

Appendix 1

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

London Borough of Tower Hamlets, London E1
 Mulberry Place (AH)
 P. Box 85714
 5 Clove Crescent
 London E14 1BF

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We **Wellington Pub Company Limited**
 (Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises Details

| | |
|--|------------------|
| Postal address of premises or, if none, ordnance survey map reference or description | |
| Habanas 74 Bonner Street | |
| Post town London | Post code E2 0QP |

Telephone number at premises (if any)

Non-domestic rateable value of premises

£ 11,750.00

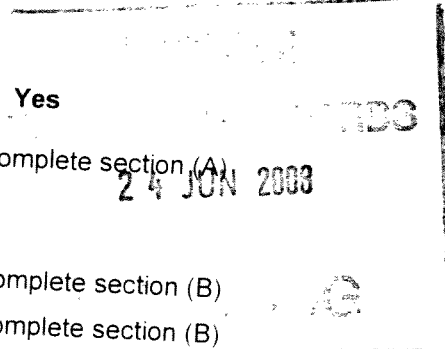
Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

- a) an individual or individuals*
- b) a person other than an individual*
 - i. as a limited company
 - ii. as a partnership
 - iii. as an unincorporated association or
 - iv. other (for example a statutory corporation)
- c) a recognised club
- d) a charity
- e) the proprietor of an educational establishment

Please tick **Yes**

- please complete section (A)
- please complete section (B)
- please complete section (B)
- please complete section (B)
- please complete section (B)
- please complete section (B)
- please complete section (B)
- please complete section (B)



- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

*If you are applying as a person described in (a) or (b) please confirm:

- Please tick **Yes**
- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
 - I am making the application pursuant to a statutory function or a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title
 (for example, Rev)

Surname

First names

I am 18 years old or over

Please tick **Yes**

Current postal address if different from premises address

Post Town **Postcode**

Daytime contact telephone number

E-mail address (optional)

Part 3 - Operating Schedule

When do you want the premises licence to start?

| Day | | Month | | Year | |
|-----|---|-------|---|------|---|
| 2 | 3 | 0 | 7 | 2 | 0 |

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

| Day | | Month | | Year | |
|-----|--|-------|--|------|--|
| | | | | | |

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

Please give a general description of the premises (please read guidance note 1)

The premises are situated on Bonner Street and are bar premises. The premises have two public rooms with bar serveries and an outside seating area. Licensable activities will include the supply of alcohol, the provision of late night refreshment, the provision of regulated entertainment and the provision of entertainment facilities

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

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

Please tick Yes

Provision of regulated entertainment

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

| |
|-------------------------------------|
| <input type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input type="checkbox"/> |
| <input type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |

Provision of entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

| |
|-------------------------------------|
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |

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

| |
|--------------------------|
| <input type="checkbox"/> |
| <input type="checkbox"/> |

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

| |
|--------------------------|
| <input type="checkbox"/> |
| <input type="checkbox"/> |

In all cases complete boxes N, O and P

A

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

B

| Films Standard days and timings (please read guidance note 6) | | | Will the exhibition of films take place indoors or outdoors or both - please tick ✓ (please read guidance note 2) | Indoors | ✕ |
|--|-------|--------|--|----------|---|
| Day | Start | Finish | | Outdoors | |
| Mon | 11.00 | 00.00 | Please give further details here (please read guidance note 3) Screens within the premises may be shown on DVD's or videos. | Both | |
| Tue | 11.00 | 00.00 | | | |
| Wed | 11.00 | 00.00 | State any seasonal variations for the exhibition of films (please read guidance note 4) | | |
| Thur | 11.00 | 00.00 | | | |
| Fri | 11.00 | 02.00 | Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5) When the hours for the supply of alcohol are extended then these hours shall be extended such that the finish time matches that for the supply of alcohol. | | |
| Sat | 11.00 | 02.00 | | | |
| Sun | 11.00 | 00.00 | | | |
| | | | | | |

C

| | | | |
|---|-------|--------|--|
| Indoor sporting events Standard days and timings (please read guidance note 6) | | | Please give further details (please read guidance note 3) |
| Day | Start | Finish | |
| Mon | | | State any seasonal variations for indoor sporting events (please read guidance note 4) |
| Tue | | | |
| Wed | | | Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5) |
| Thur | | | |
| Fri | | | |
| Sat | | | |
| Sun | | | |

