

Tower Hamlets Application for a premises licence Licensing Act 2003

For help contact

<u>licensing@towerhamlets.gov.uk</u> Telephone: 020 7364 5008

		* 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	Not Currently In Use	This is the unique reference for this application generated by the system.				
Your reference	GREENGLOW(FOODANDDRINKMILANOLTD)	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 bel	half of the applicant?	Put "no" if you are applying on your own				
○ Yes	lo	behalf or on behalf of a business you own or work for.				
Applicant Details						
* First name	Kaysor					
* Family name	Ambia					
* 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:						
Applying as a business of Applying as an individual	r organisation, including as a sole trader	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?	YesNo	Note: completing the Applicant Business section is optional in this form.				
Registration number	12891029					
Business name	Foodanddrinkmilano LTD	If your business is registered, use its registered name.				
VAT number -	none	Put "none" if you are not registered for VAT.				
Legal status	Private Limited Company					

Continued from previous page		
Your position in the business	Director	
·	United Vincedons	The country where the headquarters of your
Home country	United Kingdom	business is located.
Registered Address		Address registered with Companies House.
Building number or name	5th Floor, North Side, 7-10	
Street	Chandos Street	
District		
City or town	London	
County or administrative area		
Postcode	W1G 9DQ	
Country	United Kingdom	
Section 2 of 21		
PREMISES DETAILS		
	ply for a premises licence under section 17 of the premises) and I/we are making this application the Licensing Act 2003.	
Premises Address		
Are you able to provide a post	al address, OS map reference or description of t	he premises?
AddressOS ma	p reference O Description	
Postal Address Of Premises		
Building number or name	296/297	
Street	Cambridge Heath Road	
District		
City or town	London	
County or administrative area		
Postcode	E2 9HA	
Country	United Kingdom	
Further Details		
Telephone number		
Non-domestic rateable value of premises (£)	1,000	

Secti	on 3 of 21				
APPL	ICATION DETAILS				
In wh	at capacity are you applying for the premises licence?				
	An individual or individuals				
\boxtimes	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				
Conf	irm The Following				
\boxtimes	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				
Secti	on 4 of 21				
NON	INDIVIDUAL APPLICANTS				
	de name and registered address of applicant in full. Where appropriate give any registered number. In the case of a tership or other joint venture (other than a body corporate), give the name and address of each party concerned.				
Non	Individual Applicant's Name				
Nam	e				
Deta	ils				
_	cable)				
Desc	escription of applicant (for example partnership, company, unincorporated association etc)				

Continued from previous page		
Address		
Building number or name		
Street		
District		
City or town		
County or administrative area		
Postcode		
Country	United Kingdom	
Contact Details		
E-mail		
Telephone number		
Other telephone number		
* Date of birth		
	dd mm yyyy	
* Nationality		Documents that demonstrate entitlement to work in the UK
	Add another applicant	
Section 5 of 21		
OPERATING SCHEDULE		
When do you want the premises licence to start?	02 / 12 / 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	of the premises	
licensing objectives. Where yo	ses, its general situation and layout and any oth ur application includes off-supplies of alcohol ar plies you must include a description of where th	nd you intend to provide a place for
It is a stall. We provide hot food longer.	d and hot drinks as take-away. We would like the	e late-night license in order to stay open for

Continued from previous page	
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	
See guidance on regulated en	tertainment
Will you be providing plays?	
○ Yes	No
Section 7 of 21	
PROVISION OF FILMS	
See guidance on regulated en	tertainment
Will you be providing films?	
	No
Section 8 of 21	
PROVISION OF INDOOR SPOR	RTING EVENTS
See guidance on regulated en	tertainment
Will you be providing indoor s	porting events?
○ Yes	No
Section 9 of 21	
PROVISION OF BOXING OR W	RESTLING ENTERTAINMENTS
See guidance on regulated en	tertainment
Will you be providing boxing of	or wrestling entertainments?
○ Yes	No
Section 10 of 21	
PROVISION OF LIVE MUSIC	
See guidance on regulated en	tertainment
Will you be providing live mus	ic?
○ Yes	No
Section 11 of 21	
PROVISION OF RECORDED M	USIC
See guidance on regulated en	tertainment
Will you be providing recorded	d music?
○ Yes	No
Section 12 of 21	
PROVISION OF PERFORMANO	CES OF DANCE
See guidance on regulated en	tertainment
Will you be providing perform	ances of dance?

