

Appendix 1



This form should be completed and forwarded to: Licensing Section, John Onslow House, 1 Ewart Place, London E3 5EQ with a cheque for the correct fee, made payable to the London Borough of Tower Hamlets. You can also pay by phoning 020 7364 5008 or on-line: <http://www.towerhamlets.gov.uk/pay>

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 Mr. Andrei Valentin Marin

(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 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 S-A-N-D Grocery Ltd 98a Coborn Road Bow London			
Post town	Bow	Postcode	E3 2DG
Telephone number at premises (if any)			
Non-domestic rateable value of premises	£ 5700.00		

Part 2 - Applicant details

Please state whether you are applying for a premises licence as appropriate

Please tick as

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | 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 in Wales | <input type="checkbox"/> | please complete section (B) |
| ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/> | please complete section (B) |
| h) the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- | | |
|---|-------------------------------------|
| I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or | <input checked="" type="checkbox"/> |
| I am making the application pursuant to a statutory function or | <input type="checkbox"/> |
| a function discharged by virtue of Her Majesty's prerogative | <input type="checkbox"/> |

Part 2 - Applicant details

Please state whether you are applying for a premises licence as appropriate

Please tick as

- | | | | |
|-----|---|-------------------------------------|-----------------------------|
| a) | an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) | a person other than an individual * | | |
| | i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| | ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| | iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| | iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) | a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) | a charity | <input type="checkbox"/> | please complete section (B) |
| e) | the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) | a health service body | <input type="checkbox"/> | 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 in Wales | <input type="checkbox"/> | please complete section (B) |
| ga) | a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/> | please complete section (B) |
| h) | the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- | | |
|---|-------------------------------------|
| I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or | <input checked="" type="checkbox"/> |
| I am making the application pursuant to a | |
| statutory function or | <input type="checkbox"/> |
| a function discharged by virtue of Her Majesty's prerogative | <input type="checkbox"/> |

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Marin			First names Andrei Valentin		
Date of birth		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes			
Nationality					
Current residential address if different from premises address					
Post town			Postcode		
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes			
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential 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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0	9	03 2020

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

DD	MM	YYYY
1	1	1 1 1 1

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

S-A-N-D Grocery Ltd is a small convenience store situated within a quiet neighbourhood. The business is enjoying tremendous support from the local residents due to our mission statement to provide affordable groceries to all.

As a business S-A-N-D already supplies cigarettes (track & trace compliant), confectionery, household cleaning, baking goods, chilled foods and soft drinks.

We feel that now is the time to complete the range by adding a small range of alcoholic drinks. These will be on sale only basis and not for consumption on the premises and no provision for consumption near premises either.

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

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

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 5)		
Wed					
Thur			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 6)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue						
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)			
Thur						
Fri			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 6)			
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<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 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish		
Mon			<u>Please give further details here</u> (please read guidance note 4)	
Tue				
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)	
Sat				
Sun				

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for the performance of live music (please read guidance note 5)		
Wed					
Thur			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 6)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
			State any seasonal variations for the performance of dance (please read guidance note 5)			
Tue						
			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)			
Wed						
Thur						
Fri						
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Wed			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 (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	07:30	22:00	N/A		
Tue	07:30	22:00			
Wed	07:30	22:00			
Thur	07:30	22:00	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 6)		
Fri	07:30	22:00	N/A		
Sat	09:00	20:00			
Sun	09:00	16:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	[REDACTED]
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	[REDACTED]
Issuing licensing authority (if known)	[REDACTED]

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

The provision and sale of cigarettes within the premises is strictly policed and age challenges are used when the need arises to satisfy the law.

Cigarettes are not promoted by the store and age challenging signs are clearly visible in the store.

The age challenge will also be strictly enforced if the alcohol license is granted.

There are no other activities adult orientated within the store and children are welcome. Alcohol if stocked and supplied would be out of the reach of children and spirits only accessible by store staff behind the counter.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	<p>As we are a new store only began trading 15/11/19, we would like to extend our trading hours in the future but as yet we have no immediate plans. However we may be looking at changing the closing hours during the summer period but would obviously notify using the correct channels.</p> <p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p> <p>None at present</p>
Mon	07:00	22:00	
Tue	07:00	22:00	
Wed	07:00	22:00	
Thur	07:00	22:00	
Fri	07:00	22:00	
Sat	09:00	20:00	
Sun	09:00	16:00	

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

In general we would always ensure that our premises and staff are kept safe, and should not feel threatened in anyway by just carrying out their required duties. We always ensure that are customer are kept safe within our premises and to ensure that no harm will be befitting them while arriving or leaving the premises. We already have a duty to ensure that the immediate surrounding areas are kept tidy and that and customers or members of the public do not congregate in or around the premises, this ensure minimal noise for our neighbours and other local tenants.

b) The prevention of crime and disorder

All staff and owners will be trained in the prevention of crime and disorder including matter such as the prevention of sale of alcohol to drunk individuals or on behalf of drunk individuals. All customer will be advised not to either consume alcohol in or around the perimeter of the store. Any such offences that cannot be dealt with by staff will be reported to the appropriate authorities. For the benefit of safety for our customers and staff we do operate recording CCTV on the site both inside and outside the front of the store.

c) Public safety

Should the premises license be granted to the store clear advertising on challenging ages will be displayed and as per the law this power will be used when the need arises. Should verification be indeterminable then the sale will be refused. The proposal shows the storage areas for wine and spirits which is only visible to the customer. The customer will have to ask to purchase wines and spirits from behind the counter which will be an aid in determining age verification.

d) The prevention of public nuisance

All customers showing a desire or willing to be a public nuisance will be advised to leave the area and to desist from the nuisance. Should this not deter the parties involved then the appropriate authorities will be contacted.

Customers will always be advised to leave the premises in an orderly fashion to ensure our neighbours are not affected by any irresponsible behaviour. Our staff will ensure that the front of the premises is always clear and free of rubbish during and at the end of the day.

e) The protection of children from harm

Children are already observed when entering the premises even if they are accompanied by an adult. Children should never be left alone or unattended within or outside the premises to ensure that no harm will come to them. We currently already have installed inside and outside the premises CCTV recording 24 hours a day and very clear warning to this effect. Thus so far has been an excellent deterrent at ensuring the health, safety and well being of our staff and customers. Constant training in security and UK licensing laws will be ongoing in conjunction with our DPS.

Checklist:

Please tick to indicate agreement

- 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 designated 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.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.


Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	27/02/2020

Capacity	DIRECTOR
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For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	27/02/2020
Capacity	DIRECTOR

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

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. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.

- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;

- o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. 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.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. 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.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. 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 or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications

from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and

any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Appendix 2

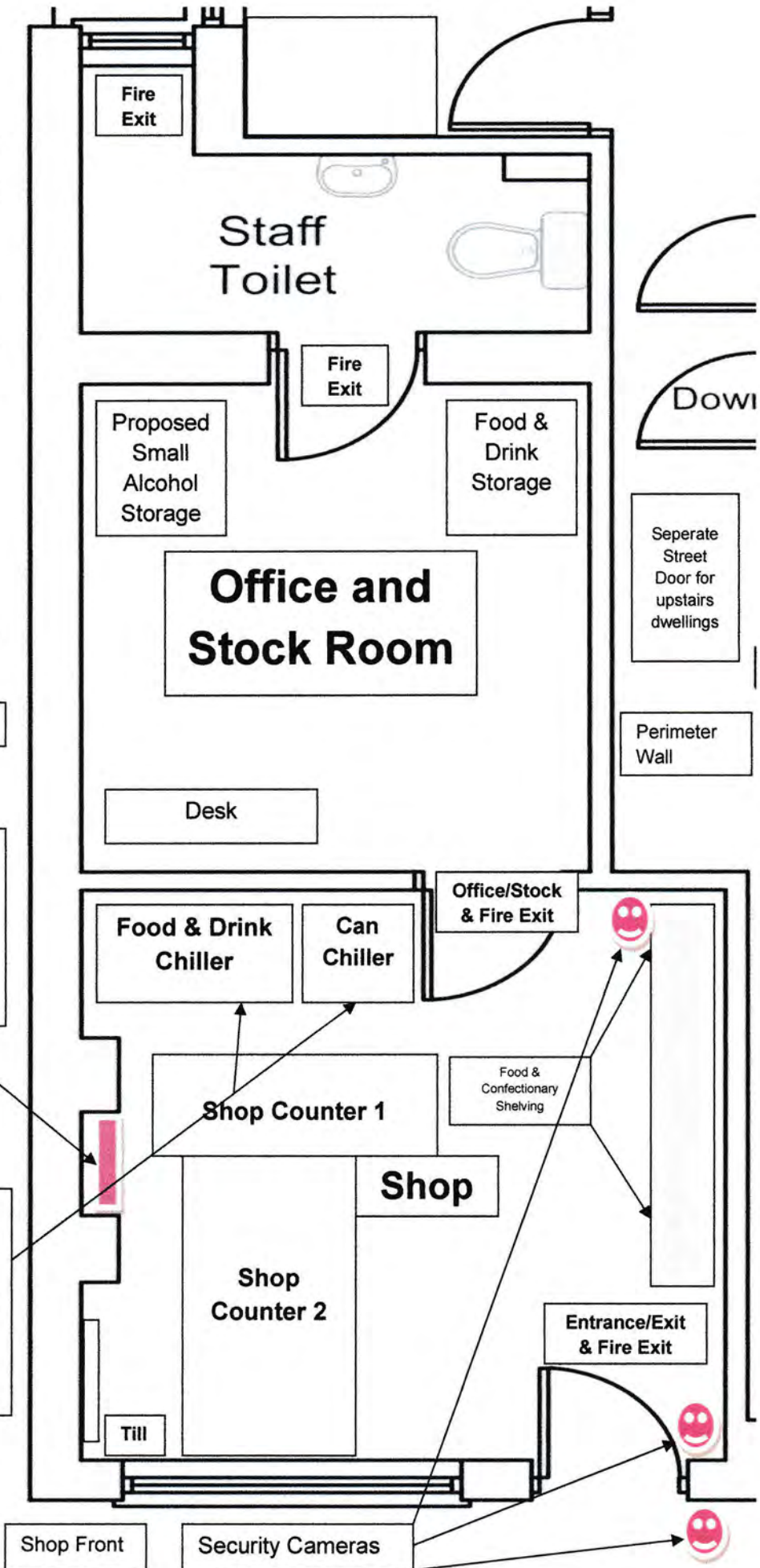
**S-A-N-D
Grocery Ltd**
98a Coborn
Road,
Bow,
London,
E3 2DG

**Ground
Floor
Retail
Premises
Plan**

Perimeter Wall

5 Shelves of
proposed alcohol
display Width
28inch wide x
68inch tall built
into the wall.

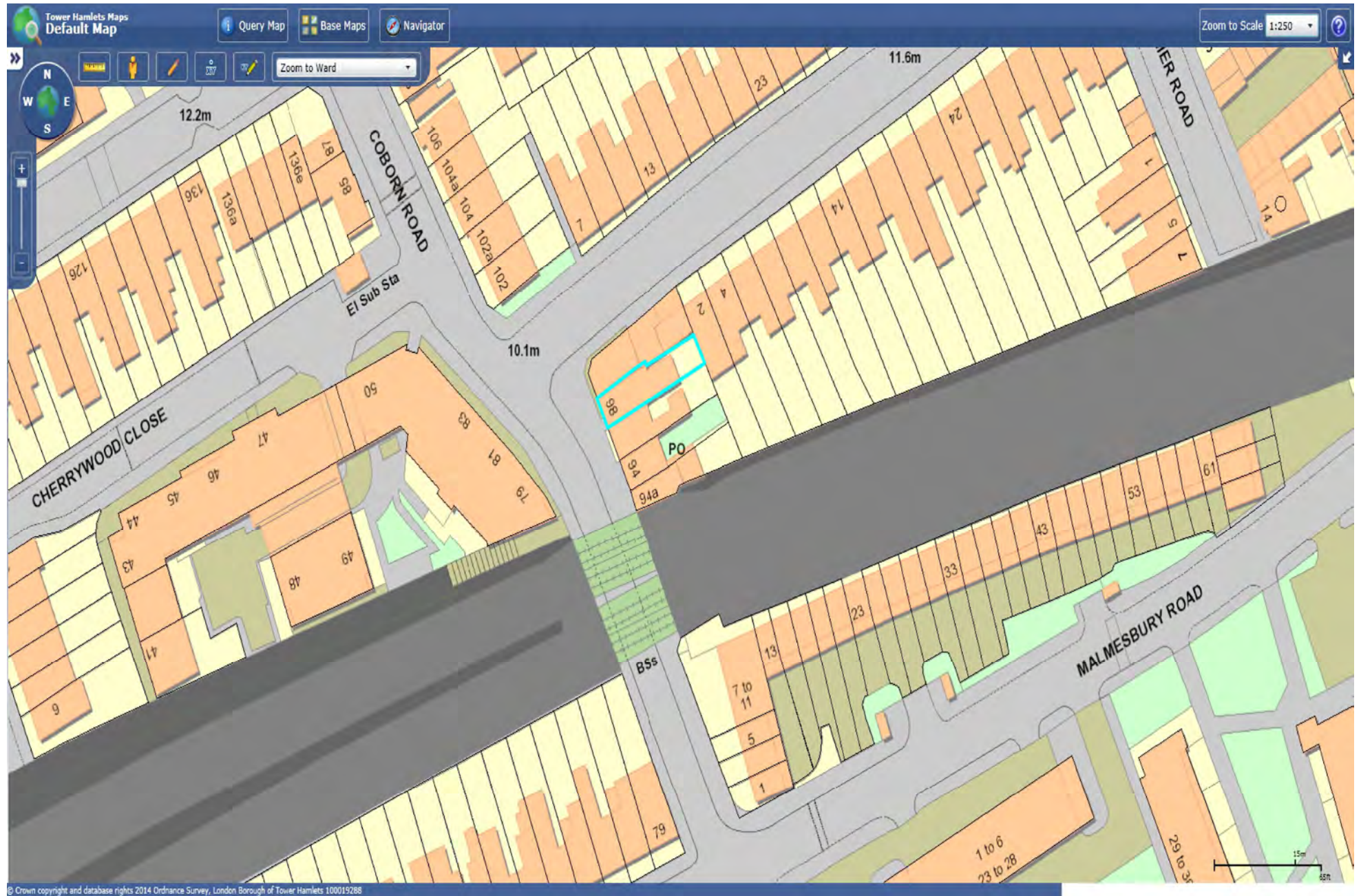
Small amount of
alcohol proposed
to be stored in
the can chiller top
shelf away from
children & food
and drink chiller