D

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

E

| Live music Standard days and timings (please read guidance note 6) | | | Will the performance of live music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2) | Indoors <input type="checkbox"/> | Outdoors <input type="checkbox"/> | Both <input type="checkbox"/> |
|---|-------|--------|---|----------------------------------|-----------------------------------|-------------------------------|
| Day | Start | Finish | | | | |
| Mon | 11.00 | 00.00 | Please give further details here (please read guidance note 3) Live music may be played | | | |
| Tue | 11.00 | 00.00 | | | | |
| Wed | 11.00 | 00.00 | State any seasonal variations for the performance of live music (please read guidance note 4) | | | |
| Thur | 11.00 | 00.00 | | | | |
| Fri | 11.00 | 02.00 | Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) When the hours for the supply of alcohol are extended then these hours shall be extended such that the finish time matches that for the supply of alcohol. | | | |
| Sat | 11.00 | 02.00 | | | | |
| Sun | 11.00 | 00.00 | | | | |
| | | | | | | |

F

| Recorded music Standard days and timings (please read guidance note 6) | | | Will the playing of recorded music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2) | Indoors <input type="checkbox"/> | Outdoors <input type="checkbox"/> | Both <input type="checkbox"/> |
|---|-------|--------|---|----------------------------------|-----------------------------------|-------------------------------|
| Day | Start | Finish | | | | |
| Mon | 11.00 | 00.00 | Please give further details here (please read guidance note 3) Recorded music may be played | | | |
| Tue | 11.00 | 00.00 | | | | |
| Wed | 11.00 | 00.00 | State any seasonal variations for playing recorded music (please read guidance note 4) | | | |
| Thur | 11.00 | 00.00 | | | | |
| Fri | 11.00 | 02.00 | Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) When the hours for the supply of alcohol are extended then these hours shall be extended such that the finish time matches that for the supply of alcohol. | | | |
| Sat | 11.00 | 02.00 | | | | |
| Sun | 11.00 | 00.00 | | | | |
| | | | | | | |

G

| Performances of dance Standard days and timings (please read guidance note 6) | | | Will the performance of dance take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) | Indoors <input checked="" type="checkbox"/> |
|---|-------|--------|--|---|
| Day | Start | Finish | | Outdoors |
| Mon | 11.00 | 00.00 | Please give further details here (please read guidance note 3) Patrons dancing | Both |
| Tue | 11.00 | 00.00 | | |
| Wed | 11.00 | 00.00 | State any seasonal variations for the performance of dance (please read guidance note 4) | |
| Thur | 11.00 | 00.00 | | |
| Fri | 11.00 | 02.00 | Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) When the hours for the supply of alcohol are extended then these hours shall be extended such that the finish time matches that for the supply of alcohol. | |
| Sat | 11.00 | 02.00 | | |
| Sun | 11.00 | 00.00 | | |
| | | | | |

H

| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6) | | | Please give a description of the type of entertainment you will be providing Entertainment using voice amplification including karaoke | |
|--|-------|--------|--|---|
| Day | Start | Finish | Will this entertainment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) | Indoors <input checked="" type="checkbox"/> |
| Mon | 11.00 | 00.00 | | Outdoors |
| Tue | 11.00 | 00.00 | | Both |
| Wed | 11.00 | 00.00 | Please give further details here (please read guidance note 3) | |
| Thur | 11.00 | 00.00 | | |
| Fri | 11.00 | 02.00 | State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) | |
| Sat | 11.00 | 02.00 | | |
| Sun | 11.00 | 00.00 | | |
| | | | | |
| | | | Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5) When the hours for the supply of alcohol are extended then these hours shall be extended such that the finish time matches supply of alcohol. | |
| | | | | |
| | | | | |
| | | | | |

| Provision of facilities for making music Standard days and timings (please read guidance note 6) | | | Please give a description of the facilities for making music you will be providing | |
|--|-------|--------|--|--|
| Day | Start | Finish | Floor space as required | |
| Mon | 11.00 | 00.00 | Will the facilities for making music be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) <input checked="" type="checkbox"/> Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both | |
| Tue | 11.00 | 00.00 | Please give further details here (please read guidance note 3) | |
| Wed | 11.00 | 00.00 | State any seasonal variations for the provision of facilities for making music (please read guidance note 4) | |
| Thur | 11.00 | 00.00 | | |
| Fri | 11.00 | 02.00 | Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) When the hours for the supply of alcohol are extended then these hours shall be extended such that the finish time matches that for the supply of alcohol. | |
| Sat | 11.00 | 02.00 | | |
| Sun | 11.00 | 00.00 | | |

