

Committee : <b>Licensing Sub Committee</b>	Date	Classification Unclassified	Report No. LSC037/ 809	Agenda Item No.
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Report of <b>Colin Perrins</b> <b>Head of Trading Standards and Commercial</b>	Title <b>Licensing Act 2003</b> <b>Application for a Premises Licence for Café de London, 507 Hackney Road, London E2 9ED</b>
Originating Officer: <b>Jackie Randall</b> <b>Principal Licensing Officer</b>	Ward affected <b>Bethnal Green North</b>

## 1.0 Summary

Applicant: **Café de London Limited**  
Name and **Café de London**  
Address of Premises: **507 Hackney Road**  
**London E2 9ED**

Licence sought: **Licensing Act 2003**  
**The sale of alcohol**  
**Provision of Late Night Refreshment**

Objectors: **Environmental Health**

## 2.0 Recommendations

- 2.1 That the Licensing Committee considers the application and objections then adjudicate 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		Jackie Randall 020 7364 5109

### 3.0 **Background**

- 3.1 This is an application for a premises licence for Café de London, 507 Hackney Road, London E2 9ED.
- 3.2 A copy of the application is enclosed as **Appendix 1**. The applicant has described the nature of the application as follows:  
The sale of alcohol  
Provision of late night refreshment (the supply of hot food and hot drink)
- 3.3 The hours open to the public was omitted from the application however the applicant clarified the hours for these and the hours for the sale of alcohol. The letter is attached in **Appendix 2**.
- 3.4 The hours that have been applied for are as follows:-

#### **Sale of Alcohol (on sales only)**

Monday to Friday from 18:00 hrs to 03:00 hrs the following day  
Saturday and Sunday from 12:00 hrs to 03:00 hrs the following day

#### **The Provision of Late Night Refreshment:**

Monday to Sunday until 03:00 hrs the following day

#### **Hours premises is open to the public:**

Monday to Sunday from 07:00 to 03:00 hrs the following day

- 3.5 Members may wish to note that in relation to the sale of alcohol and late night refreshment this is the same as when the premises close to the public. It is difficult to see how the licence holder will ensure that the licence conditions are met. The problem, of course, is that if sales continue until the last minute the premises cannot be emptied on time. Members are advised to consider a break between the end of the regulated activities and the time the premises closes to the public.
- 3.6 A map showing the relevant premises is included as **Appendix 3**.

### 4.0 **Licensing Policy and Government Advice**

- 4.1 The Council has adopted a licensing policy and this is available from the Licensing Section, and at the hearing. The revised policy came into effect on the 7<sup>th</sup> January 2008.
- 4.2 Relevant Sections of the policy are brought to the attention of Members within the Licensing Officers report.
- 4.3 The Government Minister, the Secretary of State for Culture, Media and Sport has issued Guidance under Section 182 of the Licensing Act 2003. This is available on the Government's website, [www.culture.gov.uk](http://www.culture.gov.uk). It

will also be available at the hearing. It was substantially revised on the 28 June 2007.

- 4.4 Relevant Sections of this advice are brought to Members attention within the Licensing Officers report. Members should note however, that in some areas Tower Hamlets, after a proper consideration of local circumstances, has not followed the Government's advice, or has developed it further.

## 5.0 **Objections**

- 5.1 This hearing is required by the Licensing Act 2003, because relevant representations have been made by the following responsible authorities:  
Environmental Health (**See Appendix 4**)
- 5.2 The application was required to be advertised in a local newspaper and by a blue poster. Only objections that relate to the following licensing objectives are relevant:
- the prevention of crime and disorder
  - public safety
  - the prevention of public nuisance
  - the protection of children from harm
- 5.3 Essentially, the regulatory Authority oppose the application because the applicant has not explained how within the context of longer hours they will meet the licensing objectives, particularly:  
the prevention of public nuisance
- 5.4 There are strict time limits to any representations. The time limits are contained in The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.

