

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.

We **Barzinho Limited**

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and 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			
Barzinho Bar & Kitchen (Previous owner called it Moo Pub & Kitchen)			
Basement to First floor			
60-62 Brick Lane, London, E1 6RF			
Post town	London	Postcode	E1 6RF

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 66,500

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 ☐

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <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					
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	BARZINHO LTD
Address	177B Langham Road, London, N15 3LP
Registered number (where applicable)	12077604
Description of applicant (for example, partnership, company, unincorporated association etc.)	Private Limited Liability Company
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	1	0 4 2 0 2 0

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

DD	MM	YYYY
±	±	± ± ± ± ± ± ± ±

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

The premise will operate as an independent, family led Brazilian Bar & Kitchen serving a fusion of authentic Brazilian menu with a European twist. The public may be seated either on the ground floor where the bar is also located or on the first floor which contains further dining space. The premises have separate male and female toilets located on the basement as well as single, fully equipped disabled toilet on the ground floor. Food will be made in the kitchen located on the ground floor.

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

N/A

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)		<u>Will the performance of a play 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				
Mon		Please give further details here (please read guidance note 4)			
Tue					
Wed		State any special variations for performing plays (please read guidance note 5)			
Thur					
Fri		Do not use standard timings. Where you intend to use the premises for the performance of plays at times other than those listed in the column on the left, please list them here (please read guidance note 6)			
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	Give further details here (please read guidance note 4)			
Mon						
Tue						
Wed			State any special arrangements for the exhibition of films (please read guidance note 5)			
Thur						
Fri			State any special arrangements for the exhibition of films (please read guidance note 5)			
Sat						
Sun			State any special arrangements for the exhibition of films (please read guidance note 5)			

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. When you intend to use the premises for indoor sporting events at times not listed in the table on the left, please indicate (please read guidance note 6)</u>
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"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any special times for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>State any standard timings. Where you intend to use the premises for boxing or wrestling entertainment at any times to those listed in the column on the left, please</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"/>
Day	Start	Finish		
Mon			Please provide further details here (please read guidance note 4)	
Tue				
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)	
Thur				
Fri			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)	
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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	08:00	23:30			
Tue	08:00	23:30			
Wed	08:00	23:30			
			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	08:00	23:30			
Fri	08:00	00:00			
Sat	08:00	00:00			
			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)		
Sun	08:00	22:30			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)	
Mon				
Tue				
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)	
Thur				
Fri			<u>No standard timings. Where you intend to use the premises for the performance of dance at other times to those listed in the column on the left, please list them here</u> (please read guidance note 6)	
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	Where this entertainment take place in	Indoors <input type="checkbox"/>
Mon			Indoors or both – please tick	Outdoors <input type="checkbox"/>
			(please read guidance note 3)	Both <input type="checkbox"/>
Tue			Please give a description of the entertainment (please read guidance note 4)	
Wed				
Thur			State any seasonal variations in the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)	
Fri				
Sat			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 (please read guidance note 6)	
Sun				

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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	23:00	23:30			
Tue	23:00	23:30			
Wed	23:00	23:30			
Thur	23:00	23:30	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Fri	23:00	00:00			
Sat	23:00	00:00			
Sun					
			<u>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</u> (please read guidance note 6)		

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 checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	11:00	23:00			
Tue	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	23:00			
Fri	11:00	23:30			
Sat	10:00	23:30			
Sun	10:00	22:00			

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 Dimitra Tzanakaki	
Date of birth	██████████
Address ████████████████████	
Postcode	██████████
Personal licence number (if known) 096489	
Issuing licensing authority (if known) Hakney	

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).

Not Applicable

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	<p>None</p>
Mon	08:00	23:30	
Tue	08:00	23:30	
Wed	08:00	23:30	
Thur	08:00	23:30	
Fri	08:00	00:00	
Sat	08:00	00:00	
Sun	08:00	22:30	
<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>None</p>			

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)

We are seeking a premises licence for the purpose of operating a Brazilian Bar and Kitchen at 62-62 Brick Lane in a premise which has been vacant for the last 9 months.