J

| Provision of facilities for dancing Standard days and timings (please read guidance note 6) | | | Will the facilities for dancing be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (see guidance note 2) | |
|---|-------|--------|---|--|
| Day | Start | Finish | <input checked="" type="checkbox"/> Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both | |
| Mon | 11.00 | 00.00 | Please give a description of the facilities for dancing you will be providing | |
| Tue | 11.00 | 00.00 | Floor space as required | |
| Wed | 11.00 | 00.00 | Please give further details here (please read guidance note 3) | |
| Thur | 11.00 | 00.00 | State any seasonal variations for providing dancing facilities (please read guidance note 4) | |
| Fri | 11.00 | 02.00 | Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) When the hours for the supply of alcohol are extended then these hours shall be extended such that the finish time matches that for the supply of alcohol. | |
| Sat | 11.00 | 00.00 | | |
| Sun | 11.00 | 00.00 | | |

K

| Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6) | | | Please give a description of the type of entertainment facility you will be providing | |
|--|-------|--------|--|-------------------------------------|
| Day | Start | Finish | Will the entertainment facility be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) | |
| Mon | 11.00 | 00.00 | Indoors | <input checked="" type="checkbox"/> |
| | | | Outdoors | |
| | | | Both | |
| Tue | 11.00 | 00.00 | Please give further details here (please read guidance note 3) | |
| Wed | 11.00 | 00.00 | State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4) | |
| Thur | 11.00 | 00.00 | | |
| Fri | 11.00 | 02.00 | | |
| Sat | 11.00 | 02.00 | | |
| Sun | 11.00 | 00.00 | | |
| | | | Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5) | |

L

| Late night refreshment Standard days and timings (please read guidance note 6) | | | Will the provision of late night refreshment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) | |
|--|-------|--------|--|-------------------------------------|
| Day | Start | Finish | Indoors | Outdoors |
| Mon | 23.00 | 00.00 | Both | <input checked="" type="checkbox"/> |
| Tue | 23.00 | 00.00 | Please give further details here (please read guidance note 3) Hot drinks and snacks may be served after 23.00 | |
| Wed | 23.00 | 00.00 | State any seasonal variations for the provision of late night refreshment (please read guidance note 4) | |
| Thur | 23.00 | 00.00 | | |
| Fri | 23.00 | 02.00 | | |
| Sat | 23.00 | 02.00 | Non standard timings. Where you intend to use the premises for the provision of late night entertainment at different times, to those listed in the column on the left, please list (please read guidance note 5) | |
| Sun | 23.00 | 00.00 | | |

M

| Supply of alcohol Standard days and timings (please read guidance note 6) | | | Will the sale of alcohol be for consumption please tick <input checked="" type="checkbox"/> (please read guidance note 7) | |
|---|-------|--------|--|-------------------------------------|
| Day | Start | Finish | On the premises | Off the premises |
| Mon | 11.00 | 00.00 | | <input checked="" type="checkbox"/> |
| Tue | 11.00 | 01.00 | | |
| Wed | 11.00 | 00.00 | | |
| Thur | 11.00 | 01.00 | | |
| Fri | 11.00 | 02.00 | | |
| Sat | 11.00 | 02.00 | | |
| Sun | 11.00 | 00.00 | | |

State any seasonal variations for the supply of alcohol (please read guidance note 4)

Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)

The finish time will be extended to 03.00 on Christmas Eve, Boxing Day and the Fridays Saturdays and Sundays of Bank Holiday weekends. On New Years Eve the supply of alcohol will be permitted from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name David Ernest Holme

Address 59 Lewis Road
Sidcup

Postcode DA14 4NB

Personal Licence number (if known) 05/00890/Bexley/L1

Issuing licensing authority (if known) Bexley Council

N

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

NONE

O

| Hours premises are open to the public Standard timings (please read guidance note 6) | | | State any seasonal variation (please read guidance note 4) |
|---|-------|--------|---|
| Day | Start | Finish | |
| Mon | 11.00 | 00.30 | <p>Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p> <p>When the hours for the supply of alcohol are extended, the premises will close 30 minutes after the last permitted time for the supply of alcohol.</p> |
| Tue | 11.00 | 00.30 | |
| Wed | 11.00 | 00.30 | |
| Thur | 11.00 | 00.30 | |
| Fri | 11.00 | 02.30 | |
| Sat | 11.00 | 02.30 | |
| Sun | 11.00 | 00.30 | |

