

# Appendix 1



\* required information

**Section 1 of 21**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Other telephone number

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is your business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

VAT number

Legal status

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

## Section 3 of 21

### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

### Confirm The Following

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

## Section 4 of 21

### INDIVIDUAL APPLICANT DETAILS

#### Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes  No

Continued from previous page...

### Current Residential Address

Is the address the same as (or similar to) the address given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>

### Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text"/> / <input type="text"/> / <input type="text"/> dd mm yyyy
* Nationality	<input type="text"/>
Right to work share code	<input type="text"/>

[Documents that demonstrate entitlement to work in the UK](#)  
[Right to work share code if not submitting scanned documents](#)

## Section 5 of 21

### OPERATING SCHEDULE

When do you want the premises licence to start?  01 /  06 /  2020  
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

*Continued from previous page...*

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.

Alcotraz is a business concept that has now existed at 212 Brick Lane, Ground Floor, E1 6SA since August 2017. The business concept was launched and has remained in management by myself, Sam Shearman, since launch. The business concept is an immersive theatrical experience in which guests purchase a ticket in advance to attend. The experience is based on popular Hollywood films and TV and brings to life a prison story with guests as the inmates instructed to conduct a covert mission whilst behind bars. As part of the experience, guests are encouraged to bring their own bottle of alcohol whilst enjoying a theatrical storyline that unfolds around them involving actors.

Experiences last for 1 hour 45 minutes. The maximum guests at any one time is 40 and for these guest numbers we have 10 staff members. On certain days, multiple experiences are run with 30 minute intervals between. On site we always have at least one first aid trained manager and at least one SIA accredited door supervisor. All guests must be over the age of 18 to attend and we conduct a strict challenge 25 on site. We also have successfully been running a strict policy to promote responsible drinking since opening. At present, our final experience ends at 23:00 and this will remain.

Located on Brick Lane, the concept has been running successfully for over two years, and contributes positively to the vibrant arts and creative scene in the area. 80% of our customers are aged 21-35 years old with above average income who visit from all over the country and across the globe. We are, therefore bringing a positive audience to the local area who are benefiting local businesses before and after their visit to Alcotraz.

We have a good working relationship with our neighbours, landlord, council and police. I have personally met various representatives from the council and police who came to understand more about the experience when we first launched.

During the current COVID-19 crisis, our business has been forced to close and, therefore, part of this application is in attempt to try bring in a new source of revenue.

Currently no alcohol is sold at the premises and guests bring their own to the experience. The proposed premises license would allow us the following:

1. To sell cocktails and other alcohol off-site for home delivery during the current COVID-19 crisis to help keep the business afloat. This will be sold via platforms such as Deliveroo and Uber Eats.
2. To be able to sell alcohol upon entrance to any ticketed guests who have not read the instructions correctly and, therefore, have not brought their own bottles.
3. To open the venue prior and post experiences in order to allow guests to enjoy longer in the venue and purchase cocktails.

Proposed Opening Times:

Wednesday - 12:00pm - 00:00am (Final experience ends by 23:00)

Thursday - 12:00pm - 00:00am (Final experience ends by 23:00)

Friday - 12:00pm - 00:00am (Final experience ends by 23:00)

Saturday - 12:00pm - 00:00am (Final experience ends by 23:00)

Sunday - 12:00pm - 00:00am (Final experience ends by 19:00)

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

**Section 6 of 21**

**PROVISION OF PLAYS**

Continued from previous page...

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of a play take place indoors or outdoors or both?

- Indoors  Outdoors  Both

Where taking place in a building or other  
structure tick as appropriate. Indoors may  
include a tent.

State 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.

Our immersive experience involves actors, however, as the audience size is only 40 and our show end times are 23:00 we do not believe this falls within regulated entertainment. Part of this premises application is to allow for guests to stay after their experience to enjoy some cocktails.

State any seasonal variations for performing plays

*Continued from previous page...*

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NA

Non standard timings. Where the premises will be used for the performance of a play at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Although not required, if possible it would be useful to extend the finish time beyond 23:00 in the Winter Months to 00:00 minutes to allow for private bookings.

### Section 7 of 21

#### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

### Section 8 of 21

#### PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

### Section 9 of 21

#### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

### Section 10 of 21

#### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

### Section 11 of 21

#### PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes  No

### Section 12 of 21

Continued from previous page...

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes  No

**Section 13 of 21**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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.

Give a description of the type of entertainment that will be provided

*Continued from previous page...*

Our immersive theatrical experience doesn't use any live or recorded music but instead a combination of background self-composed sound effects and noises to compliment the theme. Part of this premises license is to be able to allow guests too stay beyond 23:00 after their experience. It is our ambition to play a similar combination of background self-composed sound-effects, tracks and noises to continue to compliment the theme.

Will this entertainment take place indoors or outdoors or both?

- Indoors                       Outdoors                       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

State any seasonal variations for entertainment

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NA

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Na

## Section 14 of 21

### LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes                       No

#### Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

Currently no alcohol is sold at the premises and guests bring their own to the experience. The proposed premises license would allow us the following:

1. To sell cocktails and other alcohol off-site for home delivery during the current COVID-19 crisis to help keep the business afloat.
2. To be able to sell alcohol upon entrance to any ticketed guests who have not read the instructions correctly and, therefore, have not brought their own bottles.
3. To open the venue prior and post experiences in order to allow guests to enjoy longer in the venue and purchase cocktails.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Although not required, if possible it would be great to have the flexibility to extend these hours for the Winter Months, especially in the lead up to Christmas. It would be great to follow in line with other local businesses timings to promote economic growth for the area.

## Section 15 of 21

### SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes  No

#### Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

*Continued from previous page...*

Will the sale of alcohol be for consumption:

- On the premises       Off the premises       Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Although not required, if possible it would be great to have the flexibility to extend these hours for the Winter Months, especially in the lead up to Christmas. It would be great to follow in line with other local businesses timings to promote economic growth for the area.

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

**Name**

First name

Family name

Date of birth  /  /

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Continued from previous page...

Issuing licensing authority  
(if known)

London Borough of Richmond Upon Thames

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

NA

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

If this is popular we may look to extend to Mondays and Tuesdays but that is not in scope at the moment.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 18 of 21**

**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

The proposed license application for Alcotraz would wholly support the aims of the council by investing in the local economy, create additional new jobs and providing an additional service to the local area and an attraction to an East London location. National policy is fully supportive of the development of town centre usages in accessible locations, such as the application site.