We are conscious of the sensitive location of the premises with respect to the number of licensed premises in the area and issues of public nuisance. Having considered Tower Hamlets' Statement of Licensing Policy, we note that the premise is within the Brick Lane area Cumulative Impact Zone which is particularly affected by touting. For this reason, we have added a specific commitment to never knowingly employ anyone to solicit for custom, in line with condition outlined in the Licensing Policy. Furthermore, we have also set out an operating schedule which is fully within Tower Hamlets' framework hours from Monday to Sunday.

We are keen to engage with the community and provide something new and exciting to the area. Prior to submitting this application, we have engaged with the council's licensing team and also confirmed with the Environmental Protection team that there had not been any noise complaints related to the previous occupier in the last 2 years.

We have considered the operation of the building and we are mindful of the 4 licensing objectives below. We hope the schedule set out below will ensure that we will not be contributing to the problems of nuisance, disturbance or disorder caused by the combined effect of licensed premises in the area and we are happy to maintain open communication with yourselves to try and address any concerns you may have.

b) The prevention of crime and disorder

1 - An incident log shall be maintained at the premises in either a handwritten or in electronic format to record: (a) All crimes reported to the venue; (b) All ejections from the venue; (c) Any complaints received to the venue; (d) Any incidents of disorder; (e) Any seizures of drugs or offensive weapons; (f) Any refusal of sales of alcohol; (g) Any visit by responsible authorities.

2 - Staff shall receive training in the Challenge 25 policy, underage sales prevention and completion and maintenance of the refusals log and the incident log.

3 - All training will be properly documented and signed training records kept. The training records will be kept on the licensed premises and made available for inspection by Licensing, Trading Standards or the Police. This training shall be documented and refreshed at no greater than 6-monthly intervals

4 - CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. Said CCTV will comply with the following criteria: (a) The Licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct; (b) A record of these checks, showing the date and name of the person checking, will be kept and made available to the police or other authorised officer on request; (c) The Police will be informed if the system will not be operating for longer than one day of business for any reason; (d) One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering; (e) The system will provide full coverage of the interior of the premises and any exterior part of the premises accessible to the public; (f) The system will record in real time and recordings will be date and time stamped; (g) At all times during operating hours, there will be at least 1 member of staff on the premises who can operate the system sufficiently to allow Police or authorised Council officers to view footage on request; (h) Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to the police or other authorised officers on request (subject to GDPR) within 24 hours of any request.

5 - In the event that crime or serious disorder is, or appears to have been, committed on the premises, the management will immediately ensure that: (a) The police and, where appropriate, the London Ambulance Service, are called immediately; (b) As far as is safe and reasonably practicable, all measures will be taken to preserve any identified crime scene pending the arrival of the police; (c) Any and all appropriate measures are taken to fully protect the safety of all persons present on the premises at all times during operating hours.

6 - The premise will not knowingly allow any person, by payment or otherwise to solicit custom for that premise by offering inducements or other concessions.

7 - No person shall be employed to solicit for custom or be permitted to solicit for custom for business for the premises in any public place within a 500 meters radius of the premises as shown edged in black on the attached plan.

C) Public Safety

8 - All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified. All exits doors shall be maintained easily operable without the use of a key, card, code or similar means.

9 - Exit doors shall be regularly checked to ensure that they function satisfactorily and a record of the check shall be kept.

10 - Adequate and appropriate supply of first aid equipment and materials will be available on the premises at all times.

11 - Hot food and non-alcoholic beverages (including drinking water) will be available throughout the permitted hours in all parts of the premises where alcohol is provided.

12 - A dedicated licensed taxi/mini cab service shall be available with the premises for customers, where customers are using a mobile operator, staff will be pro-active to encourage customers to remain in the premises until the taxi has arrived.