Please tick Yes

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

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 - Signatures (please read guidance note 10)

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

Signature Grosschalks

Date 23 June 2008

Capacity Solicitors for and on behalf of the applicants

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature

Date

Capacity

| | |
|---|--------------------------|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Grosschalks Queens Gardens, Hull | |
| Post town | Post code HU1 3EZ |
| Telephone number (if any) 01482 324252 | |
| If you would prefer us to correspond with you by e-mail your e-mail address (optional) janet.braithwaite@grosschalks.co.uk | |

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Appendix 2

FAO Kathy Butler
London Borough of Tower Hamlets
Council offices
Mulberry Place (AH)
Po Box 55739
5 Clove Crescent
LONDON E14 1BY

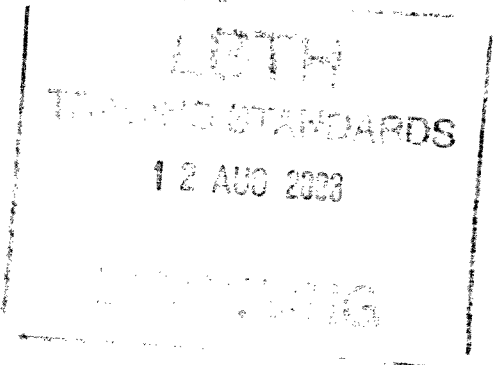
Our ref: RJT.JB 82967.58 1

Your ref:

Date: 11 August 2008

E-Mail: rjt@goschalks.co.uk

BY EMAIL AND POST



Dear Ms Butler

re: Application for Premises Licence
Habanas, 74 Bonner Road London

I write further to your recent correspondence with my assistant Janet Braithwaite.

The purpose of this letter is to advise you formally of the agreements reached with both the Police and with Ken Morrison, Licensing Safety Officer, Environmental Health Commercial-Health & Safety.

The agreements reached with the responsible authorities are as follows:-

1. That regulated entertainment in the forms of films, live music, recorded music, performances of dance, anything of a similar description and the provision of entertainment facilities for making music, dancing and entertainment of a similar description will be 11.00 to 01.00 on Fridays and Saturdays with Sunday to Thursday inclusive being 11.00 to midnight.
2. So far as the supply of alcohol is concerned this will be permitted from Sunday to Thursday 11.00 to midnight and on Friday & Saturday 11.00 to 01.00
3. Closing time - the premises will close 30 minutes after the last permitted supply of alcohol.

In addition, a number of conditions have been agreed.

1. In relation to the seating area outside, no one will be allowed to sit there or stand there after 23.00 and the customers moved inside.

2. CCTV - a CCTV system shall be installed or the existing system maintained covering areas inside and outside of the premises. The system will incorporate a camera covering each of the entrance doors and be capable of providing an image that is regarded as "identification standard"

- CCTV is to comply with the Data Protection Act 1998 and is to be working and recording correctly when the premises is open to the public#
- The CCTV system shall incorporate a recording facility and any records shall be retained and stored in a suitable and secure manner for a minimum of one calendar month. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation including signage.
- A staff member from the premises is to be conversant with the operation of the CCTV system and will be on the premises at all times that the premises is open to the public. This staff member will be able to show police recent data or footage with the absolutely minimum of delay when requested. This data or footage reproduction should be almost instantaneous.

3. The premises will not re-open until such time as repairs and refurbishment have been completed to the satisfaction of the Health & Safety Officer

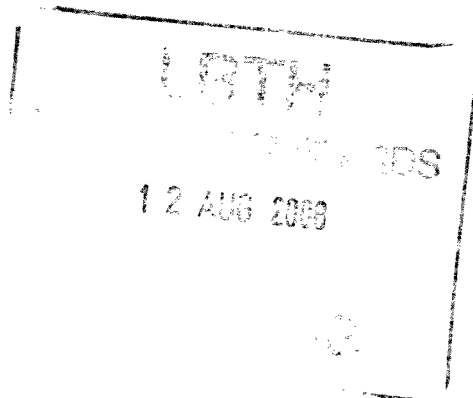
4. The premises will not re-open until a health & safety risk assessment/management plan has been submitted to the Health & Safety Department

It may be that the amendments to the hours and the conditions agreed with the responsible authorities will satisfy the local residents. I have not yet seen the representations of the local residents and would be grateful if you could forward those to me as soon as possible.