## 6.0 **Licensing Officer Comments**

- 6.1 The Licensing Section is not a responsible authority and therefore has no ability to make any relevant representations. The following therefore is intended simply to advise Members of the relevant aspects of the Boroughs Licensing Policy, guidance from the Secretary of State, legislation and good practice. Members may depart from the Council's Licensing Policy and/or Government advice, provide they consider it appropriate to do so, and have clear reasons for their decision.
- 6.2 Guidance issued under section 182 of the licensing Act 2003
- ❖ As stated in the guidance it is "provided for licensing authorities carrying out this their functions." It is a key mechanism for promoting

best practice, ensuring consistent application and promoting fairness (1.6).

Also “so long as the guidance has been properly and carefully understood and considered, licensing authorities may depart from it if they have reason to do so.” When doing so licensing authorities will need to give full reasons for their actions (1.7).

- ❖ Also Members should note “A Licensing Authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives.” (1.10)
  - ❖ Conditions may not be imposed for the purpose other than the licensing objectives.
  - ❖ Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule (10.7).
  - ❖ The Licensing Authority may only impose such conditions as are necessary for meeting the licensing objectives.
  - ❖ It is Government policy that facilities for people and performers with disabilities should be provided at places of entertainment. (S. 10.24).
  - ❖ The Government has stated “there is no general presumption in favour of lengthening licensing hours and the four licensing objectives should be paramount at all times. Where there are objections to an application and the committee believes that changing the licensing hours would undermine the licensing objectives, they may reject the application or grant it with appropriate conditions and/or different hours from those requested.” (10.20)
- 6.3 The Licensing Act 2003 permits children of any age to be on the premises providing they are accompanied by an adult. It is not necessary to make this a condition.
- 6.4 In all cases the Members should make their decision on the civil burden of proof, that is “the balance of probability.”
- 6.5 In all cases Members should consider whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 6.6 The Government has advised that “In the context of preventing public nuisance it is again essential that conditions are focused on measures within the direct control of the licence holder. Conditions relating to public nuisance caused by anti-social behaviour of customers once they

are beyond the control of the licence holder or premises management cannot be justified and will not serve the licensing objectives.” (2.38)

6.7 The Council's licensing Policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.

6.8 Members will find advice on the issues relating to conduct on the premises and egress as follows:

**Appendix 5** Licensing Officer comments on Noise While The Premise Is In Use

**Appendix 6** Licensing Officer comments on Egress Problems

**Appendix 7** Planning

**Appendix 8** Licensing Policy relating to hours of trading

## 7.0 Exemptions

7.1 There are a number of statutory exemptions from the operation of the Licensing Act 2003, and Members need to bear these in mind.

7.2 Acts of religious worship, wherever performed are not licensable.

7.3 Section 177, (1) and (2) of the Act provides that where a premises (or club) is licensed for alcohol consumption on the premises and is primarily thus used, and the permitted capacity does not exceed 200, additional conditions relating to the music should only relate to public safety or the prevention of crime (or both). That is they should not relate to any “noise nuisance.”

7.4 Section 177 (4) provides that where a premises licence (or club) has a capacity of not more than 200 and the only music is unamplified live music between 08 00 hrs and midnight, no additional conditions should be set relating to the music.

7.5 Section 177 can be disapplied on a licence review if it is proportionate to do so.

## 8.0 Legal Comments

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

## 9.0 Finance Comments

9.1 There are no financial implications in this report.

## 10.0 Appendices

<b>Appendix 1</b>	A copy of the application.
<b>Appendix 2</b>	Applicants letter amending hours
<b>Appendix 3</b>	Maps of the area
<b>Appendix 4</b>	Representations of Environmental Health
<b>Appendix 5</b>	Licensing Officer comments on Noise While The Premise Is In Use
<b>Appendix 6</b>	Licensing Officer comments on Egress Problems
<b>Appendix 7</b>	Planning
<b>Appendix 8</b>	Licensing Policy relating to hours of trading

# Appendix 1



FOR OFFICE USE			
RECEIPT / INVOICE NO.	FEE REQUIRED:	Date:	Initials:

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

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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

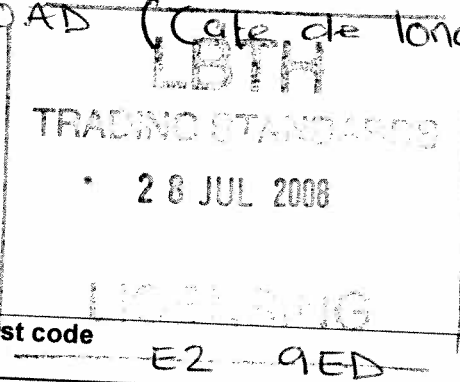
Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep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

I/We (Insert name(s) of applicant) FOISAL AHMED CAFE DE LONDON LTD

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/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	
507 HACKNEY ROAD (Cafe de London) LONDON E2 9ED	
Post town	Post code
LONDON	E2 9ED



Telephone number at premises (if any)

07507559898

Non-domestic rateable value of premises

£



## Part 2 - Applicant details

Please state whether you are applying for a premises licence as

- Please tick  yes  no Please complete section (A)
- a) an individual or individuals\*  please complete section (A)
- b) a person other than an individual \*
- i. as a limited company  please complete section (B)
- ii. as a partnership  please complete section (B)
- iii. as an unincorporated association or  please complete section (B)
- iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) an individual 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  no
- 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  
AHMED

First names  
FOISAL

I am 18 years old or over

Please tick if yes

Current postal address if different from premises address

31 WELSTEAD HOUSE  
CANNON STREET ROAD

Post Town  
LONDON

Postcode  
E1 2LJ

Daytime contact telephone number  
07507559898

E-mail address (optional)  
ahmedfoisal85@hotmail.com

SECOND INDIVIDUAL APPLICANT (if applicable)

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

Surname

First names

I am 18 years old or over

Please tick if yes

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

**B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	CAFE DE LONDON LTD.
Address	507 HACKNEY ROAD LONDON E2 9ED
Registered number (where applicable)	AWAITING
Description of applicant (for example partnership, company, unincorporated association etc)	PRIVATE LIMITED COMPANY
Telephone number, if any	07507 55 98 98
E-mail (optional)	ahmedfaisal85@hotmail.com

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day	Month	Year
01	09	2008

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 note1)

A cafe lounge serving snacks, hotfood & drinks.  
 Counter  
 Stock room  
 serving area with table & sofas.  
 Restricted alcohol areas.  
 Child friendly area.  
 disabled toilets & unisex toilet.  
 Fridge & food display cabinets  
 Marked fire exits & extinguishers.

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)

**Provision of regulated entertainment**

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

**Provision of entertainment facilities for:**

- |  |                          |
|--|--------------------------|
| i) making music (if ticking yes, fill in box I)  | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J)   | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j)<br>(if ticking yes, fill in box K) | <input type="checkbox"/> |

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

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

**In all cases complete boxes N, O and P**

**A**

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

**B**

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

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<p><u>Please give further details here</u> (please read guidance note 3)</p>  <p><u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)</p>  <p><u>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.</u> (please read guidance note 5)</p>
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainment</b> Standard days and timings (please read guidance note 6)			<b>Will the Boxing or wrestling entertainment take place indoors or outdoors or both - please tick</b> (please read guidance note 2)	
Day	Start	Finish	Indoors	
			Outdoors	
Mon			Both	
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				

Please give further details here (please read guidance note 3)

State any seasonal variations for boxing or wrestling entertainment  
(please read guidance note 4)

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

**E**

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

**Will the performance of live music take place indoors or outdoors or both – please tick [Y]**  
(please read guidance note 2)

**Please give further details here** (please read guidance note 3)

**State any seasonal variations for the performance of live music** (please read guidance note 4)

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

**F**

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

**Will the playing of recorded music take place indoors or outdoors or both – please tick [Y]**  
(please read guidance note 2)