Shop Front

Security Cameras

Appendix 3





Appendix 4

New premises licence: SAND, 98a Coborn Road

Name and address	Licensable activities and hours	Opening hours
<p>(Coborn Corner) 110 Coborn Road London E3 2DG</p>	<p>Alcohol shall not be sold or supplied except during permitted hours. (Off sales only) In this condition, permitted hours means: a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m. b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m. c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m. d. On Good Friday, 8 a.m. to 10.30 p.m.</p>	<p>There are no restrictions on the hours during which this premises is open to the public</p>
<p>(Morgan Arms) 43 Morgan Street London E3 5AA</p>	<p>Supply of Alcohol (On and off sales) Sunday to Wednesday 10 00 hrs to 23 00 hrs Thursday to Saturday 10 00 hrs to midnight</p> <p>Late Night Refreshment Sunday to Wednesday 10 00 hrs to 23 30 hrs Thursday to Saturday 10 00 hrs to 00.30 the following day</p> <p>Regulated Entertainment Live Music (on a maximum of 24 occasions a year) Monday to Saturday 10 00 hrs to 22 00 hrs Recorded Music (as background only) Sunday to Wednesday 10 00 hrs to 23 30 hrs Thursday to Saturday 10 00 hrs to 00 30 hrs the following days</p> <p>12 Special events until 02 00 hrs, with a minimum of 7 days notice in writing to the Metropolitan Police who have an absolute veto.</p>	<p>Sunday to Wednesday 10 00 hrs to 23 30 hrs Thursday to Saturday 10 00 hrs to 00 30 hrs the following day</p>
<p>(The Coborn Arms) 6-8 Coborn Road London E3 2DA</p>	<p>The sale by retail of alcohol (on and off sales):</p> <ul style="list-style-type: none"> • Monday, Tuesday and Wednesday from 08:00hrs until 23:30hrs • Thursday, Friday and Saturday from 08:00hrs until 00:00hrs (midnight) • Sunday from 10:00hrs to 23:00hrs. • On no more than 15 non-standard timings per year including Bank Holidays from 10:00hrs until 00:00hrs (midnight). 7 clear days' notice to be given to the Police, Licensing Authority and Environmental Health who will advise on noise limiting. Police will have right to veto. 	<ul style="list-style-type: none"> • On Monday, Tuesday and Wednesday from 08:00hrs until 00:00hrs (midnight) • On Thursday, Friday and Saturday from 08:00hrs until 00:30hrs (the following day) • On Sunday from 10:00hrs until 23:30hrs • On no more than 15 non-standard timings per year including Bank Holidays from 10:00hrs until 00:30hrs (the

New premises licence: SAND, 98a Coborn Road

	<p>Note: However, New Year's Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 23:00hrs on New Year's Eve and 11:00hrs on New Year's Day.</p>	<p>following day)</p>
<p>(Lord Tredegar) 50 Lichfield Road London E3 5AL</p>	<p>The sale by retail of alcohol (On and off sales)</p> <p>Monday to Thursday – 11am to 11pm Friday and Saturday – 11am to 12 midnight Sunday – 12midday to 10.30pm</p> <p>The provision of regulated entertainment</p> <p>(Live and recorded music and entertainment of a similar description)</p> <p>Monday to Saturday– 11am to 11pm Sunday – 12midday to 10.30pm</p> <p>The above activities shall also be allowed for:</p> <ul style="list-style-type: none"> ▪ A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/ Whitsun Bank Holiday and every August Bank Holiday weekend ▪ A further additional hours into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. ▪ A further additional hour every Christmas Eve. ▪ A further additional hour every Boxing Day. <p>From the usual end time on New Year's Eve to the Usual start time on New Year's Day.</p>	<p>Monday to Thursday – 11am to 11pm Friday and Saturday – 11am to 12 midnight Sunday – 12midday to 10.30pm</p> <p>The premises may remain open to the public:</p> <ul style="list-style-type: none"> ▪ A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/ Whitsun Bank Holiday and every August Bank Holiday weekend ▪ A further additional hours into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. ▪ A further additional hour every Christmas Eve. ▪ A further additional hour every Boxing Day. ▪ From the usual end time on New Year's Eve to the Usual start time on New Year's Day.
<p>(Cornucopia) Bevan Court Shop Unit 246 Tredegar Road London E3 2GP</p>	<p>The sale by retail of alcohol (Off sales only) Monday to Sunday 08:00 – 23:00</p>	<p>Monday to Sunday 08:00 – 23:00</p>

Appendix 5

Section 182 Advice by the Home Office Updated on April 2018

Relevant, vexatious and frivolous representations

9.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.

9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.

9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority’s corporate complaints procedure. A person may also challenge the authority’s decision by way of judicial review.

9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this

Guidance, an assessment should be prepared by officials for consideration by the sub-committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.

9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

9.10 Licensing authorities should consider providing advice on their websites about how any person can make representations to them.

Appendix 6

Beverley Charters
[REDACTED]
[REDACTED]
[REDACTED]

19th March. 2020

Objection to:

Premises Licence for S-A-N-D Grocery Ltd, 98a Coborn Road, E3 2DG

Name and address:

Beverley Charters, [REDACTED]

The name and address of the premises you want to object to:

S-A-N-D Grocery Ltd, 98a Coborn Road, E3 2DG

Licensing aims that we believe will not be met if this licence is granted

- Protection of Children from Harm
- Prevention of Crime and Disorder
- Prevention of Public Nuisance
- Public Safety

Context: We live in [REDACTED]; a couple of roads away, just off Coborn Road. This is mainly a residential area, and, we believe, already well enough served by licensed premises for the local residents.

Coborn Road is the boundary of the Mile End Old Town Residents Association (MEOTRA).