13 - Staff will receive regular training on spotting signs of harassment, and how to intervene where safe and appropriate to do so, and/or reporting such harassment to management/emergency services. This training will be properly documented and signed training records kept. on the licensed premises and made available for inspection by Licensing, Trading Standards or the Police.

d) The prevention of public nuisance

14 - Prominent signage indicating that no drinking vessels are to be taken outside whether it is alcoholic or non-alcoholic shall be displayed so as to be visible to patrons where alcohol is on public display, at the point of sale and at the entrance of the premises.

15 - Clear and prominent notices will be displayed requisition customers to respect local residents by keeping noise level to a minimum.

16 - Doors and windows to the premises will be kept closed, so far as practicable, at all times when noise generating regulated entertainment is taking place i.e. live and recorded music

17 - Noxious smells from the premises are not permitted to cause a nuisance to nearby properties and the premises will be properly vented

18 - The contact telephone number for the premises duty manager shall be displayed inside the premises or immediately outside the premises such that it is clearly visible from outside without the need to enter the premises.

e) The protection of children from harm

19 - A challenge 25 policy will be employed where those individuals who appear to be under the age of 25 attempting to purchase alcohol must be asked for identification. The only type of ID that will be accepted is PASS accredited ID, passport or photo driving licence.

20 - No nudity or semi nudity will be permitted.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.



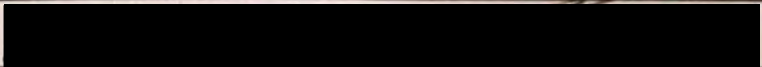
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that 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	16th February 2020

Capacity	Rubens dos Reis - Director of Barzinho Ltd.
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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	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

Rubens dos Reis

[REDACTED]

Post town	London	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

- 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.
- 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.

Appendix 2

MOO

Sorry
WE'RE
CLOSED

MORE SEATS
UPSTAIRS



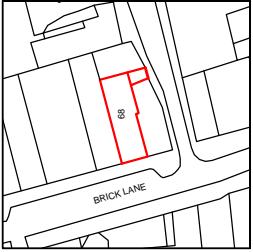
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WIFI