**Please give further details here** (please read guidance note 3)

**State any seasonal variations for playing recorded music** (please read guidance note 4)

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

**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 [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 4)	Both		
Tue						
Wed				State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur						
Fri				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) 5)		
Sat						
Sun						

**H**

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing
Day	Start	Finish	
Mon			Please give further details here (please read guidance note 3)
Tue			
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Thur			
Fri			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)
Sat			
Sun			



<b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the facilities for making music you will be providing</b>				
			<b>Will the facilities for making music be indoors or outdoors or both – please tick [Y] (please read guidance note 2)</b>			Indoor	
						Outdoor	
						Both	
Day	Start	Finish	<b>Please give further details here (please read guidance</b>				
Mon							
Tue							
Wed							
Thur							
Fri							
Sat							
Sun			<b>State any seasonal variations for the facilities for making music (please read guidance note 4)</b>				
			<b>Non standard timings. Where you intend to use the premises for the facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</b>				

**J**

<b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the facilities for dancing you will be providing</b>				
			<b>Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (please read guidance note 2)</b>			Indoor	
						Outdoor	
						Both	
Day	Start	Finish	<b>Please give further details here (please read guidance</b>				
Mon							
Tue							
Wed							
Thur							
Fri							
Sat							
<b>Sun</b>			<b>State any seasonal variations for the facilities for dancing (please read guidance note 4)</b>				
						<b>Non standard timings. Where you intend to use the premises for the facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</b>	

**K**

<b>Provision of facilities for entertainment of a similar description to that falling within I or J</b> <b>Standard days and timings (please read guidance note 6)</b>			<b>Please give a description of the type of entertainment facility you will be providing</b>	
			<b>Will the entertainment facility be indoors or outdoors or both – please tick [Y] (please read guidance note 2)</b>	
			Indoor	
			Outdoor	
			Both	
Day	Start	Finish	<b>Please give further details here (please read guidance</b>  <b>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or K (please read guidance note 4)</b>  <b>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)</b>	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				

**L**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)</b>	Indoors	Y
Day	Start	Finish		Outdoors	
Mon	07:00	03:00	<b>Please give further details here</b> (please read guidance)		
Tue	07:00	03:00			
Wed	07:00	03:00	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Thur	07:00	03:00	<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri	07:00	03:00			
Sat	07:00	03:00			
Sun	07:00	03:00			

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick [Y] (please read guidance note 7)</b>	On the premises	Y
Day	Start	Finish		Off the premises	
Mon	07:00	03:00	<b>Please give further details here</b> (please read guidance)		
Tue	07:00	03:00			
Wed	07:00	03:00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Thur	07:00	03:00	<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri	07:00	03:00			
Sat	07:00	03:00			
Sun	07:00	03:00			

Box M continues on the next page...

**Box M continued**

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

**Name**

KOBIR AHMED

**Address**

7 GIBSON CLOSE  
LONDON  
Postcode E1 4JT

**Personal Licence number(if known)**

**Issuing licensing authority (if known)**

**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)**

O

<b>Hours premises are open to the public</b> Standard timings (please read guidance note 6)			<b>State any seasonal variation</b> (please read guidance note 4)
Day	Start	Finish	
Mon			<b>Non standard timings. Where you intend to the premises to be open at different times to those listed in the column on the left, please list</b> (please read guidance note 5)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

P

Describe the steps you intend to take to promote the four licensing objectives:  
a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

Objective of opening a cafe lounge is to promote community cohesion by creating a friendly environment for local & non-local people to come and enjoy healthy food, in a safe environment for both adult & children, maintaining ~~adult~~ public safety in terms of food & hygiene, including a safe & non-violent area.

b) The prevention of crime and disorder

CCTV  
Security guard if open until late night.  
Building friendly, close relationship with local community.  
Holding venue for local community events. In particular for young people.  
Alcohol prevention/control - limiting alcohol intake of customers.  
Exercising age requirement for customers buying alcohol. - 'look 18, think 21'.

c) Public safety

Fire exits  
Hygiene control - cleaning  
Safety signs.  
Quality control of food and hygiene.  
Hazard signs.  
Smoke alarm.  
First aid staff on sight.  
Fire extinguishers  
No gaming machines on sight & no access to semi or full nudity films for any age group.