We were concerned to see in the local newspaper notice of a license application for this new grocery store in Coborn Road. The shop has only been open for a few months, in a premises not previously used as a grocery store, or licensed premises. It currently doesn't sell any licensed goods. If this application is granted then the licensing hours are to be:

Monday - Friday 07.30 - 22.00

Saturday 09.00 - 20.00

Sunday 09.00 - 16.00

Coborn Road is a busy pedestrian, cycle and vehicular route. In fact, just off Coborn Road are two schools; the Malmesbury Primary School for junior children, and the Central Foundation Girls' School, now on Bow Road/Corner of Coborn Street, but previously located in Tredegar Square. Many of these pupils and their parents/carers will need to pass these premises on their way to and from school each day. With the licensing hours requested, opening before, throughout and after the school day, I would suggest that there is potential for harm to children as an additional premises licence here offers new temptation, potential harm to children and young people.

The area is already, we feel, well served by licensed premises. There are already off sales in the nearby corner shop (?Coborn Corner) and at the other end of the road, in the Tesco Express store. Round the corner at the other end of Morgan Street the "Olde Corner Shoppe" also is licensed for sale of alcohol. Between these three premises the area is

already well covered for the off-sale to residents of alcoholic drinks, for this full range of times, should these be required. Furthermore, there are three public houses offering in-sales (Lord Tredegar on Lichfield Road, Morgan Arms on the junction of Coborn Road and Morgan Street, and the Coborn Arms, on Coborn Road itself). Other licensed premises are in local streets within walking distance such as Tredegar Road and Roman Road.

We have talked amongst ourselves within the local neighbourhood and we can't see that there is any additional requirement from the local residents for additional licensed premises to be made available. We therefore question whether this new licence is to serve a local population, or is an attempt to attract sales from further afield? We are concerned that the availability of increased off-sales opportunities in this area would further add to the anti social behaviour which is currently experienced, perhaps with larger numbers of people coming into the area later in the evening, and hanging around the streets to consume the alcohol bought at this address? There are many instances of crime and antisocial behaviour reported in and around Roman Road and that area has become menacing for many of us, certainly in the evenings when crowds and gangs gather around both licensed premises and fast food outlets. Roman Road is not a direct comparator of course as it is largely a commercial road, rather than the mainly residential area of Coborn Road and its environs. Should it develop, such behaviour could represent a public safety issue as it is a busy thoroughfare for people going to and from their homes at all hours.

LBTH Liveable Streets:

“The Liveable Streets programme will improve the look and feel of public spaces in Bow. The programme is part of the Love Your Neighbourhood initiative which aims to improve the area for all Tower Hamlets residents by making changes to the street infrastructure”

From the recent community consultation meetings through the LBTH “Livable Streets” initiative we have been advised that the area of Coborn Road and Malmesbury Estate is already an area of concern, largely around groups of youths congregating, drug trafficking and various public nuisance offences. It is of concern to many of us locally that more late night alcohol availability could add to those problems.

The shop has no dedicated parking but is on a single yellow line, and located very close to the “nasty” left turn from Tredegar Road on one side, and the rail bridge, and slight dip in the road on the other side. Traffic does build up in this area anyway and cars have to wait in turn to and from both directions when they turn in and out of Tredegar Road at this point. I am rather concerned that out of hours and in particular evening hours may bring the possibility of people parking briefly in the road here, potentially causing congestion and/or accidents in what is already a tight space, identified as a pinch point.

We are told that one of the LBTH proposals is to largely close off part of Coborn Road to vehicular traffic both to prevent the road use as a “rat run”, but also with a view to cutting down the existing and various nuisance and criminal activities. We are concerned that the introduction of the early morning and late night off-sales of alcohol at this new site would possibly hinder this safer streets initiative, as people could gather and hang around to drink alcohol in groups, and in particular if the road by the premises is closed off, it could become an easier meeting point with potential for public nuisance, crime and disorder?

It is disappointing that there has been no consultation with any local residents or other businesses, as far as we can see. We would be interested to understand the business plan behind this application; to see if there is a local need for additional alcohol off-sales, and the results of any commitment from the potential licensee as to how he/they will ensure that none of our concerns come to fruition; that alcoholic off-sales from this site are safe, and the local area, children and other residents are protected from additional nuisance, crime, public safety issues etc, on adding to those that already exist, and those that were flagged up to us in the various Liveable Streets workshops.

To conclude, I and various neighbours are concerned about each of the following four categories, on which I have based this representation:

- Prevention of Crime and Disorder
- Prevention of Public Nuisance
- Public Safety
- Protection of Children from Harm



Yours faithfully,
Beverley Charters

Appendix 7

C. Woodford - [REDACTED]

The Licensing Section
London Borough of Tower Hamlets

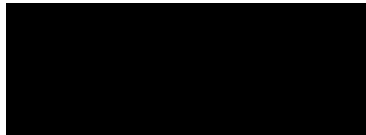
John Onslow House
1 Ewart Place
London
E3 5EQ

Re: application for premises licence S-A-N-D Grocery Ltd,
98a Coborn Road, E3 2DG

To Whom It May Concern:

I am writing to object to the above application. These premises are in proximity to similar businesses close by including Tesco and an established grocery store and can see no benefit in having an additional business of this type in what is a conservation area.

Kind regards



C. Woodford



Mohshin Ali

From: Carol Woodford [REDACTED]
Sent: 29 March 2020 12:32
To: Mohshin Ali
Subject: New premises licence application S-A-N-D grocery Ltd ,98a Coborn Road,e3 2dg

Thank you for your letter ref. CLC/LIC/127163/MA.

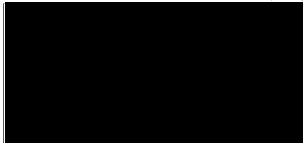
My concerns that the late night access more so, of alcohol could cause anti social behaviour.

These premises are situated with ample space outside to accommodate gatherings, bikes etc.
This may well make it attractive as a meeting venue.

Kind regards
Carol Woodford

Appendix 8

Mr. Mrs. D & J Newland



6th March 2020

To the Licensing Section,

I wish to oppose the issuing of a Licence to sever alcohol to S-A-N-D grocery at 98a Coborn Rd. I oppose this on the following reasons,

We are adequately served with Alcohol within this location, The Coborn Arms at the top of Coborn Rd, and then with the Morgan Arms in the middle of Coborn Rd., finishing off with the Mace stores at the bottom of Coborn Rd.

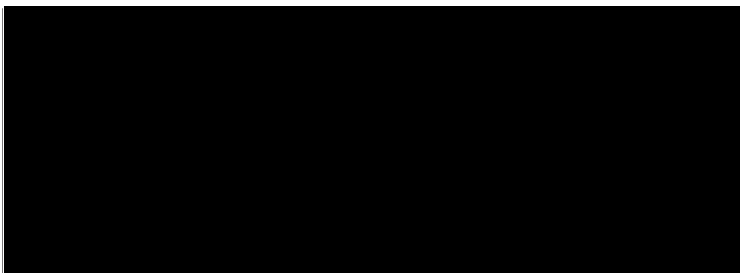
Mace stores is also just 3 minutes walking distance from S-A-N-D Grocery they are in shouting distance of one another.