TO PROMOTE ALL FOUR LICENSING OBJECTIVES WE WILL MAINTAIN:

Strong management controls and effective training of all staff so that they are aware of the premises license and the requirements to meet the four licensing objectives with particular attention to:

b) No admittance or selling of alcohol to underage people. All tickets will be sold online where age verification takes place. Additionally at the physical premise our door supervisors undergo ID checks for all attendees and their guests. There is to be no violent and anti-social behaviour. At least one SIA on premise at all times at least 30 minutes prior to guests arrival and 30 minutes after guests leave to help close. We also purposefully have a high staff to guest ratio to remain

*Continued from previous page...*

vigilant of any anti-social behaviour. Front door to be manned by door supervisor during opening hours. No drunk and disorderly behaviour on or near the premises. We have in place clear T&Cs associated with ticket purchases to refuse entry to anyone intoxicated and operate strict policies to remove disorderly guests.

c) Appropriate assessments have occurred as the concept is existing already. All staff are fully trained on safety procedures with guests entering and exiting as well as their behaviours during the experience. Vigilance in preventing the use and sale of illegal drugs - signage on entrance and in toilets and immediate removal if caught. Where possible we have removed as many flat surfaces as we can. We also purposefully have a high staff to guest ratio to remain vigilant.

d) Alcotraz has successfully been operating for two years with negligible public nuisance. We intend to keep the same high standards we have using in order to continue to limit issues with neighbours. Guests are strictly instructed that there is no re-admission, with the ambition that guests are not loitering outside for any reason, keeping guests contained within the premise. Guests are strictly instructed upon exit to head towards the nearest taxi rank or tube station by security staff. Any guests booking taxis are told to direct them to a location away from the venue  
Staff/actor noise - the actors and staff have been trained to keep noise to a minimum when entering and exiting the premises, encouraging the guests to do the same.

The proposed opening hours are suitable for the local area in the sense that the wider Shoreditch, Whitechapel area are very service and entertainment focused. The opening hours will have minimal adverse effects on the local area.

e) Tickets are brought in advance online, requiring over 18 proof to open credit cards. Admission for over 18s only. Strict challenge 25 policy on the door. We will only accept passport driving licence or Proof of Age PASS scheme as proof of age. We keep a register of refusals book.

b) The prevention of crime and disorder

CCTV System is installed to monitor entrance/exits, and other parts of the premises in order to monitor and help prevent crime;

A clear and legible notice at the premises entrance indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.

Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed.

Clear signage on the desired behaviours of guests during our experience.

Customers subjected to random searches of body and bags as per operational risk assessment

Not admitting or selling of alcohol to drunk or intoxicated customers.

No admission to the venue, even with pre-purchased tickets for anyone displaying intoxication or drug use. This is clearly stated in our booking T&Cs.

Customers will not be sought by means of personal solicitation outside or in the vicinity of the premises.

Prevention and vigilance in illegal drug use at the premises. Zero tolerance signage at entrance and in the toilets as well as removal of as many flat surfaces as possible.

c) Public safety

The space has one fire escape, is fitted with heat detectors, alarms and extinguishers and emergency lighting throughout and complies with all fire regulations.

All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, any air conditioning, sanitary accommodation and other installations, have been and will continue to be maintained at all times in good order and in a safe condition

Internal and external lighting fixed to promote the public safety objective.

We currently have and will continue to have bi-monthly staff trainings on public safety measures.

We have valid employee and public liability insurance in place.

Well trained staff adherence to environmental health requirements.

All duty managers are briefed as to safety procedures/numbers should there be an accident. We also have relevant log books of any issues.

*Continued from previous page...*

d) The prevention of public nuisance

Alcotraz has successfully been operating for two years with negligible public nuisance. We intend to keep the same high standards we have using in order to continue to limit issues with neighbours. We are confident by making this application, the cumulative impact to the area will be negative. The principle of the immersive theatrical experience is that of secrecy, with the guests aiming to be as discrete as possible to avoid detection of the guards. Guests are required to be quiet and we do not expect this to change.

Guests are organised in a queue and maintained quiet by staff whilst entering the premise. Guests are strictly instructed that there is no re-admission, with the ambition that guests are not loitering outside for any reason, keeping guests contained within the premise. Guests are strictly instructed upon exit to head towards the nearest taxi rank or tube station by security staff. Any guests booking taxis are told to direct them to a location away from the venue  
Staff/actor noise - the actors and staff have been trained to keep noise to a minimum when entering and exiting the premises, encouraging the guests to do the same.

The proposed opening hours are suitable for the local area in the sense that the wider Shoreditch, Whitechapel area are very service and entertainment focused. The opening hours will have minimal adverse effects on the local area.

The application site is in an ideal location in terms of access to transport connections with particular regards to the London Underground and Overground services.

The street is swept and cleared of any litter throughout opening hours and at the end of every day.

The space is already fitted with adequate soundproofing.

No loud music is played and the sound system used to play our background effects is fitted with industry standard limiter.

There is no smoking area.

Notices placed at exits and verbal instructions from staff to remind guests to leave quietly and quickly.

Dispersion policy employed at all times to ensure guests leave via Bethnal Green Road quietly

First Mile waste bags will be left outside at agreed times.

Guests will be told on ticket emails the closest car parking and be prompted to take public transport to minimise congestion at the busiest time of year.

e) The protection of children from harm

Tickets are brought in advance online, requiring over 18 proof to open credit cards.

Admission for over 18s only.

Strict challenge 25 policy on the door.

We will only accept passport driving licence or Proof of Age PASS scheme as proof of age

We keep a register of refusals book.

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

### **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.

*Continued from previous page...*

- 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.

*Continued from previous page...*

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.

## **Section 20 of 21**

### **NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

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:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o 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.
  - o 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.
  - o 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.
  - o 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:
  - o 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.
  - o 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.
  - o 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.

*Continued from previous page...*

- 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:
  - o 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.

**Section 21 of 21**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4,300 = £100.00

Band B - £4,301 to £33,000 = £190.00

Band C - £33,001 to £8700 = 315.00

Band D - £87001 to £12500 = £450.00\*

Band E - £125001 and over = 635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £7001 to £12500 = £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment only where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 = £1,000.00

Capacity 10000 -14999 = £2,000.00

Capacity 15000-19999 = £4,000.00

Capacity 20000-29999 = £8,000.00

Capacity 30000-39000 = £16,000.00

Capacity 40000-49999 = £24,000.00

Capacity 50000-59999 = £32,000.00

Capacity 60000-69999 = £40,000.00

Capacity 70000-79999 = £48,000.00

Capacity 80000-89999 = £56,000.00

Capacity 90000 and over = £64,000.00

NOTE: From 1st January 2018 Licences if you are granted a Licence to permit the sale/supply of alcohol between midnight and 6am (00:00 and 06:00 hours) on any day you will be liable to pay the Late Night Levy charge. The charge must be paid 14 days after the grant of your Licence, unless you fall within one of the exemption categories. Non-payment of the levy can result in suspension of your licence, as per sections 55A and 92A of the Licensing Act 2003, as amended and section 229(6) of the Police and Social Responsibility Act 2011. For more information below visit <https://www.towerhamlets.gov.uk/latenightlevy>

Continued from previous page...