I understand that a hearing must be arranged prior to 25th August 2008. In the circumstances, I would be grateful for details of the hearing as soon as possible in order that I may advise my clients accordingly.

Yours sincerely

J. Brathwaite
Richard Taylor



Appendix 3

Kathy Butler

From: Janet Braithwaite [janet_braithwaite@gosschalks.co.uk]
Sent: 22 July 2008 14:57
To: Alan.Cruickshank@met.police.uk
Cc: Kathy Butler
Subject: RE: Habanas , 74 Bonner St, E2

Dear Alan

I refer to your email of yester date and apologise for not replying sooner.

I confirm that I have received confirmation from our clients that they are agreeable to the conditions (1-4) as set out in your email of 21st July being attached to the premise licence

I trust the above is sufficient for your purposes but if you require any further clarification please do not hesitate to contact me.

Regards
Janet

From: Alan.Cruickshank@met.police.uk [mailto:Alan.Cruickshank@met.police.uk]
Sent: 22 July 2008 14:46
To: Liz Allen
Cc: Kathy.Butler@towerhamlets.gov.uk
Subject: Habanas , 74 Bonner St, E2

Good afternoon

Re: ref RJT.JB 82967.58.1

I received a answephone message from Mr Mark Davis , confirming that his client will accept the conditions.

If this is correct, can a confirmation e-mail be sent to myself and Kathy Butler at LBTH Licensing .Can this be done ASAP.

Many thanks

Alan Cruickshank PC 189HT

0208 217 6699

It is the policy of the MPS that:

MPS personnel (or agents working on behalf of the MPS) must not use MPS systems to author, transmit or store documents such as electronic mail (e-mail) messages or attachments:

* containing racist, homophobic,sexist, defamatory, offensive, illegal or

22/07/2008

Kathy Butler

From: Alan.Cruickshank@met.pnn.police.uk
Sent: 21 July 2008 14:07
To: Kathy Butler; Kathy Butler; janet_braithwait@gosschalks.co.uk
Subject: Habanas , 74 Bonner St, E2

Good afternoon

I held a meeting with Mr Tazul Islam at Bethnal Green Police Station on Monday the 21st of July 2008 , in relation to his Premises Licence application.

As a responsible member of the licensing authority , the Police will object to his application if the following agreed condions are not put on his Operating Schedule

1. All the activities marked **B,E,F,G,H,I,J,K,L,M** . The applicable times for Friday and Saturday . for all these will be **1100 - 0100**

2. The hours the premises will be open to (O) for Friday and Saturday will be **from 1100 - 0130**

3. In relation to the seating area outside, no one will be allowed to sit there or stand there after **2300** and the customers moved inside

4. CCTV.

1. A CCTV system shall be installed or the existing system maintained covering areas inside and outside of the premises. The system will incorporate a camera covering each of the entrance doors and be capable of providing an image that is regarded as 'identification standard.'

CCTV is to comply with the Data Protection Act 1998 and is to be working and recording correctly when the club is open to the public.

The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of one calendar month. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation,including signage .

A staff member from the premises to be conversant with the operation of the CCTV system and will be on the premises at all times that the club is open to the public. This staff member will be able to show police recent data or footage with the absolute minimum of delay when requested. This data or footage reproduction should be almost instantaneous.

Further to the above four conditions, please ensure that a DPS is in place prior to the opening.

Best wishes

Alan Cruickshank PC 189HT

21/07/2008

Licensing Office

0208 217 6699

It is the policy of the MPS that:

MPS personnel (or agents working on behalf of the MPS) must not use MPS systems to author, transmit or store documents such as electronic mail (e-mail) messages or attachments:

- * containing racist, homophobic, sexist, defamatory, offensive, illegal or otherwise inappropriate material;
- * containing material requiring a protective marking higher than RESTRICTED, (and not higher than NOT PROTECTIVELY MARKED across the internet) without the use of approved encryption;
- * containing personal data for use other than in accordance with the notification(s) under the Data Protection Act, 1998 of the system(s) from which the data originates.
- * This Email message has been scanned for viruses and contents.