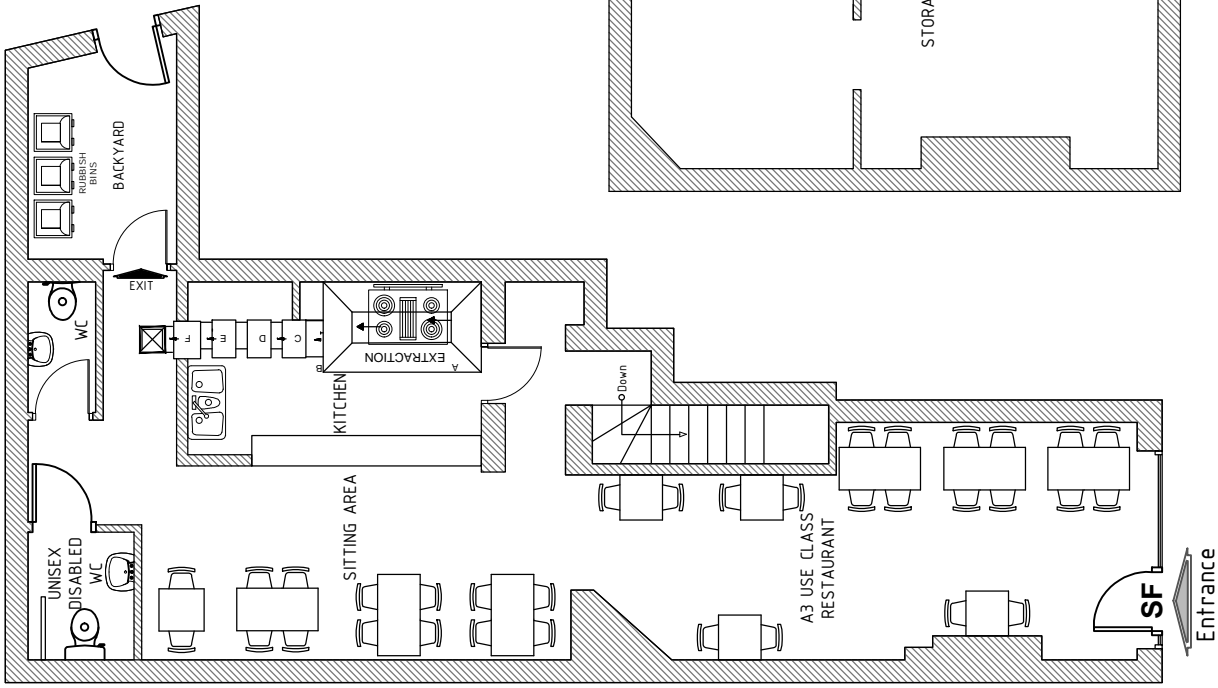


Appendix 3

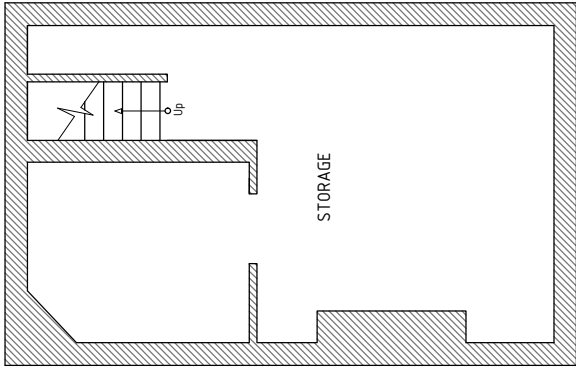
<div>KABLANDESIGN</div>		29A Waterloo Road Epsom , Surrey KT19 8EX		Mobile: (0750) 781 17 01 E-Mail: kablandesign@hotmail.co.uk				NOTES 1. This drawing to be read in conjunction with all relevant drawings. Any discrepancies noted to be referred to the originating drawing immediately. 2. Only the dimensions to be used for constructional purposes. 3. All works to be carried with all relevant local authority approvals and to the satisfaction of the building control inspector. Existing structure to be opened for inspection if required. All dimensions are to be checked on site prior to commencement of works. 4. This drawing is copyright of KABLAN DESIGN and can not be reproduced without KABLAN DESIGN's approval. THIS IS A PLANNING DRAWING ONLY		Client: Sketch Limited		Address: 68 Brick Lane, London, E1 6RL		Drawing Title Existing Basement Floor Plan Existing Ground Floor Plan Proposed Basement Floor Plan Proposed Ground Floor Plan Scale 1:100		DRAWING NUMBER : 09.1018.01		Revision: OCT 2018 Scale: 1:100 @ A3		ALL DIMENSIONS TO BE VERIFIED ON SITE	
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KEY LEGEND