\* Fee amount (£)

315.00

## DECLARATION

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

[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, IF APPROPRIATE (PLEASE SEE NOTE 15).

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

Sam Shearman

\* Capacity

Director

\* Date

29 / 04 / 2020  
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/tower-hamlets/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

**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**

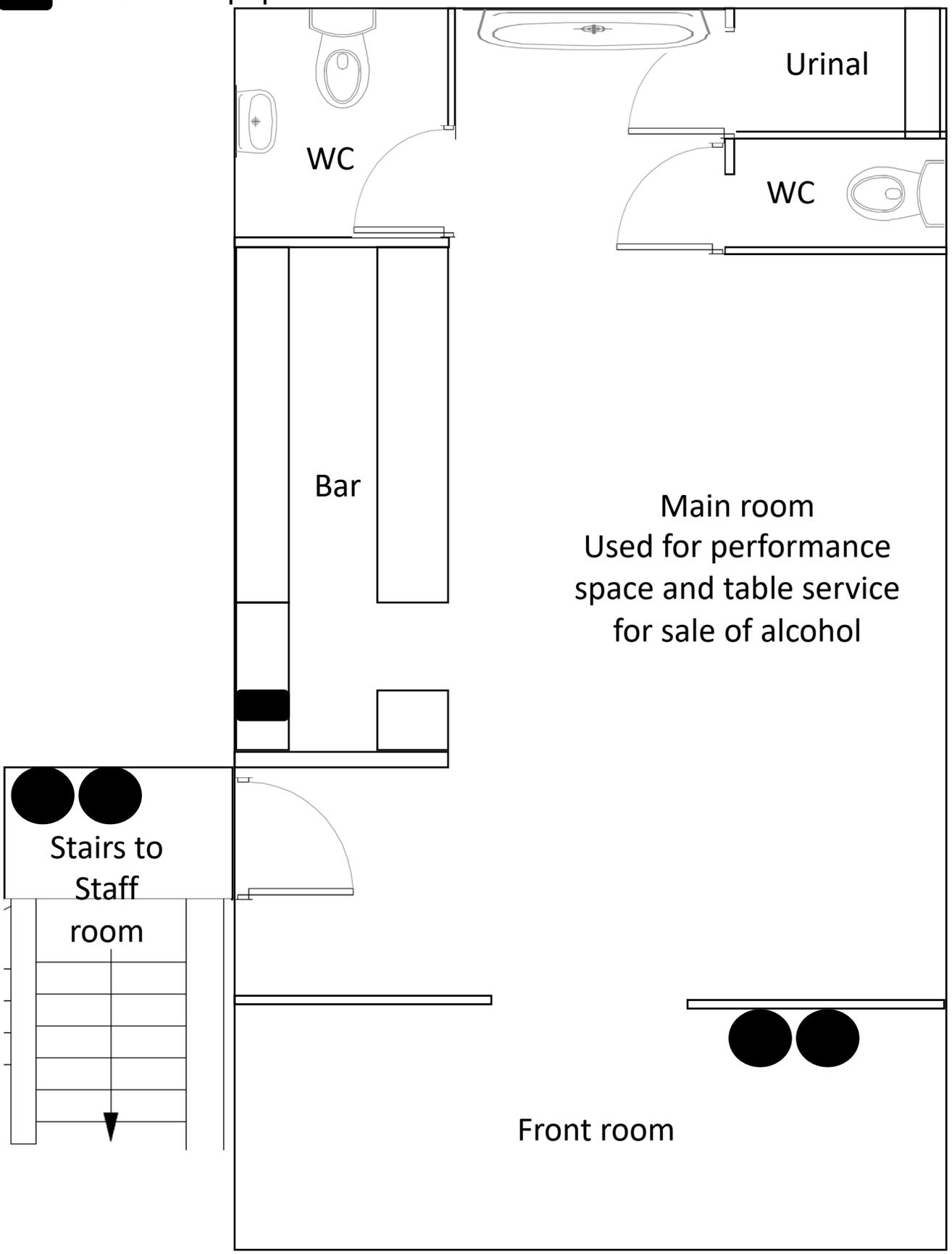
**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="Alcotraz 212"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