**d) The prevention of public nuisance**

Meeting environmental health regulations.  
Sound control.  
Minimising work noise.  
Working with local council, groups & voluntary organisations and police.  
Preventing overcrowding by limiting customers allowed into the premise.

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

Keeping sharp & dangerous objects away from children.  
CCTV constant & throughout - monitoring everything.  
Training staff in health & safety, including first aid.  
No children allowed, during unsociable hours.  
Designated child-friendly area.

**You have completed part 3 of this form. Below is a checklist for your assistance.**

**CHECKLIST:**

- |  | Please tick <input type="checkbox"/> yes |
|--|--|
| ▪ I have made or enclosed payment of the fee   | <input checked="" type="checkbox"/>      |
| ▪ I have enclosed the plan of the premises   | <input checked="" type="checkbox"/>      |
| ▪ I have sent copies of this application and the plan to responsible authorities and others where applicable   | <input checked="" type="checkbox"/>      |
| ▪ I have enclosed the consent form completed by the individual I wish to be Premises Supervisor, if applicable | <input checked="" type="checkbox"/>      |
| ▪ I understand that I must now advertise my application  | <input checked="" type="checkbox"/>      |
| ▪ I understand that if I do not comply with the above requirements my application will be rejected             | <input checked="" type="checkbox"/>      |



**Part 4 – Signatures** (please read guidance note 10)

**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**

**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                                 *[Handwritten Signature]*                                

Date                                 28/07/08                                

Capacity                                 40 to 50 people                                

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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)

**Post town** \_\_\_\_\_ **Post code** \_\_\_\_\_

**Telephone number (if any)** \_\_\_\_\_

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

# Appendix 2

Colin Perrins  
Licensing Section  
Mulberry Place (AH)  
PO Box 55739  
5 Clove Crescent  
London E14 1BY

Café de London Limited  
507 Hackney Road  
London  
E2 9ED

Tel 07507 559898  
Email: ahmedfoisal85@hotmail.com

05 August 2008

Your reference  
My reference: LSE/COLIN

Dear Mr Perrins,

**Re: 507 Hackney Road, London 9ED Licensing Act 2003**

Thank you for your recent letter regarding the opening times for Café de London. I would like to confirm the licensable activities include late night refreshment and the provision of alcohol at the premises, as already stated on the application the opening times for the café are:

Normal opening hours:  
Monday – Sunday 07.00 to 03.00

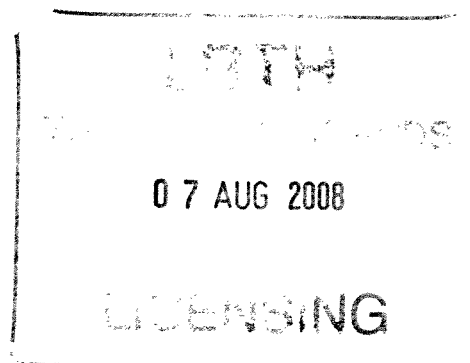
Timings for serving Alcohol are as follows:  
Mon – Fri from 18.00 – 03.00  
Sat – Sun 12.00 – 03.00

I confirm I have written a separate letter to all the relevant authorities you have provided in your letter and trust this will be sufficient in issuing the licenses applied for. However should you require any further information or have any further instructions please do not hesitate to contact me.