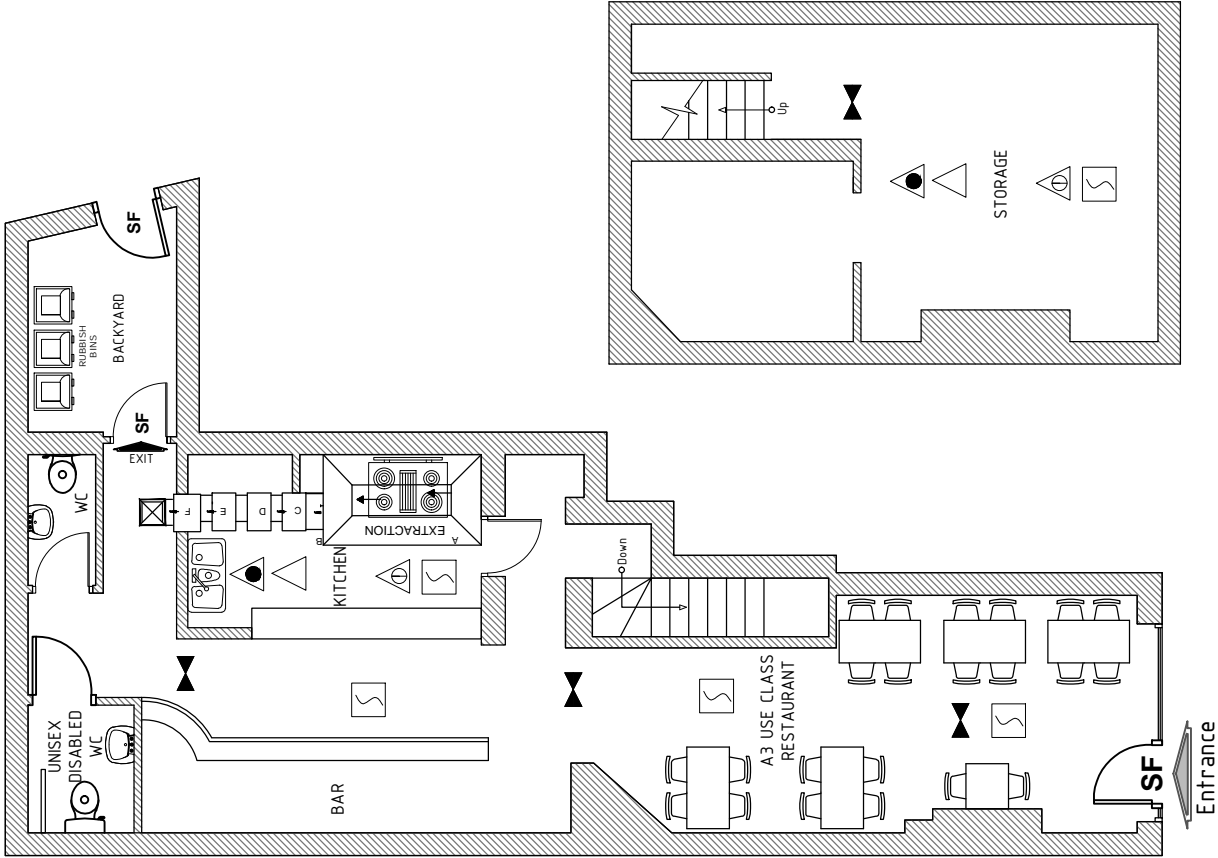
-  Automatic smoke detector
-  Fire extinguisher
-  Foam fire extinguisher
-  Escape lighting
-  Water fire extinguisher
-  **SF** Easily and immediately openable door



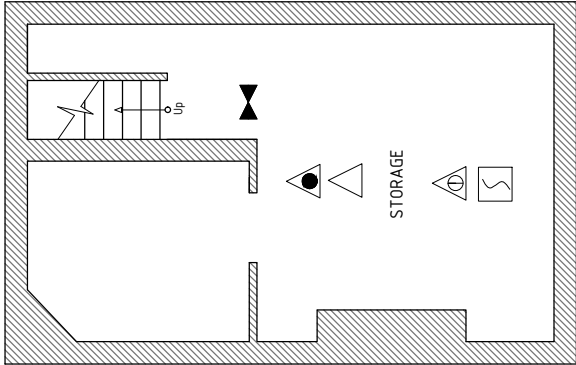
EXISTING GROUND FLOOR PLAN
Scale: 1:100



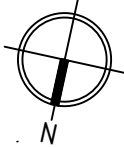
EXISTING BASEMENT FLOOR PLAN
Scale: 1:100