# Appendix 2

● Fire Safety equipment

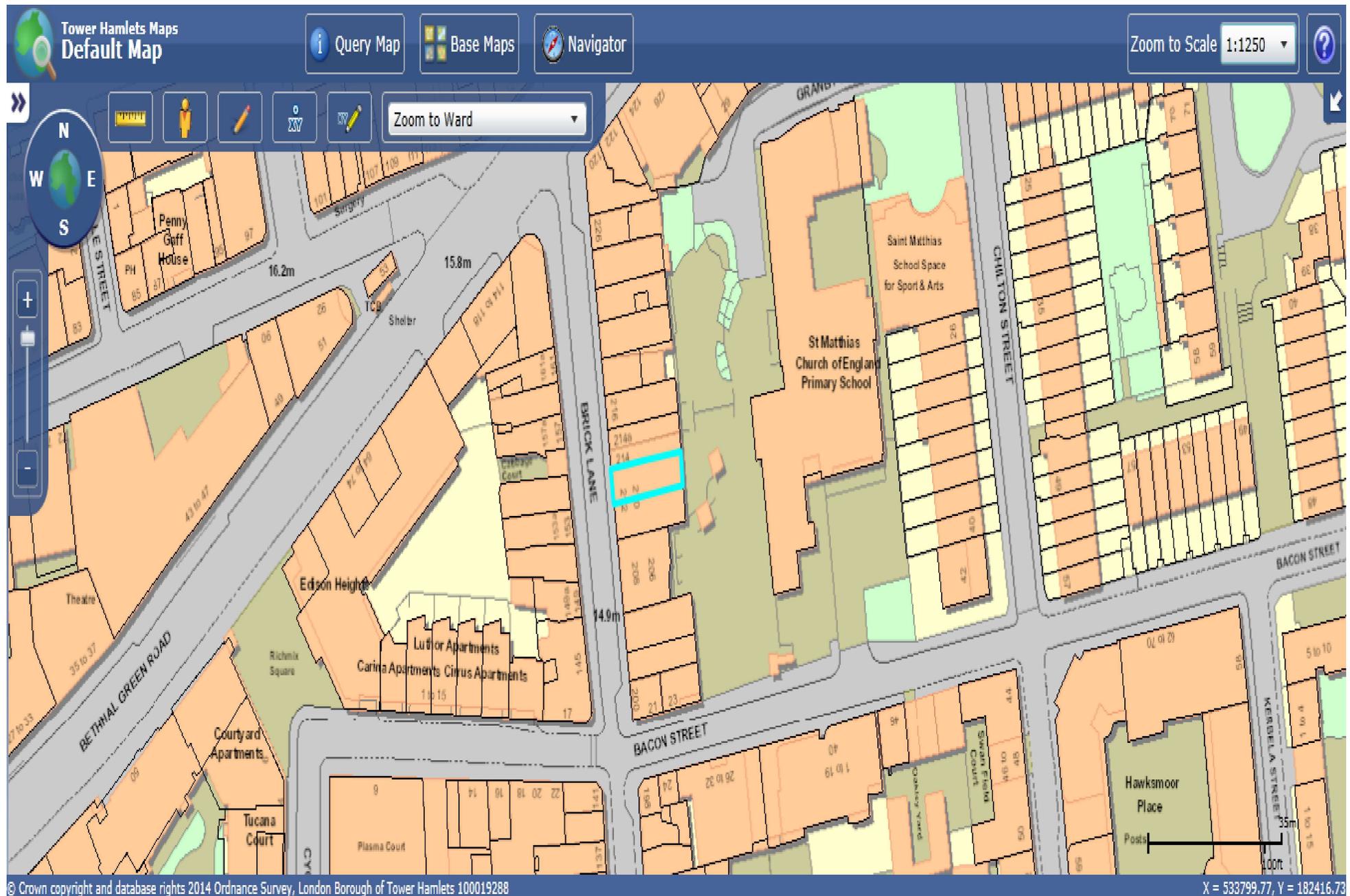
■ First aid equipment



Premise Shutter  
Sole access and egress

# Appendix 3

The screenshot displays a web-based map interface for Tower Hamlets. At the top, there is a navigation bar with the following elements from left to right: a globe icon and the text "Tower Hamlets Maps Default Map"; a "Query Map" button with an information icon; a "Base Maps" button with a grid icon; a "Navigator" button with a compass icon; a "Zoom to Scale" dropdown menu set to "1:500"; and a help icon. Below the navigation bar is a toolbar containing icons for a ruler, a person, a pencil, a location pin, and a zoom tool, along with a "Zoom to Ward" dropdown menu. The map itself shows a street grid with "BRICK LANE" running vertically. To the right of Brick Lane is "St Matthias Church of England Primary School". Further right is a building labeled "for Sport & Arts". A red rectangle highlights a specific property on Brick Lane with the address "214". Other visible addresses include 145, 149a, 149, 153, 153a, 157, 157a, 161, 161a, 179, 206, 208, 210, 212, 214, 214a, 216, 26, 40, and 42. In the bottom left corner, there is a compass rose and a zoom slider. In the bottom right corner, there is a scale bar showing 15m and 65ft, and coordinate information: "X = 533833.91, Y = 182394.04". A copyright notice at the bottom left reads: "© Crown copyright and database rights 2014 Ordnance Survey, London Borough of Tower Hamlets 100019288".



212 Brick Lane





212 Brick Lane



# Appendix 4

## 212 Brick Lane - Nearest licences

Name and address	Licensable activities and hours	Opening hours
<b>(Subway)</b> 222 Brick Lane London E1 6SA	The provision of late night refreshment, Friday & Saturday, 23.00pm to 04.00am the following day.	Monday to Thursday, 07.00am to 23.00pm. Friday, 07.00am to 04.00am the following day. Saturday, 09.00am to 04.00am the following day. Sunday, 09.00am to 22.00pm.
210 Brick Lane London E1 6SA	<b>Alcohol</b> <ul style="list-style-type: none"> <li>• Monday to Thursday, from 06:00 hours to 01:30 hours</li> <li>• Friday and Saturday, from 06:00 hours to 02:00 hours</li> <li>• Sunday, from 06:00 hours to 01:00 hours</li> </ul>	<b>Alcohol</b> Monday to Thursday, from 06:00 hours to 01:30 hours Friday and Saturday, from 06:00 hours to 02:00 hours Sunday, from 06:00 hours to 01:00 hours
<b>(I Mattoni)</b> 224 Brick Lane London E1 6SA	<b>Alcohol (On and off supplies)</b> <ul style="list-style-type: none"> <li>• Sunday to Thursday, from 12:00 hours to 23:00</li> <li>• Friday and Saturday, from 12:00 hours to 12midnight</li> </ul> <b>Late Night Refreshment</b> <ul style="list-style-type: none"> <li>• Sunday to Thursday, from 23:00 hours to 12midnight</li> <li>• Friday and Saturday, from 23:00 hours to 01:00 hours the following day</li> </ul>	Sunday to Thursday, from 09:00 hours to 12midnight  Friday and Saturday, from 09:00 hours to 01:00 hours the following day
<b>(3AKE)</b> 204 Brick Lane London E1 6SA	Alcohol may be sold or supplied(On sales only) (1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10am to midnight. (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm (3) On Christmas Day: 12 noon to 11:30pm; (4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight; (5) On New Year's Eve on a Sunday, 12 noon to 11.30 p.m. (6) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).  The above restrictions do not prohibit: (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises; (b) during the first twenty minutes after the	There are no restrictions on the hours during which this premises is open to the public