Continued from previous page				
Section 13 of 21				
PROVISION OF ANYTHING OF DANCE	A SIMILAR	DESCRIPTION TO LIVE	MUSIC, REG	CORDED MUSIC OR PERFORMANCES OF
See guidance on regulated ent				
Will you be providing anything performances of dance?	similar to liv	ve music, recorded mus	sic or	
○ Yes	No			
Section 14 of 21				
LATE NIGHT REFRESHMENT				
Will you be providing late nigh	t refreshmer	nt?		
Yes	○ No			
Standard Days And Timings				
MONDAY				Give timings in 24 hour clock.
Start	00:00	End	24:00	(e.g., 16:00) and only give details for the days
Start		End		of the week when you intend the premises to be used for the activity.
				to be used for the activity.
TUESDAY				
Start	00:00	End	24:00	
Start		End		
WEDNESDAY				
Start	00:00	End	24:00	
Start		End		
		· · · · · · · · · · · · · · · · · · ·		
THURSDAY	22.22		0.1.00	
Start	00:00	End	24:00	
Start		End		
FRIDAY				
Start	00:00	End	24:00	
Start		End		
SATURDAY				
Start	00:00	End	24:00	
	00.00	 	24.00	
Start		End		
SUNDAY				
Start	00:00	End	24:00	
Start		End		

Continued from previous page.						
Will the provision of late nighboth?	nt refr	eshment take	place indoo	ors or outo	doors or	
Indoors	•	Outdoors	0	Both		Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.
State type of activity to be au exclusively) whether or not n					relevant	further details, for example (but not
State any seasonal variations						
For example (but not exclusive	/ely) \	where the activ	vity will occ	cur on add	litional d	ays during the summer months.
Non-standard timings. Where those listed in the column on			e used for	the supply	y of late ı	night refreshments at different times from
For example (but not exclusive	/ely),	where you wis	h the activi	ity to go o	n longer	on a particular day e.g. Christmas Eve.
Section 15 of 21						
SUPPLY OF ALCOHOL		opol?				
Will you be selling or supplying	_					
○ Yes PROPOSED DESIGNATED PR		No No	OD CONSE	NIT		
How will the consent form of					ervisor	
be supplied to the authority?		noposed desig	mateu prei	miscs sup	CIVISOI	
Electronically, by the pr	opos	ed designated	premises s	upervisor		
 As an attachment to this 	s app	lication				
Reference number for conser form (if known)	nt 🔃					If the consent form is already submitted, ask the proposed designated premises
TOTTI (II KITOWII)						supervisor for its 'system reference' or 'your
Section 16 of 21						reference'.
ADULT ENTERTAINMENT						

Continued from previous	page				
Highlight any adult ent premises that may give				entertainmer	nt or matters ancillary to the use of the
rise to concern in respe	ct of ch	ildren, regardle	ss of whether you ir	itend childre	y to the use of the premises which may give n to have access to the premises, for example gambling machines etc.
Section 17 of 21					
HOURS PREMISES ARE	OPEN	TO THE PUBLIC	;		
Standard Days And Ti	mings				
MONDAY					Give timings in 24 hour clock.
	Start	00:00	End	24:00	(e.g., 16:00) and only give details for the days of the week when you intend the premises
	Start		End		to be used for the activity.
TUESDAY					
	Start	00:00	End	24:00	
	Start		End		
WEDNESDAY					
	Start	00:00	End	24:00	
	Start		End		
THURSDAY					
	Start	00:00	End	24:00	
	Start		End		
FRIDAY					
	Start	00:00	End	24:00	
	Start		End		
SATURDAY					
	Start	00:00	End	24:00	
	Start		End		
SUNDAY					
	Start	00:00	End	24:00	
	Start		End		
State any seasonal varia	ations				
3		ely) where the a	ctivity will occur on	additional da	ays during the summer months.
•			-		=

Continued from previous page
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.
We will provide take-away service during the night with surveillance cameras. We are situated in a non-residential area. In regards to public nuisance, we will not be providing any kind of entertainment (e.g. music).
b) The prevention of crime and disorder
c) Public safety
d) The prevention of public nuisance
e) The protection of children from harm

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

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

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

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

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

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

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

Home Office online right to work checking service

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

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

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

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

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NOTES ON REGULATED ENTERTAINMENT

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.

- 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.