Kind Regards,

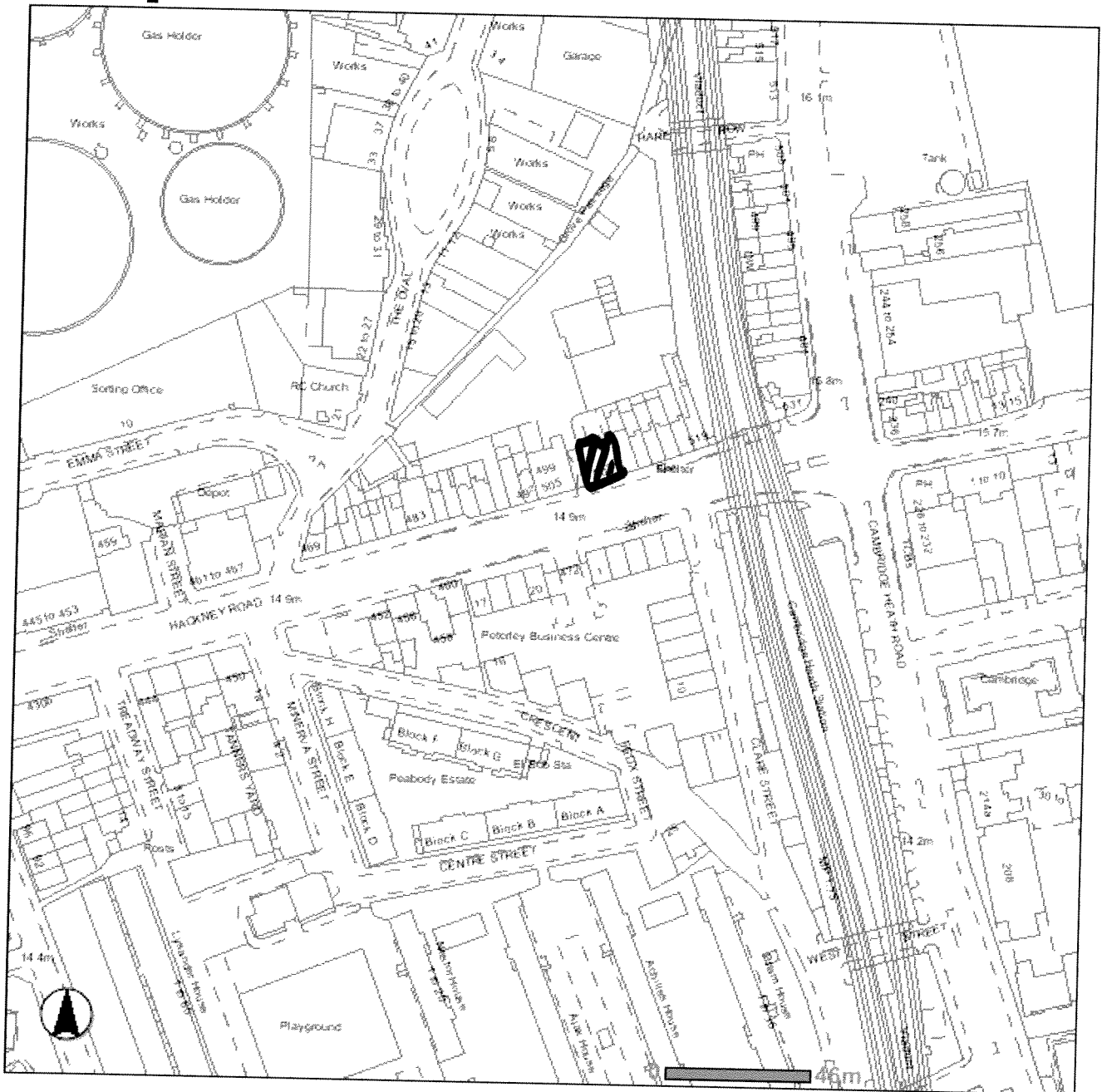


Faisal Ahmed  
Café de London Limited



# Appendix 3

# Map



Scale 1:1985

Map of:

## 507 Hackney Road

Notes:

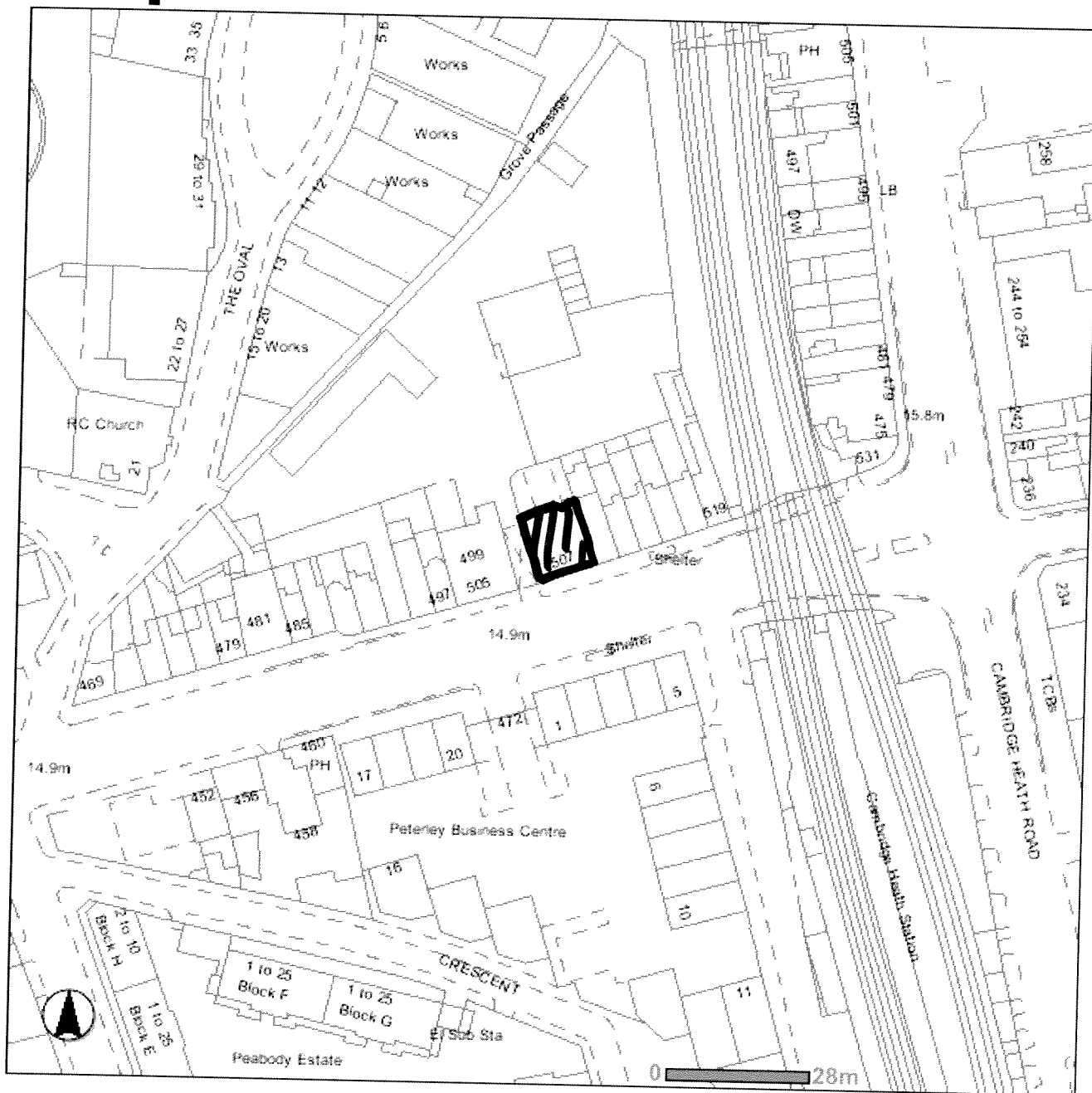
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# Map



Scale 1:1228

Map of:

## 507 Hackney Road

Notes:

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# Appendix 4

**Kathy Butler**

**From:** Sonia Joseph  
**Sent:** 21 August 2008 12:48  
**To:** Kathy Butler  
**Subject:** FW: Cafe De London, Flare Ref:27388

**From:** Lamin Tamba  
**Sent:** 21 August 2008 11:24  
**To:** Sonia Joseph  
**Cc:** ahmedfoisal85@hotmail.com  
**Subject:** Cafe De London, Flare Ref:27388