## 212 Brick Lane - Nearest licences

	<p>above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;</p> <p>(c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;</p> <p>(d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the premises;</p> <p>Suitable non-alcoholic beverages, including drinking water, shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.</p>	
<p><b>Hopscotch</b>  <b>202 Brick Lane</b>  <b>London</b>  <b>E1 6SA</b></p>	<p><b>The sale of alcohol (On and off sales)</b></p> <ul style="list-style-type: none"> <li>▪ Sunday to Thursday, from 11:00 hours to 23:00 hrs</li> <li>▪ Friday and Saturday, from 11:00 hours to 00:30 hrs</li> </ul> <p><b>Provision of late night refreshment:</b></p> <ul style="list-style-type: none"> <li>▪ Sunday to Thursday, from 23:00 hours to 23:30 hrs</li> <li>▪ Friday and Saturday, from 23:00 hours to 01:00 hrs</li> </ul>	<p>Sunday to Thursday, from 10:00 hours to 23:30 hrs</p> <p>Friday and Saturday, from 10:00 hours to 01:00 hrs</p>
<p><b>(Cereal Killer Cafe)</b>  192 Brick Lane  London  E1 6SA</p>	<p><u>The sale by retail of alcohol (On sales only)</u></p> <ul style="list-style-type: none"> <li>• Monday to Friday, from 11:00 hours to Midnight</li> <li>• Saturday, from 11:00 hours to 01:00 hours</li> <li>• Sunday, from 11:00 hours to 23:00 hours</li> </ul>	<ul style="list-style-type: none"> <li>• Monday to Friday, from 07:00 hours to Midnight</li> <li>• Saturday, from 07:00 hours to 01:00 hours</li> <li>• Sunday, from 07:00 hours to 23:00 hours</li> </ul>
<p><b>(Evering Bakery)</b>  <b>155 Brick Lane</b>  <b>London</b>  <b>E1 6SB</b></p>	<p>The provision of late night refreshment Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 23:00 hours to 05:00 hours.</p>	<p>Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday 24 hours</p>
<p><b>161 Brick Lane</b>  <b>London</b>  <b>E1 6SB</b></p>	<p>The sale by retail of alcohol (On sales only)</p> <p><b>Monday, Tuesday, Wednesday:</b>  09:30 hours until 01:30 hours the following day</p> <p><b>Thursday, Friday and Saturday :</b>  09:30 hours until 02:00 hours the following day</p> <p><b>Sunday:</b> 09:30 hours until midnight</p>	<p><b>Monday, Tuesday, Wednesday:</b>  09:30 hours until 01:30 hours the following day</p> <p><b>Thursday, Friday and Saturday :</b>  09:30 hours until 02:00 hours</p>

**212 Brick Lane - Nearest licences**

	<p><b>New Years Eve, 30<sup>th</sup> April, 31<sup>st</sup> October, 12<sup>th</sup> &amp; 13<sup>th</sup> December, Christmas Eve and Christmas Day:</b> 09:30 hours until 03:30 hours the following day:</p>	<p>the following day</p> <p><b>Sunday:</b> 09:30 hours until midnight</p> <p><b>New Years Eve, 30<sup>th</sup> April, 31<sup>st</sup> October, 12<sup>th</sup> &amp; 13<sup>th</sup> December, Christmas Eve and Christmas Day:</b> 09:30 hours until 03:30 hours the following day:</p>
<p><b>(Beigal Bake)</b> <b>159 Brick Lane</b> <b>London</b> <b>E1 6SB</b></p>	<p>The hours of opening for provision of late night refreshment shall be between 11pm and 5am Monday to Sunday</p>	<p>There are no restrictions on the hours during which this premises is open to the public</p>
<p><b>(Hookah Lounge)</b> 133 Brick Lane London E1 6SB</p>	<p><b>Alcohol (On sales)</b></p> <ul style="list-style-type: none"> <li>• Monday to Thursday, 11:00 hrs to 12 midnight</li> <li>• Friday and Saturday, 11:00 hrs to 01:40 hrs</li> <li>• Sunday, 11:00 hrs to midnight</li> </ul> <p><b>Late Night Refreshment</b></p> <ul style="list-style-type: none"> <li>• Monday to Thursday, 23:00 hrs to 12 midnight</li> <li>• Friday and Saturday, 23:00 hrs to 01:40 hrs</li> <li>• Sunday, 23:00 hrs to midnight</li> </ul> <p><u>Non-standard times</u> New Years 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 11pm on New Years Eve and 11am on New Years Day.</p>	<ul style="list-style-type: none"> <li>• Monday to Thursday, 11:00 hrs to 12 midnight</li> <li>• Friday and Saturday, 11:00 hrs to 02:00 hrs</li> <li>• Sunday, 11:00 hrs to midnight</li> </ul>

# 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

## Place Directorate Public Realm

Licensing Authority  
John Onslow House  
1 Ewart Place  
London  
E3 5EQ

Email: [REDACTED]

10<sup>th</sup> June 2020

My reference: LIC/127998/CH

Dear Sir/Madam,

Head of Environmental Health & Trading  
Standards **David Tolley**

Licensing Section  
John Onslow House  
1 Ewart Place  
London  
E3 5EQ

Tel [REDACTED]  
Fax [REDACTED]  
Enquiries to **Corinne Holland**

Email  
[REDACTED]

[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

### **Licensing Act 2003**

New premises licence application: Alcotraz, 212 Brick Lane, London, E1 6SA

The Licensing Authority (acting a Responsible Authority) is making a representation against the above application on the grounds of:

- *the prevention of public nuisance*

#### Cumulative Impact Policy

On 1<sup>st</sup> November 2013, Tower Hamlets Council adopted a Cumulative Impact Policy in the Brick Lane Area. The Council Cumulative Impact Zone (CIZ) was revised alongside this Statement of Licensing Policy on the 1<sup>st</sup> November 2018. *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 (19.3).*

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 Brick Lane area is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone within the area. The Brick Lane CIZ aims to manage the negative

cumulative impact of the concentration of licensed premises in the area 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.

*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 (19.5).*

*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 (19.6).*

*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 (19.7)*

***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 (19.8).*

#### Licensable activities and times

All applications have to be considered on their own merits and the Council has however adopted a set of framework hours (14.8) as follows:

- *Monday to Thursday, until 23:30 hours*
- *Friday and Saturday, until 00:00 hours (midnight)*
- *Sunday, until 22:30 hours*

*Applications in respect of premises licences and club premises certificates to authorise licensable activities outside the framework hours, and in respect of which relevant representations are made, will be decided on their own merits and with particular regard to the following.*

*a) The location of the premises and the general character of the area in which the premises are situated. (i.e. does the area include residential or business premises likely to be adversely affected).*

*b) The proposed hours during which licensable activities will be take place and the proposed hours during which customers will be permitted to remain on the premises.*

*c) The adequacy of the applicant's proposals to address the issues of the prevention of crime and disorder **and** the prevention of public nuisance.*

*d) Where the premises have been previously licensed, the past operation of the premises.*

*e) Whether customers have access to public transport when arriving at or leaving the premises at night time and in the early hours of the morning.*

f) *The proximity of the premises to other licensed premises in the vicinity and the hours of those other premises.*

The Home Office guidance under Section 182 of the Licensing Act 2003 (8.42) says:

*“Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:*

- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;*
- any risk posed to the local area by the applicants’ proposed licensable activities; and*
- any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.”*

#### Application

This application is for a premise licence for sales of alcohol, late night refreshments, provision of plays and anything of a similar nature to live/recorded music, and performance of dance. It is an immersive theatre production which customers book online and have specific time slots which last for 1 hour 45 minutes each. The business has been operating since 2017 and customers to date have brought their own alcohol as part of the experience. To date the Licensing Authority have received no complaints regarding this premises.