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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

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

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* Fee amount (£)	100.00		
DECLARATION			
licensing act 2003, to make a [APPLICABLE TO INDIVIDUAL LIABILITY PARTNERSHIP] I UN ENTITLEMENT TO LIVE AND W RELATING TO THE CARRYING BE ENTITLED TO LIVE AND WO FORM IS ENTITLED TO WORK WORK RELATING TO A LICENS WORK, IF APPROPRIATE (PLEA	false statement in APPLICANTS ONI DERSTAND I AM I YORK IN THE UK (V ON OF A LICENSA DRK IN THE UK (PI IN THE UK (AND I SABLE ACTIVITY) A SSE SEE NOTE 15)	n or in connection with this ap LY, INCLUDING THOSE IN A PAI NOT ENTITLED TO BE ISSUED W OR IF I AM SUBJECT TO A CONE ABLE ACTIVITY) AND THAT MY LEASE READ GUIDANCE NOTE S NOT SUBJECT TO CONDITION AND I HAVE SEEN A COPY OF H	RTNERSHIP WHICH IS NOT A LIMITED WITH A LICENCE IF I DO NOT HAVE THE DITION PREVENTING ME FROM DOING WORK LICENCE WILL BECOME INVALID IF I CEASE TO 15). THE DPS NAMED IN THIS APPLICATION NS PREVENTING HIM OR HER FROM DOING HIS OR HER PROOF OF ENTITLEMENT TO
This section should be complet behalf of the applicant?"	ed by the applica	ant, unless you answered "Yes"	" to the question "Are you an agent acting on
* Full name	Kaysor Ambia		
* Capacity	0		
* Date	27 / 11 / dd mm	ууууу	
	Add	l 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	GREENGLOW(FOODANDDRINKMILANOLTD)	
Fee paid		
Payment provider reference		
ELMS Payment Reference		
Payment status		
Payment authorisation code		
Payment authorisation date		
Date and time submitted		
Approval deadline		
Error message		
Is Digitally signed		
1 2 3 4	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 Next>	



296-299 CHR Yard and Lean-Tos

Unit: m





Premises in vicinity of Arch 296 Cambridge Heath Road

Premises	Licensable activities	Opening Hours
(Space 289)	Sale of Alcohol:	Sunday to Thursday
Railway Arch	Sunday to Thursday 11:00 hrs to 23:00 hrs	11:00 hrs to 23:30 hrs
289 Cambridge	Friday and Saturday 11:00 hrs to 01:00 hrs	Friday and Saturday
Heath Road	Regulated Entertainment consisting of Plays, Films.	11:00 hrs to 01.30 hrs
	Live Music, Recorded Music and performance of	
	Dance	
	Sunday to Thursday 11:00 hrs to 23:00 hrs	
	Friday and Saturday 11:00 hrs to 01:00 hrs	
(Lance Charally		C . d. L. M. d d.
(Love Shack)	The sale by retail of alcohol (on sales only)	Sunday to Wednesday, from 10:00 hours to
Railway Arches 298 - 299	Sunday to Wednesday, from 10:00 hours to 23:00 hours	23:30 hours
Cambridge Heath Road	Thursday, from 10:00 hours to 23:30 hours	Thursday, from 10:00 hours to 00:00 hours
пеані коай	Friday and Saturday, from 10:00 hours to 00:30 hours the following day	(midnight)
	Tiours the following day	Friday and Saturday,
	The provision of late night refreshment - Indoors	from 10:00 hours to
	and outdoors	01:00 hours the
	Sunday to Wednesday, from 23:00 hours to 23:00	following day
	hours	Tollowing day
	Thursday, from 23:00 hours to 23:30 hours	
	Friday and Saturday, from 23:00 hours to 00:30	
	hours the following day	
	The provision of regulated entertainment – Indoors (Plays and Films. Recorded Music Sunday to Wednesday, from 10:00 hours to 23:00	
	hours	
	Thursday, from 10:00 hours to 23:30 hours	
	Friday and Saturday, from 10:00 hours to 00:30	
	hours the following day	
	Live Music,	
	Sunday to Wednesday, from 12:00 hours to 23:00 hours	
	Thursday, from 12:00 hours to 23:30 hours	
	Friday and Saturday, from 12:00 hours to 00:30	
	hours the following day	
/The Coff	The Completed Aleghet (on sales and a	Mandau to Catavadau
(The Café	The Supply of Alcohol (on sales only) Monday to Saturday from 12:00hrs (midday) to	Monday to Saturday
Chantant) Arch 300	Monday to Saturday from 12:00hrs (midday) to 22:30hrs	from 07:00hrs to 23:00hrs
Cambridge Heath Road	Sunday from 12:00hrs (midday) to 21:30hrs	Sunday from 08:00hrs to 22:00hrs
i icatii Noau	The Provision of Regulated Entertainment in the	10 22.001113
	form of Live Music (indoors)	
	Sunday to Thursday from 19:00hrs to 21:00hrs	
	Friday and Saturday from 19:00hrs to 22:00hrs	
	Triday and Saturday from 15.00ms to 22.00ms	
	1	l