Appendix 4

Kathy Butler

From: Ken Morrison

Sent: 24 July 2008 19:13

To: Kathy Butler

Subject: FW: Premise Licence Application - Habanas 74 Bonner St [GOSS-IMANAGE.FID1779626]

Hi Kathy

Further to my email to you of 16/7/08 where I made representation against the issue of the licence for Habanas, I have now received the attached email whereby the applicants are willing to have the 2 conditions placed on the licence restricting opening of the premises until my concerns are met.

Therefore I would now like to lift my previous representation.

I have notified the applicant of this fact.

P.S. I have also forwarded a copy of a second email to you confirming the applicants agreement.

Ken Morrison
Licensing Safety Officer
Environmental Health Commercial - Health and Safety
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY
Tel: 020 7364 6626
Fax: 020 7364 6901

From: Richard Taylor [mailto:RJT@gosschalks.co.uk]
Sent: 18 July 2008 12:04
To: Ken Morrison
Cc: {F1779626}.imanage@wcs.gosschalks.co.uk
Subject: Premise Licence Application - Habanas 74 Bonner St [GOSS-IMANAGE.FID1779626]

Dear Ken

I write further to your email of 16th July 2008 to my assistant, Janet Braithwaite. I confirm that I am taking instructions from my client with regards to your representation. I have suggested to my client that you may be satisfied if the premise licence were to be granted subject to the following conditions:-

1. The premises will not re-open until such time as repairs and refurbishment have been completed to the satisfaction of the Health & Safety Officer
2. The premises will not re-open until a health and safety risk assessment/management plan has been submitted to the Health & Safety Dept.

I am awaiting my clients confirmation that it is prepared to accept these conditions.

I would be grateful if you would confirm whether or not you would be prepared to withdraw your representation on the basis that the operating plan is amended to include the above as conditions.

I look forward to hearing from you.

Yours sincerely

Richard

28/07/2008

Kathy Butler

From: Ken Morrison
Sent: 16 July 2008 11:16
To: Kathy Butler
Subject: Premises Licence Application - Habanas, 74 Bonner Street.

I write with reference to Misc.Activities 026786 - Premises Licence Application for Habanas, 74 Bonner Street.

I wish to make "representation" against the grant of this licence for the following reasons:-

Background of Application

The applicant is The Wellington Pub Company and their solicitors have stated quite clearly that they will have no involvement in the running and trading of these premises.

Premises

The premises is in a severe state of disrepair and will have to undergo refurbishment before it will be in a fit state to open to trade to the public. Wellington Pub Company are not proposing to carry out any refurbishment. This is going to be the responsibility of the new tenant - whenever and whoever that may be. (N.B.negotiations are going on with a proposed tenant but there is no lease in place at the moment). Therefore there are no satisfactory details about the required refurbishment at this time.