The hours and licensable activities applied for are:

#### The sale of alcohol

Wednesday – Sunday 12:00 – 00:00 (midnight)

#### Late Night Refreshments:

Wednesday – Sunday 23:00 – 00:00 hours (midnight)

#### Plays:

Wednesday – Friday 17:00 – 23:00 hours

Saturday 12:00 – 23:00 hours

Sunday 16:00 – 19:00 hours

#### Anything similar description to live/recorded music and performance of dance

Wednesday – Saturday 23:00 – 00:00 (midnight)

#### Opening hours:

Wednesday – Thursday 12:00 – 00:30 hours

Friday & Saturday 12:00 – 01:00 hours

Sunday 12:00 – 23:30 hours

The premise is within the Brick Lane CIZ where the Licensing Authority policy is to refuse the application unless the applicant can demonstrate there are exceptional circumstances to granting it. The applicant has not made any reference to the premises being within the Brick Lane CIZ within the operating schedule.

The application states that 40 persons can attend at one time but states there are time slots allocated every 30 minutes. It is not clear how many people will attend for each time slot and therefore be queuing outside waiting to be admitted. This could cause a noise disturbance if customers are high spirited or excited about the experience.

With the application for alcohol sales to allow customers to remain on the premises after their experience has ended this may lead to customers leaving on mass rather than a few at a time after each experience finishes. Customers may be high spirited after consuming several cocktails made from their own alcohol plus consuming additional drinks at the bar area. They could possibly cause a noise disturbance on leaving.

The application is also to allow 'off sales' of alcohol to sell cocktails off-site for home delivery via such as Deliveroo and Uber Eats. I understand due to Covid-19 that businesses are attempting to diversify their business plans in order to bring in new sources of revenue as best they can under these difficult circumstances however the application has not addressed anything regarding these deliveries in the application. The application states that customers are to direct taxis to a location away from the premises, in the assumption of not causing a disturbance to residents, but no mention is made for the delivery drivers. The Licensing Authority often receives complaints from local residents regarding the noise and behaviour of delivery vehicles employed to despatch the items.

On considering this application as it stands I feel it does not uphold the licensing objective of the 'prevention of public nuisance' and this could be further exacerbated once alcohol off sales, into the evening, are added and therefore the Licensing Authority feel that the application should be rejected.

If the Committee are mindful to grant the licence the Licensing Authority ask the following conditions to be added to the licence in addition to the volunteered conditions in the operating schedule:

1. Alcohol shall only be sold/supplied, on the premises, to customers who have purchased a ticket in advance.
2. All sales of alcohol for consumption, off the premises, shall be in sealed containers only, and shall not be consumed on the premises.
3. A standard age verification check shall be undertaken on entering the website when purchasing alcohol online. A signature at the point of

delivery must be obtained. No delivery shall be left without a signature. Every third party courier delivery box shall be labelled with the words "Age Restricted Product".

4. Alcohol shall only be delivered to a residential or business address and not to a public place.
5. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
6. No idling of vehicles of either patrons, taxis or delivery vehicles outside the premises whilst the premises is in operation

Yours faithfully



Corinne Holland  
**Licensing Officer**  
**(Acting as a Responsible Authority)**

**CC: Applicant:** 

# Appendix 7

## Mohshin Ali

---

**From:** Ibrahim Hussain  
**Sent:** 11 June 2020 16:26  
**To:** Mohshin Ali  
**Subject:** FW: MAU REPRESENTATION 127998 for Alcotraz 212 Brick Lane, London

**From:** Nicola Cadzow  
**Sent:** 11 June 2020 14:52  
**To:** Licensing  
**Subject:** MAU REPRESENTATION 127998 for Alcotraz 212 Brick Lane, London

Dear Licensing,

Having considered the new premise licence application for Alcotraz 212 Brick Lane, London and the potential impact of public nuisance and measures to prevent noise generated from within the premises or outside it which could cause disturbance to people in the vicinity, consideration has to be given to the fact that the premises is within Brick Lane Cumulative Impact Zone.

The proposed hours are beyond the Council's framework hours, and it must be noted that the Council's framework hours (i.e. when premises are open) are:

- **Monday to Thursday 0600 hours to 2330 hours; and**
- **Friday & Saturday 0600 hours to midnight**
- **Sunday 0600 hours to 2230 hours.**

The applicant is proposing licensable activities as follows:

**Provision of Live Music, recorded music, performances of dance, anything similar:-**

Wednesday & Thursday	until Midnight (an extension of half hour over framework hours)
Friday and Saturday	until Midnight (no change to framework hours)

**late night refreshment:**

Wednesday & Thursday	until Midnight (an extension of half hour over framework hours)
Friday and Saturday	until Midnight (no change to framework hours)
Sunday	until midnight (an extension of an hour and a half on framework hours)

**Supply of alcohol:**

Wednesday & Thursday	until Midnight (an extension of half hour over framework hours)
Friday and Saturday	until Midnight (no change to framework hours)
Sunday	until midnight (an extension of an hour and a half on framework hours)

**With premises being open until:**

Wednesday & Thursday	until 00:30 hours (an hour over framework hours)
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# Appendix 8

## Mohshin Ali

---

**From:** Huw Davies [REDACTED]  
**Sent:** 05 August 2020 22:03  
**To:** Mohshin Ali  
**Subject:** Re: New premises licence: (Alcotraz ), 212 Brick Lane, London E1 6SA

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Moshin,

I've just walked past Alcotraz on Brick Lane and noticed the barriers on the street outside. I've attached a photo that shows the barriers blocking the pavement and also making it very hard to park in the bays outside as it is a one way street the driver has no room to get out of their car.

Hope this helps explain my comments.

Regards, Huw



---

Huw Davies

On 26 Jul 2020, at 19:58, Huw Davies [REDACTED] > wrote:

Moshin,

Thanks for forwarding this on to me. I am grateful to the applicant for taking the time to respond to my concerns. It partially resolves my concerns but not fully. It is good to hear that there won't be people smoking outside, but it sounds like the pavement will still be blocked by people queuing and the barrier which is used to manage the queue (which blocks the pavement even when there aren't people queueing). The pavement isn't very wide and it is inconvenient particularly with people with reduced mobility. I don't think that part of Brick Lane is an appropriate location for a venue that needs to manage a queue. Therefore I am not withdrawing my original submission.

I am not familiar with these sorts of applications. Could you send me any public information or let me know what happens next, please.

Thanks, Huw

On Fri, 24 Jul 2020 at 15:38, Mohshin Ali [REDACTED] wrote:

Dear Huw Davies,

**Licensing Act 2003**

Premises: Alcotraz, 212 Brick Lane, London, E1 6SA

I write to you following my earlier email. Below is an email from the applicant in response to your representation. Please let me know if this satisfies any of your concerns or if you are in a position to withdraw your representation. If not, then the application will be decided by way of a public hearing as mention in my previous email.

If I can be of any further help, do not hesitate to contact me.

Kind regards,

**Mohshin Ali**

Senior Licensing Officer

Licensing and Safety Team

Environmental Health & Trading Standards

Place Directorate

John Onslow House

1 Ewart Place

London E3 5EQ

  
[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)  [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

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**From:** Sam Shearman [mailto:  
**Sent:** 21 July 2020 12:13  
**To:** Mohshin Ali  
**Subject:** Re: New premises licence: (Alcotraz ), 212 Brick Lane, London E1 6SA

Hi Mohshin,

Thank you for the time on the phone. Please find attached my prior representations to Nicola Cadzow and Corinne Holland. If these could please be attached to my application for committee to be able to see I think that would be hugely helpful.

Please could my below response also be sent to Huw. Please let me know if you need this in any other format:

Dear Huw,

I am awfully sorry to hear about any nuisance caused and would love the opportunity to explain how we have since taken measures to remove such issues and control behaviour.

You mention an issue with the queue, therefore, I am pleased to inform we now have in place queuing barriers to ensure that the public form an orderly queue. This has been hugely helpful in unblocking the street and I am confident the issue you outline would not occur anymore. Given the current circumstances we now have social distance stickers on the floor to ensure we are in line with government advice.

You also mention smokers blocking the pavement. I can now confirm we have since taken measures to create a no-smoking policy. This has in part been prompted by COVID-19 but will remain ongoing policy. This has been delivered by a no-readmission policy, therefore, if someone wishes to leave the experience, they will not be able to return, therefore, guests are remaining inside the premise at all times. We then have door security on site at all times who are instructed to usher guests after their experience away from the premise and towards public transport or taxis.

I hope these above steps help alleviate your concerns but if you did have any further questions, please contact me on [REDACTED].

--

---

Huw Davies

[REDACTED]  
[REDACTED]

## Mohshin Ali

---

**From:** Ibrahim Hussain  
**Sent:** 08 July 2020 11:15  
**To:** Mohshin Ali  
**Subject:** FW: Licence application  
**Attachments:** IMG\_5129.jpg; ATT00001.txt

-----Original Message-----

From: Huw Davies [REDACTED]  
Sent: 02 July 2020 22:23  
To: Licensing  
Subject: Licence application

Hello,

I would like to comment on the application for a licence for the premise "Alcatraz at ground Floor 212 Brick Lane"

When this operation was trading it created a nuisance for local residents by blocking the street with some sort of queue and smoking area with people penned in outside on the pavement.

This caused two problems:

- blocking the public highway my mother had difficulty navigating past this on her mobility scooter
- there were crowds outside the establishment of groups of drunken people

If the licence can control this sort of behaviour I would support this application otherwise I object to this business continuing to trade on the same way.

Regards, Huw  
[REDACTED]

# Appendix 9

## Mohshin Ali

---

**From:** Sam Shearman [REDACTED] >  
**Sent:** 12 June 2020 14:57  
**To:** Corinne Holland  
**Cc:** Licensing; Mohshin Ali  
**Subject:** Re: Alcotraz - Premises Licence application M/127998

Dear Corinne,

Thank you for your response with regards to my premises license application reference LIC/127998/CH. I hope my email below clears up ambiguity as well as provides evidence for the application to not negatively add to the Cumulative Impact Policy.

Personally, I am frustrated my application has not referenced the Cumulative Impact Policy enough and that the operating schedule presented has not been clear enough to demonstrate exceptional circumstances to grant it. In response to the ambiguity on the application, our venue capacity is 40 and only 40 customers can attend at any one time. Our time slots last for 1 hour 45 minutes with a 30 minute break in between. At a maximum, only 40 customers could attend one time slot with no room for overlap. We have been running in this manner for three years with no complaints towards noise disturbance from my understanding. With this in mind, I believe **the following exceptional circumstances are applicable here:**

- Our capacity is under fifty.
- We are willing to operate during Framework Hours:
  - Monday to Thursday, until 23:30 hours
  - Friday and Saturday, until 00:00 hours (midnight)
  - Sunday, until 22:30 hours
- Our premise is theatrical-led and not alcohol led, especially with regards to the sale of alcohol.

Although it is not an exceptional factor as stated in your letter, we hope there is merit in that we have been operating for almost three years successfully with proof of not negatively adding to the cumulative impact. We have numerous good practices that we employ already.

In response to your letter we can ensure customers will be off the premises before the above Framework Hours end times and are willing to enforce no idling of vehicles outside the premises whilst the premises is in operation. This will be enforced by our door security who are always on premise whilst in operation. Additionally, I am willing and able to prominently display notices at all exits requesting patrons to respect the needs of local residents and business and to leave quietly. This will also be reinforced by our staff to patrons before leaving. Given the premises close proximity to public transport we have always been able to disperse patrons easily and are confident in the future ability to do so.

In response to the concern regarding off-sales of alcohol, I am prepared to have this removed if it helps with the success of our application being granted. As with other businesses this condition was in attempt to maintain some revenue during COVID-19. We are optimistic we may be able to return to some sort of normality soon and, therefore, the necessity of this is diminishing. However, if there is scope to maintain this condition this would be helpful. In response to your points, our delivery partners can ensure we only deliver to residential or business addresses and we already have a system in place from other businesses with regards to labelling boxes with Age Restricted Product. It is also important to note our bottled products that we supply are always sealed with clear film and age verification is required online and in person, as well as signatures upon delivery.

Based on the above cases, please could we discuss options of moving forward with the application?

I look forward to hearing back from you and working together to achieve the licensing priorities.

Many Thanks,

Sam Shearman | Director  
[REDACTED]

On 10 Jun 2020, at 17:18, Corinne Holland [REDACTED] wrote:

Licensing

Please see the attached representation from the Licensing Authority to this application.

Kind regards

**Corinne Holland**  
Licensing Officer  
Licensing and Safety Team  
Place Directorate  
London Borough of Tower Hamlets  
John Onslow House  
London E3 5EQ

[REDACTED]  
[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

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cc. Sam Shearman - applicant

<BrickLane212.LAREP.CH.pdf>

**MAU REPRESENTATIONS 127998 for Alcotraz 212 Brick Lane, London.**

Dear Nicole Cadzow,

I hope you are well and thank you for considering the application.

Personally, I am frustrated my application has not referenced the Cumulative Impact Policy enough and that the operating schedule presented has not been clear enough to demonstrate exceptional circumstances to grant it, especially as our capacity is under 50. In response to your letter, we are willing to amend our hours to reflect the Council's Framework hours. As such, we are willing to accept the below with regards to licensable activities and open hours:

- Monday to Thursday, until 23:30 hours
- Friday and Saturday, until 00:00 hours (midnight)
- Sunday, until 22:30 hours

Although it is not an exceptional factor to grant an application, we hope there is merit in that we have been operating for almost three years successfully with proof of not negatively adding to the cumulative impact and with no complaints towards noise disturbance from my understanding. We have numerous good practices that we employ already to be sensitive to public nuisance and have been demonstrating these in practice.

In order to continue to comply with the objective of the Licensing Act 2003 relating to public nuisance we ensure customers will be off the premises before the above Framework Hours end times and are willing to enforce no idling of vehicles outside the premises whilst the premises is in operation. This will be enforced by our door security who are always on premise whilst in operation. Additionally, I am willing and able to prominently display notices at all exists requesting patrons to respect the needs of local residents and business and to leave quietly. This will also be reinforced by our staff to patrons before leaving. Given the premises close proximity to public transport we have always been able to disperse patrons easily and are confident in the future ability to do so.

I hope the above demonstrates our commitment to prevent the disturbance to residential premises and I hope you will reconsider your conclusion.

Kind Regards,  
Sam Shearman

Director | Inventive Productions



## Mohshin Ali

---

**From:** Sam Shearman [REDACTED] >  
**Sent:** 21 July 2020 12:13  
**To:** Mohshin Ali  
**Subject:** Re: New premises licence: (Alcotraz ), 212 Brick Lane, London E1 6SA  
**Attachments:** MAU REPRESENTATIONS 127998 for Alcotraz 212 Brick Lane.pdf; ATT00001.htm; Re Alcotraz - Premises Licence application M\_127998.eml; ATT00002.htm

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi Mohshin,

Thank you for the time on the phone. Please find attached my prior representations to Nicola Cadzow and Corinne Holland. If these could please be attached to my application for committee to be able to see I think that would be hugely helpful.

Please could my below response also be sent to Huw. Please let me know if you need this in any other format:

Dear Huw,

I am awfully sorry to hear about any nuisance caused and would love the opportunity to explain how we have since taken measures to remove such issues and control behaviour.

You mention an issue with the queue, therefore, I am pleased to inform we now have in place queuing barriers to ensure that the public form an orderly queue. This has been hugely helpful in unblocking the street and I am confident the issue you outline would not occur anymore. Given the current circumstances we now have social distance stickers on the floor to ensure we are in line with government advice.

You also mention smokers blocking the pavement. I can now confirm we have since taken measures to create a no-smoking policy. This has in part been prompted by COVID-19 but will remain ongoing policy. This has been delivered by a no-readmission policy, therefore, if someone wishes to leave the experience, they will not be able to return, therefore, guests are remaining inside the premise at all times. We then have door security on site at all times who are instructed to usher guests after their experience away from the premise and towards public transport or taxis.

I hope these above steps help alleviate your concerns but if you did have any further questions, please contact me on [REDACTED]

# Appendix 10

## **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 11

## 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 12

## 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 13

## **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 14

## **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 15

## **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 16

### **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 14<sup>th</sup> 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:

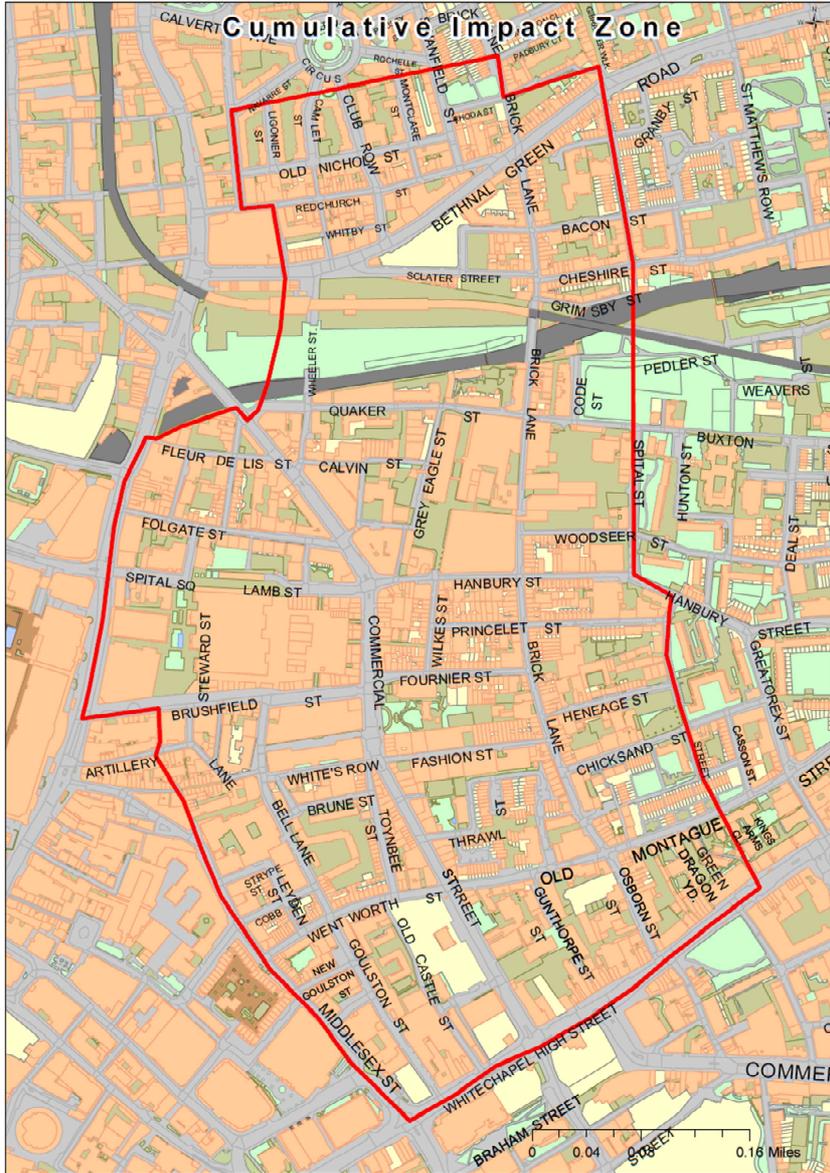
- that the premises will be well managed and run,
- that the premises will be constructed to a high standard,
- that the applicant operates similar premises elsewhere without complaint.

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:



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