(Co-op) 228-232 Cambridge Heath Road	The Sale of Alcohol: Monday – Sunday 06:00 – 23:00 hours	Monday – Sunday 06:00 – 23:00 hours
(Metropolis) 234 Cambridge Heath Road	The sale by retail of alcohol (on sales only) Monday to Sunday, from 09:00 hours to 05:00 hours the following day	Monday to Sunday, from 00:00 hours to 00:00 hours (24 hours)
	The provision of regulated entertainment (Films, Live Music – Indoors) Monday to Sunday, from 09:00 hours to 05:00 hours the following day	
	(Recorded Music, Performance of Dance – Indoors and Outdoors) Monday to Sunday, from 09:00 hours to 05:00 hours the following day The provision of late night refreshment – Indoors Monday to Sunday, from 23:00 hours to 05:00 hours the following day	



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

Email: Licensing@towerhamlets.gov.uk

4th January 2021

My reference: LIC/135126/CH

Dear Sir/Madam,

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 3986 Fax 020 7364 0863 Enquiries to Corinne Holland

Email

www.towerhamlets.gov.uk

Licensing Act 2003

New premises licence application: Greenglow, Arch 296-297 Cambridge Heath Road, London, E2 9HA

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

• Prevention of public nuisance

The licensable hours applied for are:

Late night refreshment (outdoors):

Monday to Sunday 23:00 hours - 05:00 hours

Opening Hours

Monday to Sunday – 24 hours per day

Late Night Refreshments are only licensable between the hours of 23:00 – 05:00 hours. Therefore if these hours are granted the stall be operational 24 hours per day.

The hours applied for far exceed the framework hours within the Tower Hamlets Licensing Policy, although it is noted that the premise is situated on a busy main road.

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 premises is a stall which faces out onto the pavement of Cambridge Heath Road. It is directly next to a bus stop. Cambridge Heath overground station is approx. 20 meters away. Although this is a busy road there are residents who live directly opposite. The Licensing Authority have received previous complaints regarding the other businesses along this parade from the residents who live opposite. So the applicants application where it states 'We are situated in a non-residentual area' in the Operating Schedule is factually incorrect.

For a business which wishes to operated throughout the night there is very little written on the application. The only comments written in the Operating Schedule in support of upholding the four licensing objectives are:

We will provide take-away service during the night with surveillance cameras. We are situated in a non-residential area. In regards to public nuisance, we will not be providing any kind of entertainment (e.g. music).

Neighbouring this stall there are several other licensed premises, as well as previously mentioned a bus stop and the station. This is likely to cause a gathering point for customers of these other venues to continue their evening standing around talking/laughing/singing whilst consuming food and drink on the street. This will prolong the egress of people from the area and therefore it is likely to cause a noise disturbance and/or anti-social behaviour in the street opposite people's homes.

There is nothing in the application to support these hours of business and the Licensing Authority believes granting this application would undermine the licensing objectives for the prevention of public nuisance and therefore does not support this application.

Yours faithfully



Corinne Holland
Licensing Officer
(Acting as a Responsible Authority)

Kathy Driver

From: Rita Craddock

Sent: 04 January 2021 17:28

To: Licensing

Cc: Kathy Driver; Corinne Holland; Nicola Cadzow

Subject: Misc ref: 135126 Green Glow 296-297 Cambridge Heath Road, London

Importance: High

Follow Up Flag: Follow up Flag Status: Completed

Dear Licensing,

I have considered the new premise licence application for Green Glow 296-297 Cambridge Heath Road, 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. The hours applied for are beyond council's framework hours, and consideration has to be given to the fact that the premises is close to Cumulative Impact Zone.