PROPOSED GROUND FLOOR PLAN
Scale: 1:100

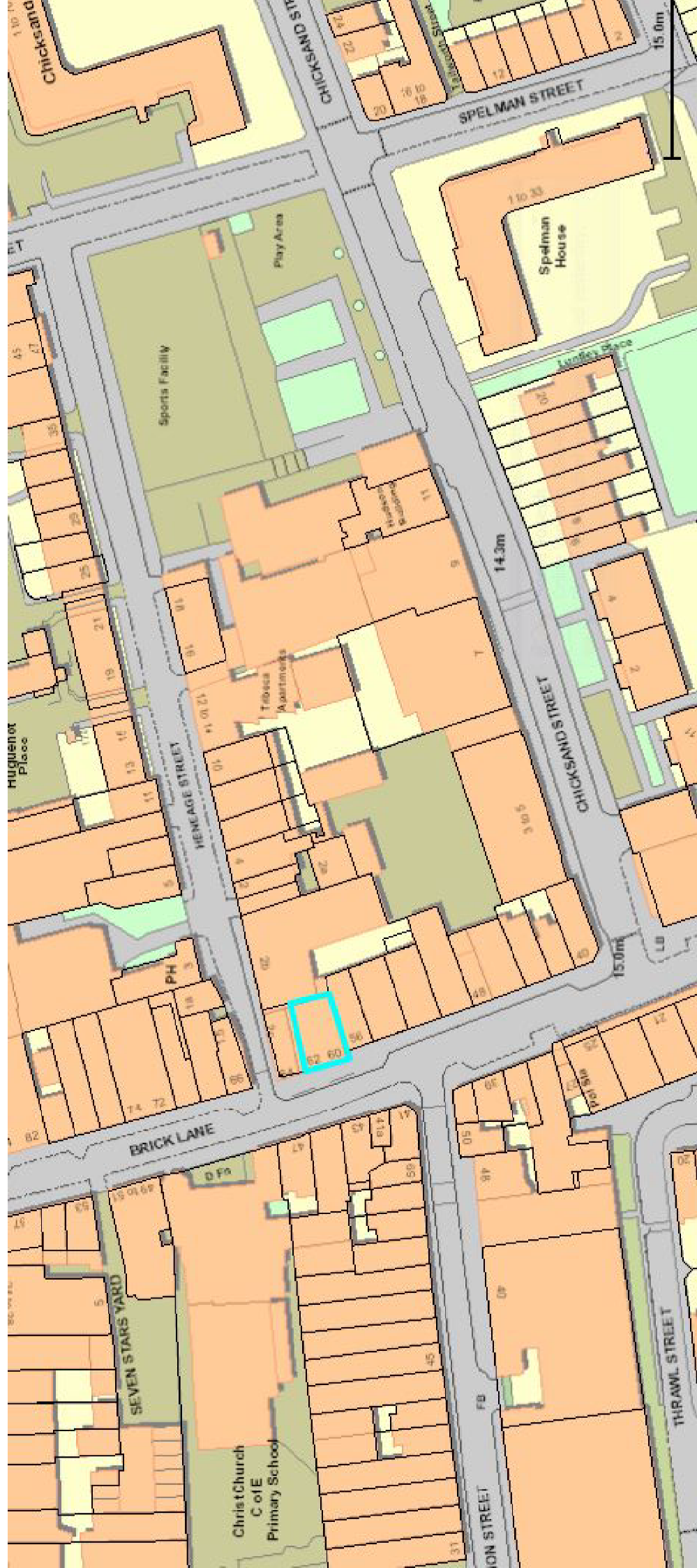


PROPOSED BASEMENT FLOOR PLAN
Scale: 1:100



SCALE 1:100 0 0.5m 1 1.5 2 2.5 3 3.5 4 4.5 5 5.5 6 6.5 7 7.5 8 8.5 9 9.5 10 m

Appendix 4



Appendix 5

Premises In Vicinity of 60-62 Brick Lane

Premises Address	Licensable Activities	Opening hours
(Vegan Yes) 64 Brick Lane	<u>The supply of alcohol (on sales only)</u> Monday to Sunday, from 12:00 hours to 21:30 hours	Monday to Sunday, from 11:30 hours to 21:30 hours
(Sketch) 68 Brick Lane	<u>The sale by retail of alcohol (on sales only)</u> Monday to Saturday, from 11:00 hrs to 22:30 hrs Sunday, from 12:00 hrs to 22:00 hrs	Monday to Saturday from 11:00 hrs to 23:00 hrs Sunday from 12:00 hrs to 22:30 hrs
Cost Price 41 Brick Lane	<u>sale by retail of alcohol (off sales only)</u> Sunday to Thursday, from 11:00hrs to 00:00hrs (midnight) Friday and Saturday, from 11:00hrs to 01:00hrs (the following day)	Sunday to Thursday, from 11:00hrs to 00:00hrs (midnight) Friday and Saturday, from 11:00hrs to 01:00hrs (the following day)
(Chez Elles) 45 Brick Lane	Alcohol may be sold or supplied: Monday to Saturday 11am to 12pm. Sundays, 12 noon to 11:30pm	Unrestricted
Fomer Moo Cantina 60-62 Brick Lane (Lapsed)	The sale by retail of alcohol Monday to Saturday, from 11:00n hours to 23.00 hours Sunday, from 11:00 hours to 22:30 hours The provision of late night refreshment – Indoors Mondays to Saturdays, from 23:00 hours to 23:30 hours	Monday to Saturday, from 11:00 hours to midnight Sunday, from 11:00 hours to 23:00 hours