Ahmed,

Following our conversation the additional information which i requested is confirmed in writing, below:

Directorate of Environment & Culture

To	Licensing	Environmental Health, Environmental Protection
From	EH/EP North Team	Council Offices Anchorage House, PO BOX 55739
Reference	FLARE <b>27388</b>	5 Clove Crescent, London E14 1BY
Extension	6783	
Date	19 June 2008	Tel: 020 7364 5007 Fax: 020 7364 6831E-mail:
Regarding	<b>Café de London,</b>	Email: <a href="mailto:envhealth.envprotection@towerhamlets.gov.uk">envhealth.envprotection@towerhamlets.gov.uk</a>

**507 Hackney Road, London, E2 9ED**

This section objects to this application of a premises licence for **Café de London, 507 Hackney Road, London, E2 9ED**, until further information in relation to the extract ventilation system and its installation details are supplied to us.

**Public Nuisance**

The applicant has not submitted any details of the extract ventilation system for this section to examine in terms of potential public nuisance.

Noise and vibration caused by extract ventilation system could cause public nuisance if unsuitable or improperly installed and maintained. Noise generated from cooling units, e.g. freezers/fridges, chilling units or other machinery could also cause disturbance to people in the vicinity

22/08/2008



especially when such equipment is improperly installed and maintained.

Full details of concerns raised above need to be supplied to Environmental Health for our perusal. This would enable us to make comments as to whether the proposed operations are capable of causing public nuisance especially to nearby residents.

Mr Lamin Tamba

Environmental Health Enforcement Officer

# Appendix 5

## Noise while the premise is in use

### General Advice

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

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

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

### Licensing Policy

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

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

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

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

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

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

### Police Powers

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

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

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

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

Licence conditions should not duplicate other legislation (1.16).

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

### Other Legislation

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

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

# Appendix 6

## Access and Egress problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot  
Disturbance from patrons arriving/leaving the premises by car  
Lack of adequate car parking facilities  
Close proximity to residential properties

### Comment

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

### General Advice

In considering concerns relating to disturbance from egress, Members need to be satisfied that the premises under consideration has been identified as the source of the actual or potential disturbance. If they are satisfied that this is a problem, then proportionate conditions should be considered.

The hours of operation also need to be considered.

If Members believe that there is a substantial problem concerning egress and it cannot be proportionately addressed by licensing conditions, they should refuse the application.

### Licensing Policy

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

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

However, while all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. (**See Section 12.10**)

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

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a "beer garden", or restricted in their use)

- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly

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

The pool of conditions, adopted by the council is recommended (Annex G). The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community. (2.33).

Licence conditions should not duplicate other legislation (1.16).

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

In certain circumstances conditions relating to noise in the immediate vicinity of the premises may also prove necessary to address any disturbance anticipated as customers enter and leave (2.36).

However, it is essential that conditions are focused on measures within the direct control of the licence holder. Conditions relating to behaviour once they are beyond the control of the licence holder cannot be justified. (2.38)

# Appendix 7



## **Planning**

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

# Appendix 8

## **Licensing Policy relating to hours of trading**

All applications have to be considered on their own merits.

The Council has however adopted a set of framework hours as follows

Sunday to Thursday      06 00 hrs to 23 30 hrs

Friday and Saturday      06 00 hrs to midnight

(see 12.8 Of the licensing policy)

In considering the applicability of frame work hours to any particular application regard should be had to the following

- Location
  - Proposed hours of regulated activities, and the proposed hours the premises are open to the public
  - The adequacy of the applicants proposals to deal with issues of crime and disorder and public nuisance
  - Previous history
  - Access to public transport
  - Proximity to other licensed premises, and their hours
- (see 12.8 of the licensing policy)

Subject to any representations to the contrary in individual cases the following premises are not generally considered to contribute to late night anti-social behaviour and will therefore generally have greater freedom

- Theatres
- Cinemas
- Premises with club premises certificates
- Premises licensed for off sales only