The licensable hours applied for are:

Late night refreshment (outdoors):

Monday to Sunday 23:00 hours - 05:00 hours

Opening Hours

Monday to Sunday – 24 hours per day

No evidence has been provided with this application regarding how the applicant will minimise noise impact from the premises or patrons using the premises.

Noise Sensitive premises: residential and commercial premises in close proximity on Cambridge Heath Road.

In my view the application, as it stands fails, to comply with the objective of the Licensing Act 2003 relating to "public nuisance" for the following reasons:-

- Noise breakout from the venue affecting neighbouring residents;
- Access & egress to and from the venue, of patrons, especially due to patrons likely to be in high spirits; and
- The hours of operation

CONCLUSION

Environmental Protection **does not** support the application from Green Glow, London as there is great likelihood of disturbance to residential premises at the noise sensitive hours sought, and consideration has to be given to the fact that the premises is close to the cumulative impact zone.

Kind regards,

Rita Craddock

Environmental Protection Team Leader Place Directorate London Borough of Tower Hamlets John Onslow House London E3 5EQ

020 7364 6855

www.towerhamlets.gov.uk

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HAVE YOUR SAY ON THE FUTURE OF SELECTIVE LICENSING

Visit our website and complete a 3 minute questionnaire.



Tom Lewis Head of Licensing Tower Hamlets Council **HT - Tower Hamlets Borough**

Licensing Office
Stoke Newington Police Station
33 Stoke Newington High Street

Email: www.met.police.uk

4th January 2021

Dear Sir,

Central East Police Licensing formally object to the application for a premises License for Greenglow, Cambridge Heath Road E2 9HA, on the grounds of Crime and Disorder, and Public Nuisance.

This is an application for a license for a premises that wants to be open until 24 hours every day. These are very late hours for a premises in an area with residential housing. We are concerned that a new premises here open so late would lead to an increase in crime and disorder and public nuisance.

Past 1am it is likely that the majority of customers will be those who have been drinking especially during weekends. People who are intoxicated are more likely to be less aware of their surroundings and have raised voices, and more likely to cause alcohol related crime and disorder and noise nuisance to local residents.

The applicant has not said in their application how they would mitigate this risk. Indeed the applicant offered no conditions or measures to uphold any of the licensing objectives in their application, save to have "Surveillance" Cameras. Given that there are some very late opening venues close by on both Cambridge Heath Road and Hackney Road, like Queen Adelaide, and Metropolis. Who's customers will no doubt have consumed alcohol and be attracted to the applicants premises to get food before they go home. For the applicant not to even acknowledge the risks associated with intoxicated customers, or to say how they would manage the risk is unacceptable.

We believe that it would be proportionate for the applicant to have the following hours:

Late Night Refreshment:

Sunday to Thursday 11:00 - 01:00, From 00:00 this is only for delivery only via food ordering website.

Friday and Saturday 11:00 – 02:00 From 01:00 this is only for delivery only via food ordering website.

Hours Open to the Public

Sunday to Thursday 11:00 - 01:00, From 00:00 this is only for delivery only via food ordering website.

Friday and Saturday 11:00 - 02:00 From 01:00 this is only for delivery only via food ordering website.

We also ask the following conditions are added to the license:

Conditions

- 1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
- 2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

3. An incident log shall be kept at the premises, and be available on request to the

Police or an authorised officer. It must be completed within 24 hours of any incident and

will record the following:

a) all crimes reported to the venue;

b) all ejections of patrons;

c) any incidents of disorder;

d) any faults in the CCTV system, searching equipment or scanning equipment;

e) any visit by a relevant authority or emergency service.

This would allow the applicants to trade until 1am with customers, which is past

framework hours, and trade for an additional hour for deliveries only. We believe this

balances the need for the business to operate and protection for local residents,

especially those with families.

The area does suffer from crime and disorder our concern is that having this premises

open this late will exacerbate these problems.

We therefore ask that this premises is given the hours and conditions we have requested

listed above.

Kind Regards

Mark



PC Mark Perry Central East Licensing Unit

Metro olitan Police Service MPS

Email _

A: Licensing Office, 2nd Floor Stoke Newington Police Station

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

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 antisocial behaviour committed by adults and young people. These include:

- Anti-Social Behaviour Orders
- Child Curfew Schemes

- Truancy
 Parenting Orders
 Reparation Orders
 Tackling Racism

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.

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.

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.

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