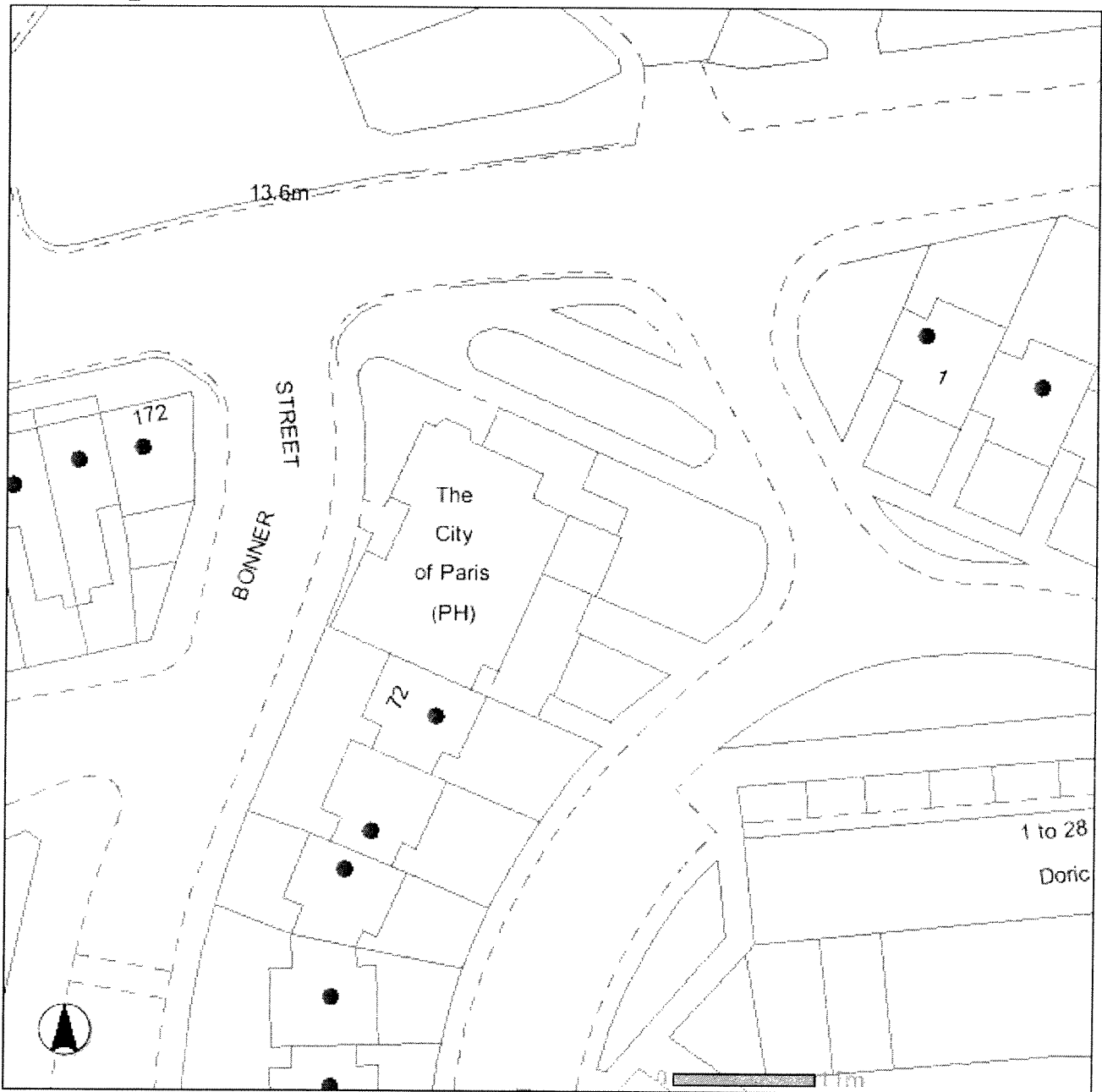
Public Safety Issues

As the Wellington Pub Company is not proposing to trade and run this premises, they have not provided a suitably detailed and satisfactory Health & Safety Risk Assessment or Management Plan. This is going to be the responsibility of the new tenant - whenever and whoever that may be. Therefore there are no satisfactory details about Public Safety arrangements at this time.

Ken Morrison
Licensing Safety Officer
Environmental Health Commercial - Health and Safety
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London E14 1BY
Tel: 020 7364 6626
Fax: 020 7364 6901

Appendix 5

Map



Scale 1:500

Map of:

Site Plan

Notes:

74 Bonner street

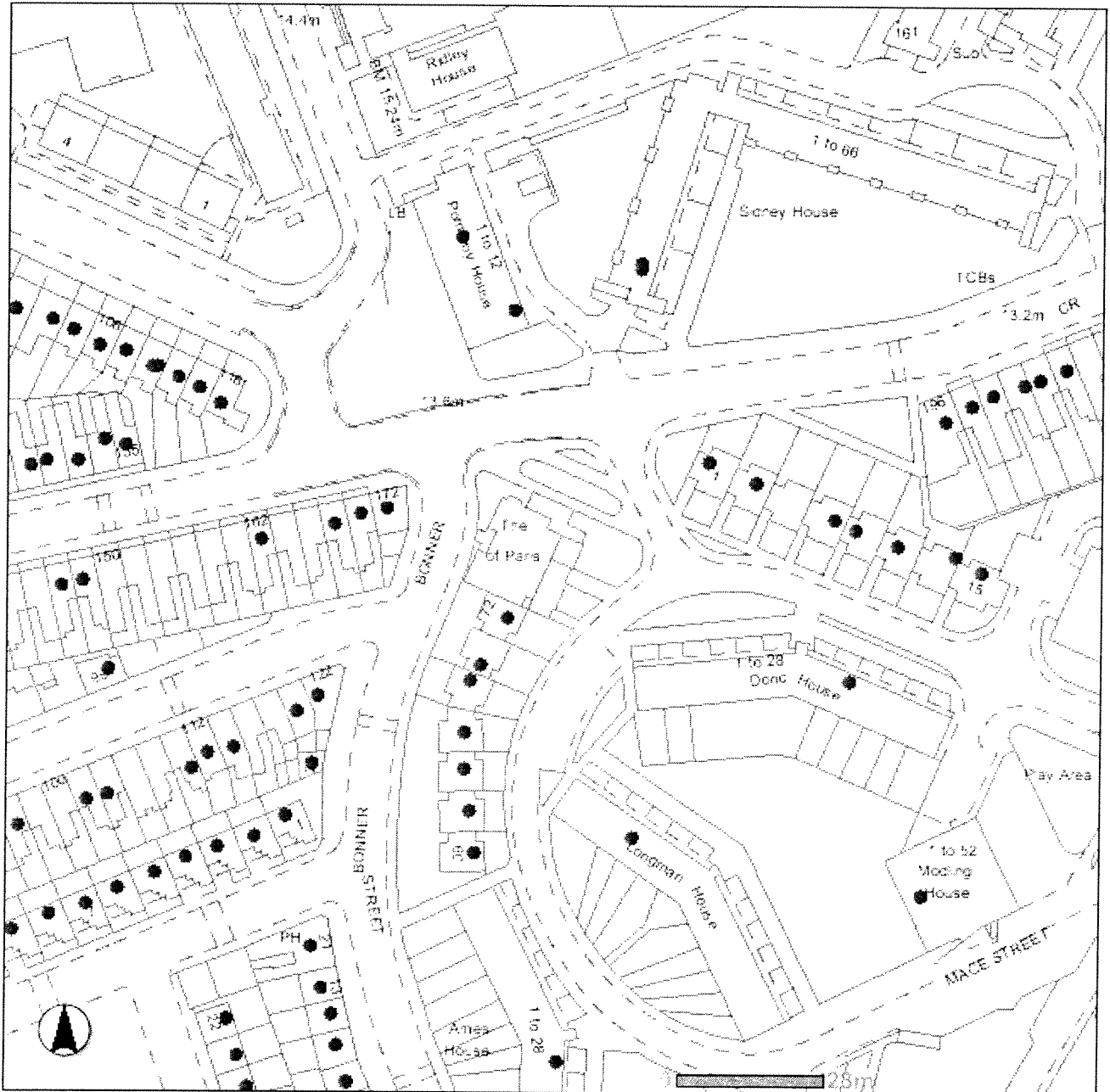
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Map



Scale 1:1228

Map of:

Site Plan

Notes:

74 Bonner Street

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Appendix 6

Section 182 Advice by the DCMS

RELEVANT, VEXATIOUS AND FRIVOLOUS REPRESENTATIONS

- 9.8 A representation would only be “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessman which argued that his business would be commercially damaged by a new licensed premises would not be relevant. On the other hand, a representation that nuisance caused by the new premises would deter customers from entering the local area and the steps proposed by the applicant to control that nuisance were inadequate would be relevant. There is no requirement for an interested party or responsible authority to produce a recorded history of problems at a premises to support their representations, and in fact this would not be possible for new premises. Further information for interested parties about the process for making representations is available in “Guidance for interested parties: Making representations” which can be found on the DCMS website.
- 9.9 The “cumulative impact” on the licensing objectives of a concentration of multiple licensed premises may also give rise to a relevant representation when an application for the grant or variation of a premises licence is being considered, but not in relation to an application for review which must relate to an individual premises.
- 9.10 It is for the licensing authority to determine whether any representation by an interested party is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. Vexation may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Frivolous representations would be essentially categorised by a lack of seriousness. An interested party who is aggrieved by a rejection of their representations on these grounds may challenge the authority’s decision by way of judicial review.
- 9.11 Licensing authorities should not take decisions on whether representations are relevant on the basis of any political judgement. This may be difficult for ward councillors receiving complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared by officials for consideration by the subcommittee before any decision is taken that necessitates a hearing. Any ward councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.
- 9.12 The Secretary of State recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the

representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it. If it then emerged, for example, that the representation should not be supported, the licensing authority could decide not to take any action in respect of the application.

- 9.13 Licensing authorities should consider providing advice on their websites about how any interested party can make representations to them.