We are also opposed to the late times for the store to be open and selling alcohol which we feel will only heighten anti- social behaviour. We have enough rubbish and bad behaviour issues on going within the area without adding late night drinking. If people want to drink then the pubs are open to accommodate them.

The surrounding streets do not need any more litter or nuisance behaviour which we feel will increase with the issuing of a license to this store.

Regards

D. & J. Newland



Appendix 9



9 March 2020

The Licensing Section
London Borough of Tower Hamlets
John Onslow House
1 Ewart Place
London E3 5EQ

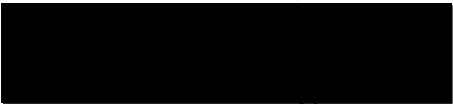
Dear Sirs

Re: Application for a Premises Licence from S-A-N-D Grocery Ltd
98a Coburn Road Bow London E3 2DG

I am concerned about this application for a licence for very extensive hours, 7.30am to 10pm Monday to Friday, and from 9am until 8pm on Saturday as well as 9am to 4pm on Sundays. This shop is in the middle of a residential area, and awkwardly situated in that it is illegal (and dangerous) to park outside. Also, I fear the late hours may give rise to anti social behaviour.

There are plenty of alternatives within a short walking distance, for example the Tesco store on Bow Road.

Yours faithfully



Diana Wright



Appendix 10

Mohshin Ali

From: Kathy Driver on behalf of Licensing
Sent: 26 March 2020 12:37
To: Mohshin Ali
Subject: FW: CLC/EHTS/LIC/127163: S-A-N-D Grocery

From: Jacqueline Kavanagh [REDACTED]
Sent: 25 March 2020 20:43
To: Licensing
Subject: CLC/EHTS/LIC/127163: S-A-N-D Grocery

To whom it may concern,

I am writing to oppose the granting of the application for premises license at 98a Coborn Road.

My name is Jacqueline Kavanagh and I live at [REDACTED]. This means I am a close neighbour to this establishment.

There is another alcohol vendor approximately 40 meters / 20 seconds away from this location. There are also 3x pubs within a five minute walk. This grant would add nothing different to what is already available within a 20 second walk.

This is a residential neighbourhood that already suffers from racing cars, noise pollution and actual air pollution. Providing a grant for another off licence in this location is irresponsible and flies in the face of the ongoing Liveable Streets project.

This will encourage idling cars, increased traffic and late night anti-social behaviour - which we already have plenty of due to the pub closing hours.

Please consider the future environment and community that you want to create in Tower Hamlets.

Thank you and please feel free to reach out with any questions.

Very best,

Jacqui & Joel
[REDACTED]

--
JACQUELINE KAVANAGH
[REDACTED]

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

[REDACTED]

Appendix 11

Mohshin Ali

From: Vincent Fajilagmago on behalf of Licensing
Sent: 25 March 2020 11:32
To: Mohshin Ali
Subject: FW: Objection to S-A-N-D Grocery, 98a Coborn Rd E3 2DG

fyi

From: Mohsin Yemani [REDACTED]
Sent: 24 March 2020 21:39
To: Licensing
Subject: Objection to S-A-N-D Grocery, 98a Coborn Rd E3 2DG

Dear sir/madam,

I am extremely dumbfounded by the fact that Tower Hamlets council is considering granting another alcohol selling license to a store within a few meters of an existing retailer within the middle of a residential area; living in an area inundated with anti social behaviour, drug selling and addiction, high levels of unemployment and medical illness I cannot fathom as to why this council would even consider any such license. There is no need; moreover the negative impact of this will be significant on the lives of the local residents whose well being and concern is not being considered.

It has been evidentially proven that alcohol is directly linked to domestic violence, antisocial and violent behaviour, crime and abuse.

Living directly opposite to this store with its ridiculous extended hours I have seen and am living with the increased anti social behaviour- noise, loitering, littering. I also have grave concerns around the sale of alcohol and the knock on effect on drunk, unruly and violent behaviour.

A license such as this is breaking up the peace within the community, increasing the risk to public safety {specifically the young, elderly and vulnerable}.

Apart from profiteering, there is absolutely no justifiable reason within the realms of human sanity and logic that would allow such a license to be granted.

I write this email strongly objecting against this application for the reasons cited above.

Regards
M. Yemani

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

Appendix 12

Mohshin Ali

From: S M [REDACTED]
Sent: 21 March 2020 11:02
To: Licensing
Subject: Objection to S-A-N-D Grocery, 98a Coborn Rd E3 2DG

Follow Up Flag: Follow up
Flag Status: Completed

Objection to S-A-N-D Grocery, 98a Coborn Rd E3 2DG

Dear sir/madam, I am extremely dumbfounded by the fact that Tower Hamlets council is considering granting another alcohol selling license to a store within a few meters of an existing retailer within the middle of a residential area; living in an area inundated with anti social behaviour, drug selling and addiction, high levels of unemployment and medical illness I cannot fathom as to why this council would even consider any such license. There is no need; moreover the negative impact of this will be significant on the lives of the local residents whose well being and concern is not being considered.

It has been evidentially proven that alcohol is directly linked to domestic violence, antisocial and violent behaviour, crime and abuse.

Living directly opposite to this store with its ridiculous extended hours I have seen and am living with the increased anti social behaviour- noise, loitering, littering. I also have grave concerns around the sale of alcohol and the knock on effect on drunk, unruly and violent behaviour.

A license such as this is breaking up the peace within the community, increasing the risk to public safety {specifically the young, elderly and vulnerable}.

Apart from profiteering, there is absolutely no justifiable reason within the realms of human sanity and logic that would allow such a license to be granted.

I write this email strongly objecting against this application for the reasons cited above.

Regards
S. Miah

Appendix 13

Mohshin Ali

From: Andrei Marin Darryl White-McDowall <[REDACTED]>
Sent: 05 May 2020 14:43
To: Mohshin Ali
Cc: Simmi Yesmin
Subject: Alcohol License Application - Supporting Documents - For Objections
Attachments: D.Wright.pdf; C.Woodford.pdf; J.kavanagh.pdf; D.J.Newland.pdf; B.Charters.pdf; M.Yemani.pdf; Reply to Beverley Charters Objection.docx; PoliceConditions.AGREED.pdf; Reply to Carol Woodford.docx; Reply to Jacqueline Kavanagh.docx; Reply to Diana Wright.docx; S.Miah.Address.pdf; Reply to S.Miah.docx; Reply to Mr & Mrs Newland.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon Mohshin,
After speaking to Simmi Yesmin at the Democratic Services today, who was most helpful and in turn advised us to forward to yourself all of our replies to the objections you recently sent us with regards to our application for the alcohol license. Simmi advised us that you would then compile these replies with your report ready for the hearing to take place hopefully soon.

Please find attached all of the relevant documents with the replies from us.

Should you require any further information please do not hesitate to contact us.

Kind regards

--

Andrei Marin - Director
Darryl White-McDowall - Company Secretary
S-A-N-D Grocery Ltd



S-A-N-D Grocery Ltd - 98a Coborn Road - London - E3 2DG

Objection – Rebuttal for Beverley Charters of [REDACTED]

In reply on 15/04/20 to Objection for the Alcohol License Application dated 19/03/20:

Firstly we would request ask that this rebuttal to Beverley Charters objection be taken into consideration.

In the context section of Beverley Charters in depth letter of objection we note from this that Coborn Road is the boundary of the Mile End Old Town Residents Association, (MEOTRA) and in the first instance should not be considered whatsoever in conjunction with the MEOTRA as it not under any kind of jurisdiction. This group is merely a residents group. Understandably to campaign to keep the area to a standard but one such associations views should not be used as a speaking point for one person as there no evidence of the whole association objecting against the license being granted thus resulting in the MEOTRA views should not be taken into consideration as it not noted that any vote was undertaken and this objection is purely the personal views of Beverley Charters and the word “WE” should not be used in this objection but should be replaced with “I”. Beverley Charters states that this store has never been a grocery store which is incorrect. There was in fact a parade of stores on the Coborn road including number 98 which were all closed in the late 1940’s. Please see picture below.



We do agree sometimes, Coborn Road is a busy road but only in peak times for example morning, lunchtime and evenings. The locations of where the two local schools were in history is of no importance is this objective and should be removed. Central Foundations Girls School now on Bow Road is nowhere near S-A-N-D Grocery Ltd store and should not be used in this objection as it has no relevance. It is stated that many parents and pupils will use Coborn Road to attend the school. The grocery store is unable to make or force local residents to take another route and currently welcomes the parents and children and the store has some very good friendships created by the parents and children who would more than likely agree that our standards are extremely high both within the store and outside of the store. The grocery store believes that this Beverley Charters suggestions that there is potential for the harm of children to be slanderous and a viscous attack on the store itself. There is no truth in this statement and the owner of the store is distressed at this statement and suggestion of potential harm to children. The store owner finds this unfounded and may in turn seek legal advice on this subject.

We would like to state that it is merely an opinion of Beverley Charters that the area is as stated “well covered for the off sale-sale to residents of alcoholic drinks” Furthermore in Beverley Charters letter it is advised that there are three public houses in close proximity to each other and did they receive a barrage of objection statements from Beverley Charters when they began business and applied for their licences?

Beverley Charters states “We have talked amongst ourselves within the local neighbourhood” The owner has been asking local residents of said discussion and nobody has heard anything of this nature nor even heard of the residents group itself. It is not any business of Beverley Charters as to our business aims and shall remain so and again the owner will dispute the fact that Beverley Charters has stated the owners are attracting sales from further afield. This is absolutely not a concern for Beverley Charters to be discussing as shoppers demographically can be made up of local residents and customer passing through and is the same with regards to any retail establishment in the United Kingdom. If Beverley Charters is concerned with regards to the Anti Social behaviour then maybe the association and its head speaker may wish to consult further with the Metropolitan Police instead of slandering shop owners within the local area. Within the 4.5 months the store has been open the owner has stated that there has not been any experience of anti social behaviour in the local area and would consider the area to extremely pleasant and well catered for by the Metropolitan Police. Statements such as “larger numbers of people coming into the area later in the evening and hanging around the streets to consume alcohol bought at this address” are absolute rubbish. Did Beverley Charters state the same words when three other convenience stores and three other public houses applied for their licences?

It is with regret that Beverley Charters “There are many instances of crime and antisocial behaviour reported in and around the Roman Road area that has become menacing for many of us” The grocery store and indeed Beverley Charters is not located near the Roman Road at all and this statement has no evidence supplied and is not located in the situ of the store or Beverley Charters and said statement should be removed and not considered. Beverley Charters constant and numerous suggestions are exactly that, suggestions and results of here say from the residents association not even in the ward of Coborn Road but on the boundary.

The store owner is extremely concerned and distressed that Beverley Charters has again suggested that if the store is granted a license it would only add to “drug trafficking and various other public nuisances” this is now being considered as a slanderous remark and totally uncalled for and is placing a slur on the good reputation of the store owner and quite frankly appalling.

Beverley Charters states further “The shop has no dedicated parking but is on a single yellow line” this would be the same yellow line that befriends the three other convenience stores again with no parking and two public houses again with no parking and Tesco's on the Bow Road. The owner see no evidence or reasoning behind this statement. The owner of the store has no capability or wish to change the flow of traffic and does not believe in any way shape or form that this would be a responsibility of the shop owner and would be again a topic for a residents association if the shop owner was to open a shop in any other London Borough. This simply has no standing in the objection and is merely mindless chit chat in order to pad out the objection letter.

Every single paragraph of this letter is filled with accusations and what if's and suggestions which there is clearly no evidence and no reasoning behind this rather viscous attack on the shop owner with many topics raised by Beverley Charters having no association with the topic of the objection letter.

Beverley Charters states that “it is disappointing that there has been no consultation with any other local residents or other businesses, as far as we can see” This statement is purely fantasy as there is no law that currently states that there must be consultation with local residents or residents associations and other businesses regarding licensing applications. If this were the case it would take several years to receive an alcohol license. This is why the authorities request advertisements in local newspapers are placed and blue notes are also place in the window of the property subject to size. It is quite obvious that Beverley Charters has never even been to the store or walked around this part of the neighbourhood on a regular basis as Beverley Charters would have also noted that the store did display a blue note in the window for the requested amount of time and would not have waited to see and review every article and advertisement within the Docklands and East London Advertiser local newspaper.

Beverley Charters has stated

“We would be interested to understand the business plan behind this application; to see if there is a local need for additional alcohol off-sales, and the results of any commitments from the potential licensee as to how he/they will ensure that none of our concerns come to fruition; that alcoholic off-sales from this site are safe, and the local area, children and other residents are protected from additional nuisance, crime, public safety issues etc, on adding to those that already exist, and those that were flagged up to us in the various Liveable Streets Workshops” *(all one sentence)*

The owner of the store is very distressed at this last statement as it seems that Beverley Charters is immediately linking and grouping the store with crime in the area which is absolutely preposterous and serious grounds for slander. It is of absolutely no business whatsoever and or any grounds that Beverley Charters should be entitled to see any business plans that are used by the company and such request would be denied on any

occasion. The store owner has stated that it would fulfil the correct licensing guidelines and will fulfil this promise. Beverley Charters should be advised that these guidelines can also been found on line for reference purposes of the association as it is not the responsibility of the store owner to furnish Beverley Charters with these documents. It would seem from this statement that Beverley Charters is indeed objecting for the sake of objecting and there absolutely no foundation or justification in writing this full scale attack on the owner and the business itself. The owner cannot see under any situation what this objection hopes to succeed in and therefore fully object to this letter of objection and all of its contents and the points therein.

Yours sincerely

Andrei Marin – Director.



S-A-N-D Grocery Ltd - 98a Coborn Road - London - E3 2DG

Objection – Rebuttal on 15/04/20 for objection dated 17/03/20 Carol Woodford at

The store owner cannot see any relevance in this objection as the store has never been classified and nor will ever be as a meeting place or point. The store was opened on November 15th 2019 and has never had any bikes gathering outside and this is something that does not happen to the other stores in the local area that do have alcohol licenses. It is the owner's responsibility should such occasions arise to immediately disburse them. To be quite honest the likelihood of anything like this happening are extremely slim. The owner confirms that this is a fairly quiet part of the neighbourhood and is quite often the only shop open and the only visible person on the street on many evenings of the week.

Yours sincerely

Andrei Marin – Director.



S-A-N-D Grocery Ltd - 98a Coborn Road - London - E3 2DG

Objection – Rebuttal on 15/04/20 for objection from Mr D & Mrs Newland,

The only point in this objection the owner would like to highlight from within this objection is the point made about the additional rubbish within the area.

Below are three pictures the first two pictures taken only a few houses away from 37 Tredegar Road which shows an appalling amount of rubbish bags piled up on Tredegar Road and the contents strewn all over the paths. This is the same along the majority of the Road.





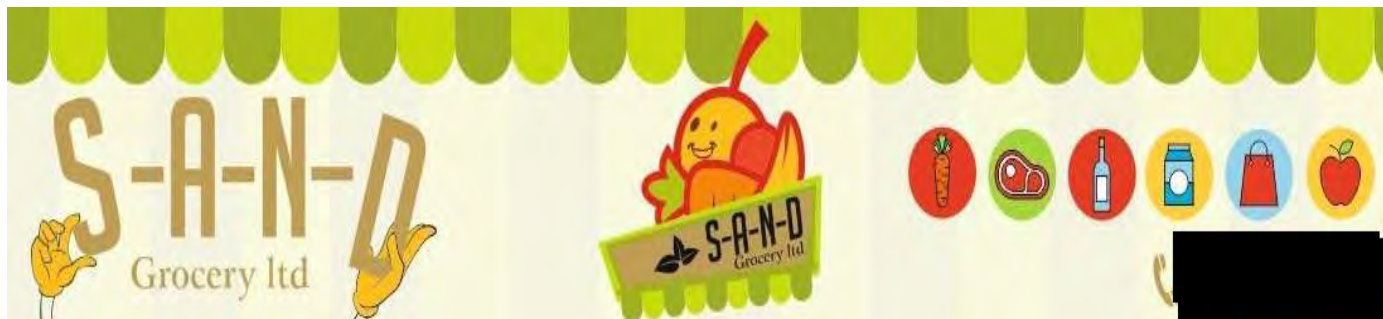
The 3rd and final picture again taken today 15/04/20 outside the Store looking down Coborn Road.



I think this explains itself that there is more rubbish on Tredegar Road than there is on Coborn Road even with a Grocery Shop trading on it. It is quite a shame that the residents are not taking a pride in their street and indeed there area.

Yours sincerely

Andrei Marin – Director.



S-A-N-D Grocery Ltd - 98a Coborn Road - London - E3 2DG

Objection – Rebuttal on 15/04/20 for objection from Diana Wright of [REDACTED] dated 9/03/2020

For this objection the owner advises that there are 4 convenience stores awkwardly situated on yellow lines in this residential area where they are illegal (and dangerous) to park outside of so as far as parking is stated it is the same for all. The owner of this store just like the other store does not endorse or promote parking outside the store. It is part of the driving theory nowadays to understand parking on yellow lines and the restrictions they impose. A store owner has no obligation to stop a member of the public parking on yellow lines. This would be down to the stupidity of the driver or should one say common sense. Even Tesco on Bow Road has yellow lines and a cycle route so you cannot park there either. The store owner does not and would not encourage parking behaviour but does warn drivers if seen. The other stores are also awkwardly situated in the residential area so an argument or objection cannot be formed. Licensing Hours can always be changed as per the Licensing Committee where they see fit to amend.

Yours sincerely

Andrei Marin – Director.



S-A-N-D Grocery Ltd - 98a Coborn Road - London - E3 2DG

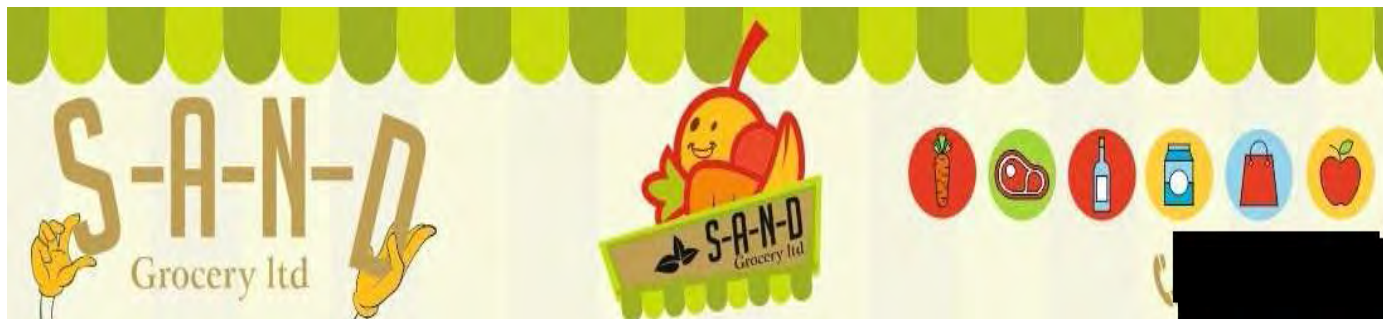
Objection – Rebuttal on 15/04/20 for Jacqueline Kavanagh of [REDACTED] dated 25/03/20.

The owner of this store fails to see how one store can be blamed for further racing cars, noise pollution and actual air pollution? And to blame Council's licensing committee for being irresponsible in granting an alcohol license? The owner fails to agree that this will encourage idling cars and increased traffic and anti-social behaviour. Again the owner would like to state that there has been no evidence in the months of opening of anti sociable behaviour on the street and can categorical state that this is a very quiet neighbourhood and will remain so as there is no evidence that providing another alcohol license on the street would make a difference. Did Jacqueline Kavanagh object when her good friend at the Mace corner shop 4 houses away obtained his alcohol license?

So far the amount of idling traffic, racing cars, noise pollution and actual air pollution has not increased by the store opening. The owner cannot see any proper relevant evidence or reasoning behind this objection only because there has been a verbal objection raised by their good friend at the Mace store who also advised the store owners landlord that S-A-N-D Grocery Ltd should be put out of business as it is in direct competition with him. The owner's landlord advised the owner of the Mace franchise that it is not for him to comment as he is just a landlord.

Yours sincerely

Andrei Marin – Director.



S-A-N-D Grocery Ltd - 98a Coborn Road - London - E3 2DG

Objection – Rebuttal on 15/04/20 for S.Miah no address given

The owner is somewhat confused as this emailed objection letter is exactly the same word for word as the emailed objection letter from Mr. Yemani?