Appendix 6

Your Ref: CLC/EHTS/LIC/126579

12th March 2020

Kathy Driver
Principal Licensing Officer
London Borough of Tower Hamlets
Licensing Section
John Onslow House
1 Ewart Place
London, E3 5EQ



Dear Ms Driver

Re: Licensing Act 2003, Application by Barzinho Limited, 177B Langham Road, London, N15 3PL for premises Basement to First Floor, 60 – 62 Brick Lane, London, E1 6RF

Thank you for your letter dated 20th February 2020 regarding the above application. With reference to the application made by Barzinho Limited to provide alcohol, late night refreshment (supply of hot food after 11pm) and playing of recorded music til late at night. Please accept this letter as a formal objection in the strongest possible terms. There are currently three occupants in the flat above the premises who object to this application.

I have been the longest occupant of [REDACTED] and lived on Brick Lane for a number of years, with regular disturbance and inconvenienced by the noise caused by restaurants, pubs and bars within the local area. These venues serve alcohol and late night refreshment. As there are already a number of venues within the locality (The Buxton, Kill The Cat, Chez Elle's and The Pride of Spitalfields) I consider there to be sufficient alcoholic and food outlets within this area already. Furthermore, within a short walking distance there are other eating establishments and bars. The Buxton Pub also opened up within the last year and has contributed considerably to the noise late at night in the area. I have often had to call some of these premises requesting them to ask their customers to keep the noise down and not be rowdy, which has caused disturbed sleep.

There was a number of occasions when I had to report to the noise nuisance team at the council with regard to the volume of the music being played by the previous occupants Moo Pub & Kitchen and the council did nothing. I had to get out of bed late at night and go downstairs to the restaurant to tell them to turn the music down. The sound system within the premises is located on the first floor and the speakers are located on the wall near the ceiling which is directly below the bedrooms of the flat above the premises. I had expressed my concern of the loud music late at night to the owner of Moo Pub & Kitchen, he gave me his contact details, and assured me that would resolve the issue whenever there was loud music. Even after this, I still often had to call him late at night ask him to call his staff to turn down the loud music.

Due to the style of the buildings in this area of Brick Lane, noise is a consistent problem as the street is narrow and the sound bounces off the buildings. We also get additional noise from local surrounding late night venues on Whitechapel Road, with people walking through Brick Lane.

Guests of Barzinho Bar & Kitchen restaurant will be standing outside smoking [REDACTED] [REDACTED] which will be very unpleasant and as one of the occupants suffers with asthma suffer this is not good for their health. This will happen as they will have customers who smoke and there will be nowhere for them to go apart from outside the restaurant. In the summer, we will not be able to keep the windows closed due to the heat, which will mean the second hand smoke will come up into the bedrooms. There is no garden with the premises so they applicant will not be able to provide a smoking area away from our windows. Late night closing hours will mean the disturbance caused by customers leaving the premises will not stop at the time the premises closes, as they will leave at the closing time then stand outside talking and being rowdy.

