities but the majority being Italian, Spanish and French.

There are five large licensed venues within the Truman Brewery site, The Big Chill, Café 1001, The Vibe Bar, Corbetts Place and 93 Feet East. These all have premises licences and have their own security by way of door supervisors and CCTV.

The Truman Brewery site also rents units and event space, which are usually run by way of a Temporary Event Notice, or time limited premises licence.

On the 25th February 2008, I relaunched the "Brick Lane pubwatch" I invited the DPS's from each venue and also Jason Zeloof (one of the owners of the Brewery) Unfortunately Jason was unable to attend this meeting and only two of the four premises were represented.

Following this meeting I contacted the brewery by telephone and spoke to Jason to discuss the issues raised by the analysis.

I informed him that I had visited all of the licensed venues to look at any crime prevention measures they were making. Most had notices displayed but that they did not stand out and they were all written in English. I made a suggestion that the Brewery could task one of their artists to design a poster to display around the site. I advised that it should be bright and state that thieves operate in the area but have this written in the main four languages highlighted. I stated that if the brewery could design something, the police could match fund and print it. We

Signature: Signature witnessed by:

Continuation of Statement of **Louise Allen**

would also print it in leaflet form. Jason stated that he would pass this to his estate officer, Steve Paton. I stated that it would be good to have a follow-up meeting in a few weeks to discuss designs and I also wanted to view their CCTV etc.

On the 15th April 2008 I attended the Truman Brewery site. Present at the meeting were Jason and Ofer Zeloof. They showed me a poster that had been designed and displayed in the licenced venues as a temporary measure. I viewed the CCTV for the site. In my opinion this was inadequate for the size of the site. There were large external areas including the majority of Dray Walk and the courtyard that were not covered. Jason explained that the CCTV in The Big Chill and Café 1001 should cover Dray Walk. We discussed the site security. Jason stated that he currently employs two security to patrol in the evenings. They were not SIA registered or trained.

At the end of the meeting I made the following recommendations;

- The CCTV coverage should be increased on site. It was not the responsibility of the licensed venues to cover the public areas for the whole of Dray Walk; they only had responsibility for immediately outside their premises.
- The number of security is increased for the site especially at peak times on Friday and Saturday nights.
- A cab marshalling system should be devised whereby customers from Truman Brewery are supplied with licensed taxis by the use of a taxi marshal.

Jason and Ofer both stated that the final recommendation would not work, as there were problems with unlicensed taxis in Brick Lane. They also commented that most of the problems in Brick Lane would be solved if police increased their patrols the area and if the road was pedestrianised.

On the 23rd April 2008 a meeting was called by DCI Gardner to discuss how to tackle crime at the Truman Brewery site. Many police departments attended this meeting. I outlined the work that had been done and recommendations that had been made. I explained to the meeting the comments made by the owners of the site and a further meeting was arranged to be attended by the Senior Management Team at Tower Hamlets and also the licensees and Truman Brewery management.

The meeting was held on the 3rd June attended by the licensees and Jason Zeloof represented the Truman Brewery. The analysis that had been carried out in February 2008 was presented to the meeting. The following recommendations were made;

- The police would increase presence and where possible monthly days of action would take place.
- The brewery should improve security on site. The amount of security guards employed should be increased and they should be SIA trained.
- CCTV on site should be improved and monitored by a security officer employed to do so.

Signature: Signature witnessed by:

Continuation of Statement of **Louise Allen**

- CT office at HT were to conduct a survey re making the site into a Community Safety Zone and holding a project Argus exercise with the management and licensees.
- Regular monthly meetings should be held with police from the licensing office, Counter Terrorism and crime prevention office and the management of the brewery and licensees.

As a result of this meeting, I attended the brewery on the 18th June 2008 with Gavin Philp from the Crime Prevention Office at HT and PC Alan Cruickshank. We again met with Jason Zeloof.

We viewed the CCTV. No improvement had been made to the system since my visit in April. No increase had been made to the number of security officers employed on site. Jason was lackadaisical in his manner. He did not appear to think it was his problem and seemed to be placing the blame on the individual licensed premises.

In conclusion, I do not believe that the owners of the Truman Brewery appreciate the gravity of the situation in relation to crime on their site. They have not to this date made any attempts to introduce the recommendations made police.

Signature: Signature witnessed by:

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Signature of witness:

Statement taken by (print name):

Station:

Time and place statement taken:

Signature of witness:

Truman Brewery Update 01/04 – 16/07/08

•Over the period 01/04 - 16/07/08 there have been a total of 172 offences in the Truman Brewery site. This accounts for 14% of all crime in the Spitalfields or Weavers SN Wards.

Offences	Total
Other theft	88
Drugs	26
Pickpocket	19
Assaults	9
Kerb Crawling	6
Burg non d	3
Rob pers	3
Theft from MV	3
Race Dis	2
Theft of cycle	2
Pub Order S 5	2
Handling	1
Sex Ass F	1
Burglary dwell	1
Snatch	1
Shoplift >£199	1
Handling	1
Race Harass	1
Crim Dam	1
Other	1
Grand Total	172

Theft (highlighted in blue) is the biggest problem in the area, having had 109 offences, making up 63% of offences within the site.



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Truman Brewery Update 01/04 – 16/07/08

•The following analysis is concerned with offences with Current Classification of Pickpocket, Snatch, Shoplifting and Other Theft (excluding vehicular theft and Theft MNR);

During the period;

- 38% of the Boroughs Pickpocket Offences occurred in Spitalfields or Weavers SN Wards
- 26% of the Boroughs Other Theft Offences occurred in Spitalfields or Weavers SN Wards

During the period;

- 24% of the Pickpocket offences in the Spitalfields or Weavers SN Wards Offences occurred in the Truman Brewery Site
- 30% of the Other Theft offences in the Spitalfields or Weavers SN Wards Offences occurred in the Truman Brewery Site

	Borough	Spitalfields/Weavers	T. Brewery
Pickpocket	208	79	19
Snatch	88	13	1
Shoplifting	216	11	1
Other Theft	1158	297	88
TOTAL	1670	400	109

This means that for the offences mention, the Truman Brewery site makes up 27% of the offences in Spitalfields/Weavers and 7% of the Boroughs offences.



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Truman Brewery Update 01/04 – 16/07/08

- Out of the 109 offences, 74% have Brick Lane as the Street.
- Within the area the top 5 named premises make up 57% of the offences and 23% are 'street' offences.

Business_name	Total
The Big Chill Bar	30
Cafe 1001	27
The Old Truman Brewery	15
The Vibe Bar	15
93 feet east	11
Total	98

The hot time for the theft offences in the area is 2200-0000 and the hot days are Sunday followed by Saturday.



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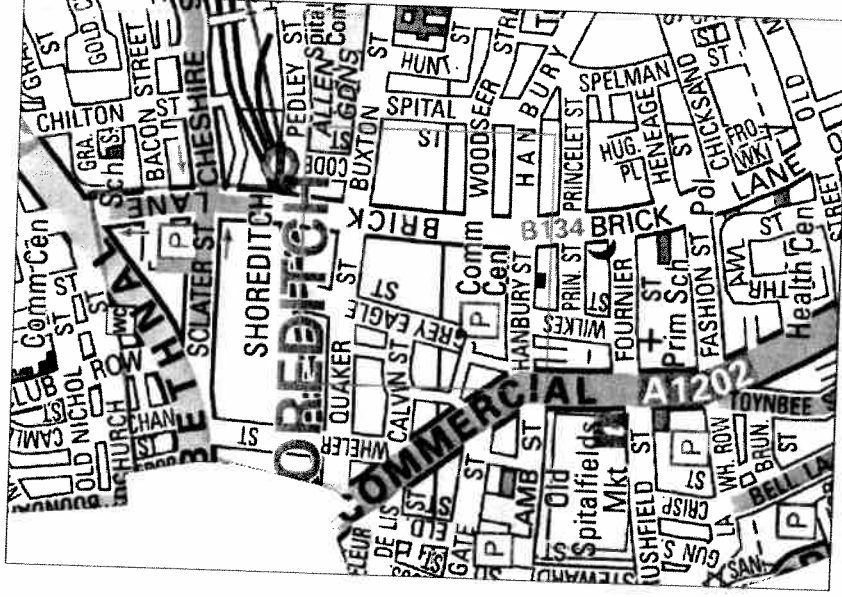
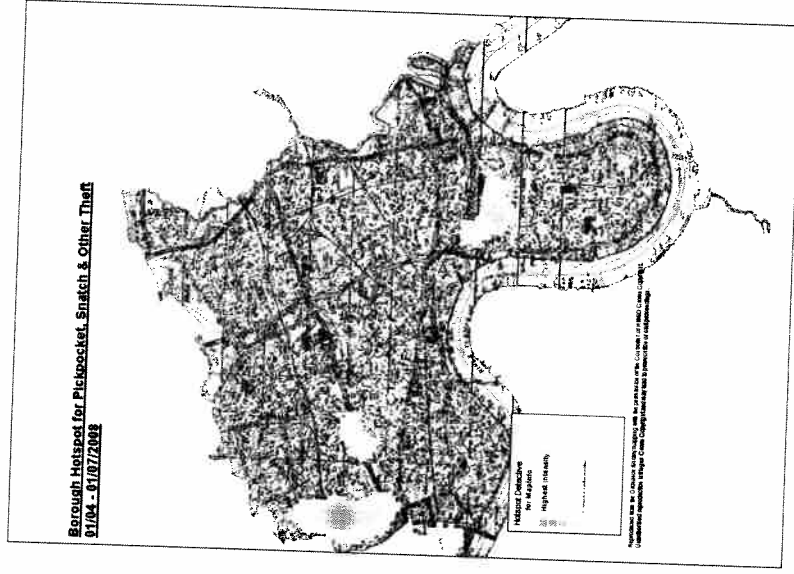
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Truman Brewery Update 01/04 – 16/07/08

- The map below shows the Hotspot for the Borough for Other Theft, Snatch and Pickpocket offences for 01/04 – 01/07/2008
- The second map shows that the Hotspot is the Truman Brewery



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