The owner is speechless and does not know what to add to this apart from both objections should be fairly and squarely ignored or even taken further as there is some level of fraud amongst us involving the competition at the Mace store on the corner of the street.

The owner advises that many customers advise him about the views and comments Mr.Prakesh is making about the new store but the owner is choosing to ignore the comments made to customer about his store and even to his landlord stating that he should be put out of business. The owner thinks that you would successfully draw your own conclusions to this objection and to what exactly is going on in the neighbourhood. It is unfair and very sad that some parties are totally unable to process competition and will do everything in their power to destroy it and to try and not get caught or found out. The worst part of this behaviour is that they deem it as acceptable.

Yours sincerely

Andrei Marin – Director.

Appendix 14

Mohshin Ali

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 12 March 2020 10:03
To: Mohshin Ali
Subject: FW: Premises License Application SAND 98a Coborn Road

From: [REDACTED]
Sent: 12 March 2020 09:31
To: [REDACTED]
Cc: Licensing
Subject: RE: Premises License Application SAND 98a Coborn Road

Hi Andrei,

Thanks for agreeing conditions, Tower Hamlets Council please see conditions agreed.

Kind Regards

Mark



PC Mark Perry
Central East Licensing Unit
Metropolitan Police Service (MPS)

[REDACTED]
A: Licensing Office, 2nd Floor Bethnal Green Police Station E2 9NZ

From: [REDACTED] >
Sent: 10 March 2020 21:01
To: [REDACTED]
Subject: RE: Premises License Application SAND 98a Coborn Road

Good evening Mark,

Thank you for email today.

I confirm that I and my staff agree to the conditions you have stated. At the end of last week we had a new 4 camera HD CCTV recording system installed. We agree to all other conditions.

I thank you for your time and consideration in this matter

Yours sincerely

Andrei Marin - Director

S-A-N-D Grocery Ltd

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: [REDACTED]
Date: 10/03/2020 11:03 (GMT+00:00)
To: [REDACTED]
Subject: Premises License Application SAND 98a Coborn Road

Dear Sir,

I am PC Mark Perry a Police Licensing Officer and I am looking at your application for a premises license, I have no objection to your hours requested but would like the following conditions added to your license:

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:
 - a) all crimes reported to the venue;
 - b) all ejections of patrons;
 - c) any complaints received concerning crime and disorder
 - d) any incidents of disorder;
 - e) all seizures of drugs or offensive weapons;
 - f) any faults in the CCTV system, searching equipment or scanning equipment;

- g) any refusal of the sale of alcohol;
- h) any visit by a relevant authority or emergency service.

4. A challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

Please let me know if these conditions are acceptable to you. Kind Regards

Mark



PC Mark Perry

Central East Licensing Unit

Metropolitan Police Service (MPS)



A: Licensing Office, 2nd Floor Bethnal Green Police Station E2 9NZ

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Appendix 15

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 9.1 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 14.10)**.

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 9.2 of the Licensing Policy)**.

The Licensing Authority will consider attaching conditions to prevent nuisance. 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 where public nuisance is being caused by noise coming from the premises and the closure of the premises is necessary to prevent that nuisance.

Guidance Issued under Section 182 of the Licensing Act 2003

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community (2.15).

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.19) 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.

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 16

Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

Comment

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

Egress only is referred to-if necessary access can be added or substituted in.

General Advice

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

The hours of operation also need to be considered.

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

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. (**See Section 10 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. (**See Section 10.2 of the Licensing Policy**).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 15.1**).

However, while all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. (**See Section 15.5**)

The Council has adopted a set of framework hours (**See 15.8 of the licensing policy**). This relates to potential disturbance caused by late night trading.

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

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

Guidance Issued under Section 182 of the Licensing Act 2003

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community. (2.15).

Licence conditions should not duplicate other legislation (1.16).

Any conditions should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues. (2.19)

Measures can include ensuring the safe departure of customers, these can include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.19) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder.

Appendix 17

Anti-Social Behaviour on the Premises

Licensing Policy

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Section 6 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 3 of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- Methods of management communication
- Use of registered Door Supervisors
- Bottle Bans
- Plastic containers
- CCTV
- Restrictions on open containers for “off sales”
- Restrictions on drinking areas
- Capacity
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage
- Seating plans
- Capacity

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public safety.

Guidance Issued under Section 182 of the Licensing Act 2003

The pool of conditions, adopted by the Council is recommended (Annexe D).

The key role of the Police and SIA is acknowledged (2.1-2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder

and their staff or agents, but can directly impact on the behaviour of customers in the immediate vicinity of the premises as they seek entry or leave (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (2.3 - 2.6).

The Guidance recognises working with Home Office Immigration Enforcement in the prevention of immigration crime. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.

Guidance Issued under Section 182 of the Licensing Act 2003

Conditions can be imposed for large capacity “vertical consumption” premises (10.23 – 10.24).

Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices.

Other Legislation

- The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder

Appendix 18

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

Members need to bear in mind that once patrons have left a premises they are no longer under direct control. Members will need to be satisfied that there is a link between the way the premises is operating and the behaviour that is complained of. An example of this would be that irresponsible drinking is being encouraged. Before deciding that any particular licensing conditions are proportionate, Members will also need to be satisfied that other legislation is not a more effective route. For example, if the problem is drinking in the street it may be that the Council should designate the area as a place where alcohol cannot be consumed in public.

Members may also wish to consider whether the hours of opening relate to any problems of anti-social behaviour.

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

Licensing Policy

The policy recognises that other legislation or measures may be more appropriate but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy” (**see Section 4.15 and 4.16 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Sections 6.2 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 3 of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- Bottle Bans
- Plastic containers
- CCTV (outside the premises)
- Restrictions on open containers for “off sales”
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage

Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However, the process for this involves wide consultation and cannot come from representations about a particular application. (**See Section 8 of the Licensing Policy**).

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public.

Guidance Issued under Section 182 of the Licensing Act 2003

The key role of the Police is acknowledged (2.1).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, but can relate to the immediate vicinity of the premises as they seek entry or leave (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) CCTV inside & out, communication, police liaison, no glasses are all relevant

There is also guidance issued around public nuisance (2.15 – 2.21).

The pool of conditions, adopted by the Council is recommended (see Appendix 3 of the Licensing Policy). 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 but it is essential that conditions are focused on measures within the direct control of the licence holder (2.18/2.21).

Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned (14.13).

Other Legislation

Crime and Disorder Act 1998

The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.

The Act also introduced a wide range of measures designed to address anti-social behaviour committed by adults and young people. These include:

- Anti-Social Behaviour Orders
- Child Curfew Schemes
- Truancy
- Parenting Orders
- Reparation Orders
- Tackling Racism

Appendix 19

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 20

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

- Monday to Thursday, from 06:00 hrs to 23:30 hrs
- Friday and Saturday, from 06:00 hrs to 00:00 hrs (midnight)
- Sunday, from 06:00 hrs to 22:30 hrs

(see 14.8 of the Licensing Policy)

In considering the applicability of framework 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 applicant's 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 14.9 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