Yours sincerely

[REDACTED]

Kuldip Sahota

Appendix 7

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 8

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 9

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 or 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 10

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 frame work hours to any particular application regard should be had to the following

- Location
- Proposed hours of regulated activities, and the proposed hours the premises are open to the public
- The adequacy of the 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

Appendix 11

Special Cumulative Impact Policy for the Brick Lane and Bethnal Green Area

- 19.1 As with many other London Borough's the majority of late night licensed premises are concentrated within one area of the Borough. Following guidance issued under the Licensing Act 2003 a cumulative impact policy for the Brick Lane area was adopted on 18th September 2013 by the Council and came into effect on the 1st November 2013.
- 19.2 After consultation the Council recognised that because of the number and density of licensed premises selling alcohol, on and off the premises and the provision of late night refreshment (sale of hot food after 11pm) within the Brick Lane Area as defined in Figure One, there might be exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect.
- 19.3 The Council Cumulative Impact Zone (CIZ) was reviewed alongside this Statement of Licensing Policy by the Licensing Committee on 14th December 2017. Following this review and consultation in early 2018 the Council has decided to keep the Cumulative Impact Zone (CIZ). Local crime mapping showed that although there had been a reduction in crime and disorder linked to licensed premises within the CIZ since January 2015, the same crime mapping showed that the area of the CIZ is still higher than average in regards to crimes and disorder linked to licensed premises compared to the rest of the borough.

Further to the CIZ in the Brick Lane Area shown in Figure One below, data from 999/101 calls to Police in 2016/17 showed a large number of incidents linked to licensed premises within the area shown in Figure Two below (Bethnal Green Area). In light of this evidence and following consultation mentioned above the Council has decided to adopt a second CIZ in the Bethnal Green Area.

- 19.4 The Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the area highlighted in Figures One and Two is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone within these areas. The Brick Lane and Bethnal Green CIZ aims to manage the negative cumulative impact of the concentration of licensed premises in these areas and the stresses that the saturation of licensed premises has had on local amenity, environmental degradation and emergency and regulatory services in managing this impact.
- 19.5 The effect of this Special Cumulative Impact Policy will affect applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for the following:

- New Premises Licences applications,
- New Club Premises Certificates applications
- Provisional Statements,
- Variation of Premises Licences and Club Premises Certificate applications (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity).

The Licensing Authority expects such applications to have regard for and make reference to the CIZ.

19.6 The Special Cumulative Impact policy creates a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons against applications within the CIZ zones the application will be refused.

19.7 Where representations have been received in respect to applications within the CIZ zones the onus is on applicants to adequately rebut the presumption. Applicants will need to demonstrate in their applications why the granting of their application will not negatively add to the cumulative already experience within the CIZ Zones. Applicants may wish to address the following in their applications:

- Genuinely exceptional circumstances,
- Relevant good practices they employ (for example, this could include details of membership of local Pubwatch/other trade groups,
- Accreditation of Award Schemes (as applicable), and any participation in Police/Council initiatives),
- Other good operational/practice arrangements in respect of any outside drinking and smoking to control potential impact in the area,
- Measures used to promote the licensing objectives (for example, any relevant conditions to control noise, dispersal, litter and other anti-social issues.

19.8 **This Policy will be strictly applied and where relevant representations are received it is the view of the Council that the application will be refused. Applicants will need to demonstrate that there are exceptional circumstances and that granting their application will not negatively add to the cumulative effect on the Licensing Objectives within the Brick Lane and Bethnal Green CIZ if they wish to rebut this presumption.**

Examples of factors the Licensing Authority may consider as exceptional may include, though are not limited to:

- small premises with a capacity of fifty persons or less who only intend to operate during Framework Hours,
- premises which are not alcohol led and operate only within Framework Hours, such as coffee shops,

- instances where the applicant has recently surrendered a licence for another premises of a similar size and providing similar licensable activities in the same Special Policy Area.

Examples of factors the Licensing Authority will **not** consider as exceptional include:

- that the premises will be well managed and run,
- that the premises will be constructed to a high standard,
- that the applicant operates similar premises elsewhere without complaint.

19.9 The Special Cumulative Impact policy will not be used to revoke an existing licence or certificate and will not be applicable during the review of existing licences.

The Cumulative Impact Zones:

Figure One

Brick Lane area:

