

Appendix 1

**(London Cocktail Club)
Commercial Unit 12,
Avant Garde Building
29 Sclater Street
London
E1 6HR**

Licensable Activities authorised by the licence

The sale by retail of alcohol
The provision of late night refreshment
The provision of regulated entertainment

See the attached licence for the licence conditions

Signed by

David Tolley 
Environmental Health & Head of Trading Standards

Date: 11th February 2014



LICENSING ACT 2003

Part A - Format of premises licence

Premises licence number

26032

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

(London Cocktail Club)
Commercial Unit 12,
Avant Garde Building
29 Sclater Street

Post town

London

Post code

E1 6HR

Telephone number

None

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

The sale by retail of alcohol
The provision of late night refreshment
The provision of regulated entertainment

The times the licence authorises the carrying out of licensable activities

Sale of Alcohol (on sales only)

- Sunday to Thursday from 16:30 hours to 00:00 hours
- Friday & Saturday from 16:30 hours to 01:00 hours (the following day)

The Provision of Late Night Refreshments (indoors)

- Sunday to Thursday from 23:00 hours to 00:00 hours
- Friday & Saturday from 23:00 hours to 01:00 hours (the following day)

The Provision of Regulated Entertainment in the form of Films (indoors), Live Music (indoors) and Recorded Music (indoors)

- Sunday to Thursday from 16:30 hours to 00:00 hours
- Friday & Saturday from 16:30 hours to 01:00 hours (the following day)

The opening hours of the premises

- Sunday to Thursday from 10:00 hours to 00:30 hours (the following day)
- Friday & Saturday from 10:00 hours to 01:30 hours (the following day)

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

On sales only

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

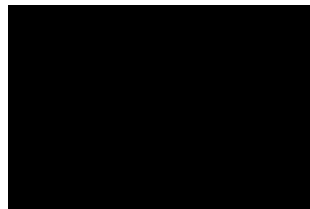
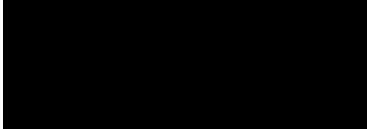
The London Cocktail Club Ltd
3rd Floor. 33 Percy Street
London
W1T 2DF

Registered number of holder, for example company number, charity number (where applicable)

Registered Number: 07438012

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

John James Goodman



Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence Number:



Annex 1 - Mandatory conditions

No supply of alcohol may be made under the premises licence-

- a) at a time where there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

1.

- (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises;
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)

- 2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
4. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
5.
 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 2. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula —

$$P = D + (D \times V)$$
 where —
 - (i) **P** is the permitted price

- (ii) **D** is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence
 - (i) the holder of the premises licence
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating Schedule

Not applicable

Annex 3 - Conditions attached after a hearing by the licensing authority at a Hearing on 11th February 2014 when licence was granted

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV

- system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
 3. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
 4. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
 5. Notices will be prominently displayed at exits requesting the public to respect the need of local residents and to leave the premises and the area quietly.
 6. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
 7. No servicing to take place before 8am and after 11pm.
 8. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
 9. The area immediately outside the premises, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
 10. There shall be no striptease or nudity, and all persons shall be decently attired at all times.
 11. There shall be no off sales permitted

12. There shall be a designated member of staff who is able to advise other staff on child protection matters
13. Any person permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them
14. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
15. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
16. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
17. A challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
18. A drugs policy shall be agreed with the Tower Hamlets Police Licensing Unit.
19. Form 696 Risk Assessment shall be completed and submitted to the Police whenever any outside promoters or DJs are used at the premises.

20. A minimum of two SIA door staff shall be employed at the premises from 9.00pm until closing on Fridays and Saturdays
21. Staff will monitor the patrons using any smoking area and ensure that they remain within the cartilage of the premises at all times.
22. The venue is to provide information on local taxi firms and transport links to all patrons leaving the venue.
23. A direct telephone for number for the manager at the premises shall be publicly available, and displayed at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity upon request.
24. No waste or recyclable materials, including bottles shall be moved, removed from or placed in outside areas between 11.00pm and 08.00am on the following day.
25. A registry of security personnel employed on the premises shall be maintained in a legible format, and made available to Police upon reasonable request. The register should be completed by the DPS/duty manager/nominated staff member at the commencement of work by each member of security staff, and details recorded should include full name, SIA badge number, contact details and time of commencement of duties. The security operative should then sign their name against these details.

Annex 4 - Plans

The plans are those submitted to the licensing authority on the following date:
6th December 2013 – The London Cocktail Club (22/09/2013 – DRG: No 02)
First floor and basement

Part B - Premises licence summary

Premises licence number

26032

Premises details

Postal address of premises, or if none, ordnance survey map reference or description

**(London Cocktail Club)
Commercial Unit 12,
Avant Garde Building
29 Sclater Street**

Post town

London

Post town

E1 6HR

Telephone number

None

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

The sale by retail of alcohol
The provision of late night refreshment
The provision of regulated entertainment

The times the licence authorises the carrying out of licensable activities

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- Sunday to Thursday from 16:30 hours to 00:00 hours
- Friday & Saturday from 16:30 hours to 01:00 hours (the following day)

The Provision of Late Night Refreshments (indoors)

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The Provision of Regulated Entertainment in the form of Films (indoors), Live Music (indoors) and Recorded Music (indoors)

- Sunday to Thursday from 16:30 hours to 00:00 hours
- Friday & Saturday from 16:30 hours to 01:00 hours (the following day)

The opening hours of the premises

- Sunday to Thursday from 10:00 hours to 00:30 hours (the following day)
- Friday & Saturday from 10:00 hours to 01:30 hours (the following day)

Name, (registered) address of holder of premises licence

(The London Cocktail Club Ltd)
The London Cocktail Club Ltd

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

On sales only

Registered company number

07438012

Name of designated premises supervisor

John James Goodman

State whether access to the premises by children is restricted or prohibited

No restrictions

Appendix 2

Section 1 of 18

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	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text"/>	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?		Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.
<input checked="" type="radio"/> Yes <input type="radio"/> No		

Applicant Details

* First name	<input type="text" value="James"/>	
* Family name	<input type="text" value="Hopkins"/>	
* E-mail	<input type="text" value=""/>	
Main telephone number	<input type="text" value=""/>	Include country code.
Other telephone number	<input type="text" value=""/>	
<input type="checkbox"/> Indicate here if the applicant would prefer not to be contacted by telephone		

Is the applicant:

- ☒ 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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes <input type="radio"/> No	Note: completing the Applicant Business section is optional in this form.
Registration number	<input type="text" value="07438012"/>	
Business name	<input type="text" value="THE LONDON COCKTAIL CLUB LTD"/>	If the applicant's business is registered, use its registered name.
VAT number	<input type="text" value="-"/> <input type="text" value=""/>	Put "none" if the applicant is not registered for VAT.
Legal status	<input type="text" value="Private Limited Company"/>	

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

- ☐ An agent that is a business or organisation, including a sole trader
- ☒ A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Continued from previous page...

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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

Premises Contact Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 18

VARIATION

Do you want the proposed variation to have effect as soon as possible? ☒ Yes ☐ No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

☐ Yes ☒ No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

Continued from previous page...

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

This variation is to : (1) allow the retail sale of alcohol to commence at 10.00am rather than 16.30. The opening hours of the premises is currently 10am and so opening hours do not need to be amended. This variation is sought due to Covid restrictions- the premises needs to rethink its operation to remain viable. (2) modify existing condition 20 to read "A minimum of 2 SIA shall be employed at the premises from 9pm until closing on Fridays and Saturdays. This condition shall be suspended until 1 October 2022 or until the premises are permitted to trade without social distancing measures in place, whichever is the earliest". All other operational conditions will apply

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

☐ Yes ☒ No

Section 8 of 18

<i>Continued from previous page...</i>
PROVISION OF LIVE MUSIC
See guidance on regulated entertainment Will the schedule to provide live music be subject to change if this application to vary is successful? <input type="radio"/> Yes <input checked="" type="radio"/> No
Section 9 of 18
PROVISION OF RECORDED MUSIC
See guidance on regulated entertainment Will the schedule to provide recorded music be subject to change if this application to vary is successful? <input type="radio"/> Yes <input checked="" type="radio"/> No
Section 10 of 18
PROVISION OF PERFORMANCES OF DANCE
See guidance on regulated entertainment Will the schedule to provide performances of dance be subject to change if this application to vary is successful? <input type="radio"/> Yes <input checked="" type="radio"/> No
Section 11 of 18
PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE
See guidance on regulated entertainment Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful? <input type="radio"/> Yes <input checked="" type="radio"/> No
Section 12 of 18
PROVISION OF LATE NIGHT REFRESHMENT
Will the schedule to provide late night refreshment be subject to change if this application to vary is successful? <input type="radio"/> Yes <input checked="" type="radio"/> No
Section 13 of 18
SUPPLY OF ALCOHOL
Will the schedule to supply alcohol be subject to change if this application to vary is successful? <input checked="" type="radio"/> Yes <input type="radio"/> No
Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Provide 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 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.

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, 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 14 of 18

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.

Provide 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.

n/a

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

Continued from previous page...

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.

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

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

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

modify existing condition 20 to read "A minimum of 2 SIA shall be employed at the premises from 9pm until closing on Fridays and Saturdays. This condition shall be suspended until 1 October 2022 or until the premises are permitted to trade without social distancing measures in place, whichever is the earliest".

☒ I have enclosed the premises licence

☐ I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

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.

Continued from previous page...

modify existing condition 20 to read "A minimum of 2 SIA shall be employed at the premises from 9pm until closing on Fridays and Saturdays. This condition shall be suspended until 1 October 2022 or until the premises are permitted to trade without social distancing measures in place, whichever is the earliest".

all other conditions shall remain

b) The prevention of crime and disorder

see above

c) Public safety

see above

d) The prevention of public nuisance

see above

e) The protection of children from harm

see above

Section 17 of 18

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 18 of 18

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.

Variation 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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 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 you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise 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>

* Fee amount (£)

315.00

DECLARATION

Continued from previous page...

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

☒ 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

* Capacity

* Date / /
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/change-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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

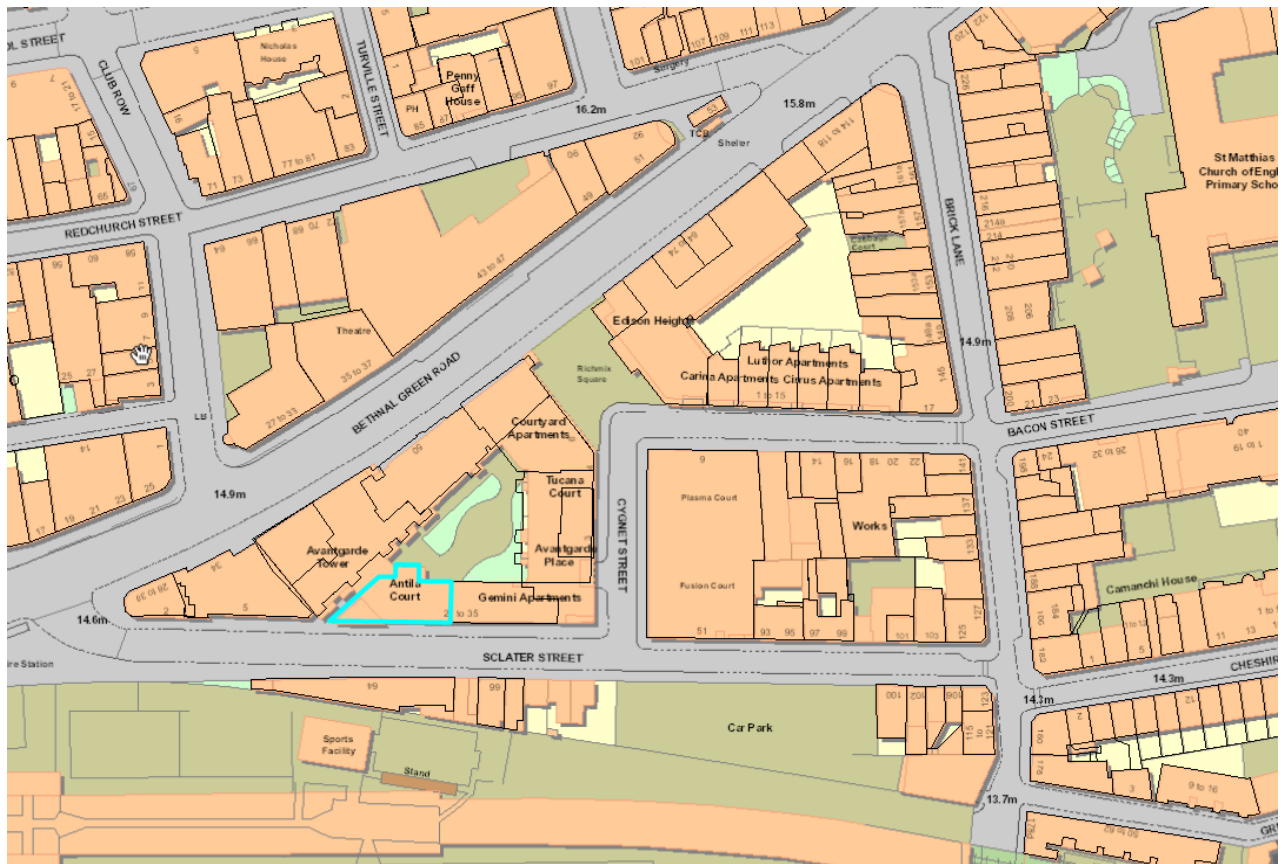
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Appendix 3

12, 29 Sclater Street London E 1 6LB

Map of local vicinity



Images of the venue and area

Picture 1



Picture 2



Picture 3



Appendix 4

Premises Address	Licensable Activities	Opening hours
(Rum Kitchen) Unit 13 (Basement and Ground Floors) 5 Sclater Street London E1 6GX	The sale by retail of alcohol Monday to Sunday, from 11:00 hours to 23:30 hours The provision of late night refreshment Monday to Sunday, from 23:00 hours to 23:30 hours On and off sales	Monday to Sunday, from 11:00 hours to 23:30 hours
(Smokestack) Unit 11 Avant Garde Sclater Street London E1 6HZ	The sale by retail of alcohol Daily 10:00 hours to 00:00 hours The provision of late night refreshment Daily 23:00 hours to 00:00 hours On and off sales	Daily 10:00 hours to 00:30 hours
(Close-Up Cinema) 97-99 Sclater Street London E1 6HR	Sale of Alcohol Monday to Sunday from 10:00 hours to 23:30 hours The Provision of Regulated Entertainment - indoors <u>Films</u> Monday to Sunday from 10:00 hours to 23:30 hours The Provision for Late Night Refreshments Monday to Sunday from 23:00 hours to 23:30 hours On sales only	Monday to Sunday from 08:00 hours to 00:00 hours (midnight)
(Sainsbury's Supermarkets Ltd) Unit 7 50 Bethnal Green Road	Supply of Alcohol Monday to Sunday from 07:00hrs to 24:00hrs (midnight)	There are no restrictions to opening hours of the premises

London E1 6JW	Off sales only	
(Brewdog) 51 Bethnal Green Road London E1 6LA	<p>GROUND FLOOR</p> <p>Sale of Alcohol</p> <p><input type="checkbox"/> Sunday to Thursday, from 08:00 hours to 12midnight</p> <p><input type="checkbox"/> Friday and Saturday, from 08:00 hours to 01:00 hours the following day</p> <p>Provision of Late Night Refreshment</p> <p><input type="checkbox"/> Sunday to Thursday, from 23:00 hours to 12midnight</p> <p><input type="checkbox"/> Friday and Saturday, from 23:00 hours to 01:00 hours the following day</p> <p>Provision of Regulated Entertainment: Live Music, Recorded Music, Provision of Facilities for Making Music and Provision of Facilities for Dancing:</p> <p><input type="checkbox"/> Friday and Saturday, from 08:00 hours to 01:00 hours the following day</p> <p>LOWER GROUND FLOOR</p> <p>Sale of Alcohol</p> <p><input type="checkbox"/> Sunday to Thursday, from 08:00 hours to 01:00 hours the following day</p> <p><input type="checkbox"/> Friday and Saturday, from 08:00 hours to 02:00 hours the following day</p> <p>Provision of Late Night Refreshment</p> <p><input type="checkbox"/> Sunday to Thursday, from 23:00 hours to 01:00 hours the following day</p> <p><input type="checkbox"/> Friday and Saturday, from 23:00 hours to 02:00 hours the following day</p> <p>Provision of Regulated Entertainment:</p>	<p>Sunday to Thursday, from 08:00 hours to 01:30 hours the following day</p> <p>Friday and Saturday, from 08:00 hours to 02:30 hours the following day</p>

	<p>Live Music, Recorded Music, Provision of Facilities for Making Music,</p> <p>Performances of Dance and Provision of Facilities for Dancing</p> <p><input type="checkbox"/> Sunday to Thursday, from 08:00 hours to 01:00 hours the following day</p> <p><input type="checkbox"/> Friday to Saturday, from 08:00 hours to 02:00 hours the following day</p> <p>Non-standard Times for all of the above</p> <p>From start of permitted hours on New Year's Eve until the end of the permitted hours on New Year's Day.</p> <p>The opening Non-standard Times</p> <p><input type="checkbox"/> From start of permitted hours on New Year's Eve until the end of the permitted hours on New Year's Day.</p> <p>On and off sales</p>	
<p>(Lahpet) Unit 8 Ground Floor 58 Bethnal Green Road London E1 6JW</p>	<p>The sale by retail of alcohol Monday to Sunday, 10:00 hours to 00:00 hours</p> <p>The provision of regulated entertainment – Indoors <u>(Recorded Music)</u> Monday to Sunday, 10:00 hours to 00:00 hours</p> <p>The provision of late night refreshment – Indoors and outdoors Monday to Sunday, 23.00pm to 00:00 hours</p> <p>On sales only</p>	<p>Monday to Sunday, 08:00 hours to 00:00 hours</p>

<p>(Cocktail Trading Co) 64-68 Bethnal Green Road London E1 6GQ</p>	<p><u>The Supply of Alcohol (both on and off premises)</u></p> <ul style="list-style-type: none"> From Monday to Sunday from 10:00hrs to 00:00hrs (midnight) <p><u>The provision of late night refreshment (indoors)</u></p> <ul style="list-style-type: none"> From Monday to Sunday from 23:00hrs to 00:00hrs (midnight) <p><u>Regulated Entertainment (in the form of music) (indoors)</u></p> <ul style="list-style-type: none"> From Monday to Sunday from 10:00hrs to 00:00hrs (midnight) <p>On and off sales</p>	<p>Monday to Sunday from 10:00hrs to 00:00hrs (midnight)</p>
<p>(Rich Mix Cultural Foundation) 35-47 Bethnal Green Road London E1 6LA</p>	<p>The times the licence authorises the carrying out of licensable activities</p> <p><u>THE SALE BY RETAIL OF ALCOHOL:</u> Ground Floor Café, Ground Floor Visual Arts Gallery, Cinema 1, Cinema 2, Cinema 3 and 4th Floor venue and gallery: Sunday, Monday, Tuesday, Wednesday and Thursday from 09:00 hours to midnight Friday and Saturday from 09:00 hours to 01:00 hours the following day</p> <p>Basement: Visual Arts Gallery First Floor: Mezzanine Level, Gallery and Studio 3 Second Floor: Live Room and two Group Teaching Spaces, Office, Studio 1 and 2</p>	

	<p>Third Floor: Meeting Room Fourth Floor: Bar and Rehearsal Space :</p> <p>Sunday, Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 09:00 hours to 23:00 hours</p> <p><u>PLAYS:</u> 4th Floor Venue and gallery: Sunday, Monday, Tuesday, Wednesday and Thursday from 09:00 hours to midnight Friday and Saturday from 09:00 hours to 01:00 hours the following day 4th Floor Rehearsal Space: Sunday, Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 09:00 hours to 23:00 hours</p> <p><u>FILMS:</u> Cinema 1, 2 and 3 Sunday, Monday, Tuesday, Wednesday and Thursday from 09:00 hours to midnight Friday and Saturday from 09:00 hours to 01:00 hours the following day</p> <p><u>MOVING IMAGE INCIDENTAL TO OTHER ACTIVITIES AND FOR EDUCATIONAL AND ARTISTIC PURPOSES ONLY:</u> Basement: Visual Arts Gallery and Lobby Ground Floor: Main Entrance Hall, Lobby and Box Office & Concessions First Floor: Gallery, Liftlobby, Stairlobby, Cinema 1 Landing and Studio 3 Second Floor: Lobby, Live Room and two Group</p>	
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	<p>Teaching Spaces, Office, Studio 1 and 2 Third Floor: Lift and Stair Lobbies and Meeting Room Fourth Floor: Bar, Bar Lobby, Stairs Lobby and Rehearsal Space</p> <p>Sunday, Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 09:00 hours to 23:00 hours</p> <p><u>INDOOR SPORTS AND BOXING OR WRESTLING ENTERTAINMENT:</u> 4th Floor venue and gallery only</p> <p>Sunday, Monday, Tuesday, Wednesday and Thursday from 09:00 hours to midnight Friday and Saturday from 09:00 hours to 01:00 hours the following day</p> <p><u>LIVE MUSIC AND RECORDED MUSIC AND FACILITIES FOR MAKING MUSIC AND ANYTHING OF SIMILAR:</u> Fourth Floor venue and gallery, Cinema 1, 2 and 3, Ground Floor Café and Ground Floor visual arts gallery</p> <p>Sunday, Monday, Tuesday, Wednesday and Thursday from 09:00 hours to midnight Friday and Saturday from 09:00 hours to 01:00 hours the following day</p> <p>Basement: Visual Arts Gallery First Floor: Mezzanine Level, Gallery and Studio 3 Second Floor: Live Room and two Group Teaching Spaces, Office, Studio 1 and 2 Third Floor: Meeting Room</p>	
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	<p>Fourth Floor: Bar and Rehearsal Space Sunday, Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 09:00 hours to 23:00 hours</p> <p><u>PERFORMANCE OF DANCE AND PROVISION OF FACILITIES FOR DANCING AND ANYTHING OF SIMILAR:</u> Fourth Floor venue and gallery, Cinema 1, 2 and 3, Ground Floor Café and Ground Floor visual arts gallery Sunday, Monday, Tuesday, Wednesday and Thursday from 09:00 hours to midnight Friday and Saturday from 09:00 hours to 01:00 hours the following day Basement: Visual Arts Gallery First Floor: Mezzanine Level, Gallery and Studio 3 Second Floor: Live Room and two Group Teaching Spaces, Office, Studio 1 and 2 Fourth Floor: Bar and Rehearsal Space Sunday, Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 09:00 hours to 23:00 hours</p> <p><u>LATE NIGHT REFRESHMENT:</u> 4th Floor Bar Sunday, Monday, Tuesday, Wednesday and Thursday until midnight Friday and Saturday until 01:00 hours the following day</p> <p>On and off sales</p>	
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Appendix 5

Licensing Authority

Email: [REDACTED]

PLACE Directorate
Public Realm

Environmental Health & Trading Standards
Licensing & Safety Team

23rd November 2020

Your reference

My reference: LIC/133157/MA

Tel: [REDACTED]

Fax: 020 7364 0863

Email: licensing@towerhamlets.gov.uk

www.towerhamlets.gov.uk

Dear Sir/Madam,

Licensing Act 2003

Variation: (London Cocktail Club), Commercial Unit 12, , Avant Garde Building,
29 Sclater Street, London E1 6HR

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

- *the prevention of crime and disorder and*
- *the prevention of public nuisance*

Cumulative Impact Policy

On 1st 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 1st 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.



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Tower Hamlets Council
John Onslow House
1 Ewart Place
London
E3 5EQ

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).

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.”*

Variation requested

There is no concern to the additional starting times requested by the licence holder.

The licence holder wishes to amend the following existing condition:

Annex 3 - Conditions attached after a hearing by the licensing authority at a Hearing on 11th February 2014 when licence was granted

Condition 20: “A minimum of two SIA door staff shall be employed at the premises from 9.00pm until closing on Fridays and Saturdays”.

To read as follows:

“A minimum of 2 SIA shall be employed at the premises from 9pm until closing on Fridays and Saturdays. This condition shall be suspended until 1 October 2022 or until the premises are permitted to trade without social distancing measures in place, whichever is the earliest”.

The second part of the condition is not enforceable so the licence holder may want to come up with the appropriate wording in relation to the restrictions that limit capacity due to Coronavirus.

I have looked at the history of the premises and the following relevant Complaints (CMU) and visits (EVU) are registered on the Licensing Authority's (LA) system Civica Authority Protection (APP):

12/09/2020 – Late Night Levy Police visited at 2350 hours and noted:
“Officers attended the London Cocktail Club On Sclater Street Security were on the door stopping revellers from standing in the street and ensuring that customers remained in the venue. Slight bit of noise emanating from the venue but nothing excessive or that would cause concern to officers No signs of drug use or dealing”.

08/09/2020 – LA attended premises 8/9/20 15:06 and discussed the following:
*“Called into the premises and spoke to Daniele Antonucci the area manager about the noise complaint.
He was aware of the lady who had complained as she had emailed and attended the premises.
He said normally they are open in the basement but they have started having the ground floor bar open on Sundays. He said the noise team visited on Sunday and thought the music level was ok but advised to turn the base down which he says they will do moving forward.
He said he had also given the resident a telephone number to contact them directly.
As far as he was concerned the complaints were music related and not customers outside.
He said he has doorman on a Friday /Saturday only”*

30/08/2020 – (EVU:077037) LA visited the premise at 00:30 hrs
“Two customers outside smoking, two SIA staff manning the door. No noise issue”.

14/08/2020 – LA sent warning letter (attached) to the premises about noise from customers outside.

10/08/2020 (CMU: 100683) – LA received a complaint about noise from customers outside.

09/02/2019 – LA visited the premises and carried out compliance check. *“Only issue of note was copy of Licence that was kept in safe appeared to be an earlier copy compared to what I had printed off”.*

07/01/2019 (CMU: 093723) – LA received a complaint about noise from customers outside on 4th January 2019;

"I'm long overdue making a noise complaint as the noise is constantly horrendous 7 days a week. It is exceptionally bad on weekends but Monday - Thursday their license was somehow granted until midnight.

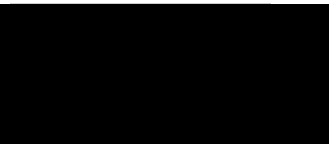
Their smoking area is out on the street and there is no door man on week nights telling people to be quiet so there are constantly drunk loud people on the street after 23.00.

When they do close at midnight and put their customers out in the street there is nobody telling them to move on from outside the Club.

I am up for work at 6.30am Monday - Saturday and I'm constantly being kept awake by this. I have spoken to the manager by email but it hasn't made a difference.

On a balance of probability, this Authority is concerned by the removal of the condition can potentially undermine the licensing the licensing objectives. If the applicant is unable to prove to the Licensing Sub-Committee, through the implementation of appropriate conditions within the Operating Schedule, that the granting of the application will not undermine the licensing objectives; then the application should be rejected.

Yours faithfully



Mohshin Ali



CC: Lana Tricker (solicitor

Encl: LA warning letter



London Cocktail Club
Unit 12
Avant Guard Building
29 Sclater Street
London
E1 6HR

14th August 2020

My reference P/LIC/C100683

**Place Directorate
Public Realm**

Head of Environmental Health & Trading Standards
David Tolley

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

Tel **020 7364** [REDACTED]
Fax **020 7364 0863**
Enquiries to **Corinne Holland**
Email [REDACTED]

www.towerhamlets.gov.uk

Dear Sir/Madam,

Licensing Act 2003

Premises: London Cocktail Club, Unit 12, 29 Sclater Street, London, E1 6HR

This Licensing Authority has received a complaint on the 9th August 2020 regarding the noise emanating from the front of your premises late into the evening..

I wish to bring this complaint to your attention:

Please see the excerpt of the complaint:

There's excessive noise from drunk customers outside the London cocktail club on Sclater street. It's impossible to sleep and there are many families on this street: it's unacceptable that they should have such a late licence.

The noise is consistent throughout the evening - shouting, bottles smashing etc.



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Tower Hamlets Council

John Onslow House
1 Ewart Place
London
E3 5EQ

I note that you have the following conditions on your licence:

5. Notices will be prominently displayed at exits requesting the public to respect the need of local residents and to leave the premises and the area quietly.
8. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance

Please be advised that you have a duty to comply with the four licensing objectives, namely:

- The prevention of crime and disorder
- The prevention of public nuisance
- Public safety
- The protection of children from harm

Please be advised that local residents, local businesses, ward councillors and responsible authorities, including the Licensing Authority can trigger a review of your premises licence if any of the above licensing objectives are not being promoted.

Please would you be able to address this issue to prevent any further complaints.

Enforcement visits will be carried out to the premises to establish the legitimacy of the complaint. Should you be found to be in breach of the licence, enforcement action may be sought in the form of a prosecution or a review of the licence.

I note that you have taken advantage of the Section 172F for allowing 'off sales' under the Business & Planning Act 2020 but please be advised if complaints are received a responsible authority can apply for a summary review to modify, suspend or revoke the off sales which are permitted via this Act.

I would welcome any comments you may wish to make in regards to the above.

Yours sincerely



Corinne Holland
Licensing Officer

c.c. James Hopkins



Appendix 6

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 7

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 8

Crime and Disorder

- 7.1 Licensed premises, especially those offering late night / early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems and to store prescribed information.
- 7.2 When addressing crime and disorder the applicant should initially identify any particular issues (having regard to their particular type of premises and / or activities) which are likely to adversely affect the promotion of the crime and disorder licensing objective. Such steps as are required to deal with these identified issues should be included within the applications operating schedule. Where the Metropolitan Police, acting as a responsible authority, makes recommendations in respect of an application relating to the licensing objectives the Licensing Authority would expect the applicant to incorporate these into their operating schedule.
- 7.3 Applicants are recommended to seek advice from Council Officers and the Police as well as taking into account, as appropriate, local planning and transport policies, with tourism, cultural and crime prevention strategies, when preparing their plans and Schedules.
- 7.4 In addition to the requirements for the Licensing Authority to promote the licensing objectives, it also has duties under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough and to share prescribed information.
- 7.5 The Licensing Authority, if its discretion is engaged, will consider attaching Conditions to licences and permissions to deter and prevent crime and disorder both inside and immediately outside the premises and these may include Conditions drawn from the Model Pool of Conditions relating to Crime and Disorder given in the Secretary of State's Guidance.
- 7.6 **CCTV** - The Licensing Authority, if its discretion is engaged, will attach conditions to licences, as appropriate where the conditions reflect local crime prevention strategies, for example the provision of closed circuit television cameras.

- 7.7 **Touting** – This is soliciting for custom. There has been a historic problem with Touting in the borough, mainly in relation to restaurants, and as such in 2006 the Council introduced a byelaw under Section 235 of the Local Government Act 1972 for the good rule and government of the London Borough of Tower Hamlets and for the prevention and suppression of nuisances.

As a result, in relation to premises where there is intelligence that touting is, or has been carried out, the Licensing Authority, where its discretion is engaged will insert a standard condition that prohibits 'touting' as follows:-

- 1) No person shall be employed to solicit for custom or be permitted to solicit for custom for business for the premises in any public place within a 500 meters radius of the premises as shown edged red on the attached plan.(marked as Appendix -)
- 2) Clear Signage to be placed in the restaurant windows stating that the premises supports the Council's 'No Touting' policy.

- 7.8 **Responsible Drinking** - The Licensing Authority expects alcohol to be promoted in a responsible way in the Borough. This should incorporate relevant industry standards, such as the Portman Group Code of Practice. Where appropriate and proportionate, if its discretion is engaged, the Licensing Authority will apply conditions to ensure responsible drinking. The Licensing Authority also recognises the positive contribution to best practice that "Pubwatch" and other similar schemes can make in promoting the licensing objectives and is committed to working with them.

Model Pool Conditions can be found in the Secretary of State's Guidance.

- 7.9 **Criminal Activity** - There is certain criminal activity that may arise in connection with licensed premises which the Licensing Authority will treat particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;

- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for employing a person who is disqualified from that work by reason of their immigration status in the UK;
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

The Secretary State's Guidance states that it is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and this Licensing Authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence, even in the first instance, should be seriously considered.

- 7.10 In particular the Licensing Authority is mindful of the Secretary of State's Guidance "Reviews arising in connection with crime".
- 7.11 From 1 April 2017, businesses which sell alcohol (for example, retailers of alcohol and trade buyers) will need to ensure that the UK wholesalers that they buy alcohol from have been approved by HMRC under the Alcohol Wholesaler Registration Scheme (AWRS). They will need to check their wholesalers Unique Registration Number (URN) against the HMRC online database which will be available from April 2017. This is an ongoing obligation and if a business is found to have bought alcohol from an unapproved wholesaler, they may be liable to a penalty or could even face criminal prosecution and their alcohol stock may be seized. Any trader who buys alcohol from a wholesaler for onward sale to the general public (known as a 'trade buyer') does not need to register unless they sell alcohol to other businesses. Examples of trade buyers would be pubs, clubs, restaurants, cafes, retailers and hotels. However, they will need to check that the wholesaler they purchase alcohol from is registered with HMRC. Further information may be found at: <https://www.gov.uk/guidance/the-alcohol-wholesaler-registration-scheme-awrs>.

Smuggled goods

7.12 The Licensing Authority will exercise its discretion to add a standard condition as follows:-

- 1) The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers other than from established traders who provide full receipts at the time of delivery to provide traceability.
- 2) The premises licence holder shall ensure that all receipts for goods bought include the following details:
 - i. Seller's name and address
 - ii. Seller's company details, if applicable
 - iii. Seller's VAT details, if applicable
 - iv. Vehicle registration detail, if applicable
- 3) Legible copies of the documents referred to in 2) shall be retained on the premises and made available to officers on request.
- 4) The trader shall obtain and use a UV detection device to verify that duty stamps are valid.
- 5) Where the trader becomes aware that any alcohol may be not duty paid they shall inform the Police of this immediately.

Olympic Park – Football Ground

7.13 Premises where Police intelligence shows that football supporters congregate within the borough should consider in their application form the following conditions:

- 1) On Match Days for premises licensed for the supply of alcohol for consumption on the premises:
 - a) Drinks shall only be supplied in polypropylene or similar plastic and all bottled drinks shall be poured into such drinking vessels before being handed to the customer. These should be made of recyclable materials.
 - b) Registered door staff shall be employed to control the entry and exits to the premises and to manage any licensed outside area(s).

Appendix 9

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