

Appendix 1

**Application for a provisional statement to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I/We Boxpark Limited

(Insert name(s) of applicant)

apply for a provisional statement under section 29 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

| | | | |
|---|--------|------------------|--------|
| Postal address of premises or, if none, ordnance survey map reference or description Units 37-41 Boxpark Shoreditch 2-10 Bethnal Green Road | | | |
| Post town | London | Post code | E1 6GY |

| | |
|---|------------------|
| Telephone number at premises (if any) | n/a |
| Non-domestic rateable value of premises | £45,000 (Band C) |

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

| | | | | | |
|--|------------------------------|-------------------------------|-----------------------------|--|--|
| Mr <input type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname | | | First names | | |
| I am 18 years old or over | | | | <input type="checkbox"/> Please tick yes | |
| Current postal address if different from premises address | | | | | |
| Post Town | | | | Postcode | |
| Daytime contact telephone number | | | | | |
| E-mail address (optional) | | | | | |

SECOND INDIVIDUAL APPLICANT (if applicable)

| | | | | | |
|-----------------------------|------------------------------|-------------------------------|-----------------------------|--------------------------------|--|
| Mr <input type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname | | | First names | | |

| | | | |
|---|--|--|--|
| I am 18 years old or over | | <input type="checkbox"/> Please tick yes | |
| Current postal address if different from premises address | | | |
| Post Town | | Postcode | |
| Daytime contact telephone number | | | |
| E-mail address (optional) | | | |

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned

| |
|---|
| Name Boxpark Limited |
| Address Diplocks Yard 73 North Street Brighton BN1 1YD |
| Registered number (where applicable) 07236390 |
| Description of applicant (for example, partnership, company, unincorporated association) Company |
| Telephone number (if any) n/a |
| E-mail address (optional) n/a |

What is the nature of your interest in the premises?

Operator.

Part 3 – Schedule of works

| Is the premises | Please tick yes |
|---|-------------------------------------|
| <ul style="list-style-type: none">• about to be constructed | <input type="checkbox"/> |
| <ul style="list-style-type: none">• being extended or altered | <input checked="" type="checkbox"/> |

Please give details of the work and please attach plans of the work being done or about to be done at the premises

Plans of the proposed units that are the subject of the application premises are submitted with the application.

These comprise 5 container units at the well establish Boypark premises (which already hold a number of premises licences issued by the London Borough of Hackney).

The units were previously used for retail purposes and the intention is that, subject to the grant of the licence, they will be converted in to one single leisure unit operating as a licensed bar and restaurant

This is in line with the planning permission issued by Tower Hamlets Council dated 13 November 2020 number PA/20/01491.

The work will include an internal fit out to include installation of kitchen, customer area and lavatories, to enable premises to trade as a bar/restaurant with facilities for takeaway and home delivery service with outside area (subject to the conditions submitted with this application)

Please give particulars of the premises to which the application relates (please read guidance note 1)

Units 37-41
Boxpark Shoreditch
2-10 Bethnal Green Road
London E1 6GY

Which licensable activities will the premises be used for?

Provision of regulated entertainment

Please tick Yes

- | | |
|---|--------------------------|
| a) plays (optional, fill in box A) | <input type="checkbox"/> |
| b) films (optional, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (optional, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (optional, fill in box D) | <input type="checkbox"/> |
| e) live music (optional, fill in box E) | <input type="checkbox"/> |
| f) recorded music (optional, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (optional, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (optional, fill in box H) | <input type="checkbox"/> |

Provision of entertainment facilities:

- | | |
|---|--------------------------|
| i) making music (optional, fill in box I) | <input type="checkbox"/> |
| j) dancing (optional, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (optional, fill in box K) | <input type="checkbox"/> |

Provision of late night refreshment (optional, fill in box L)

Supply of alcohol (optional, fill in box M)

Complete boxes N, O and P (optional)

Part 4 – OPTIONAL – you may fill in this section if you choose to

General description of premises (please read guidance note1)

The units were previously used for retail purposes and the intention is that, subject to the grant of the licence, they will be converted in to one single leisure unit operating as a licensed bar and restaurant

A

| Plays Standard days and timings (please read guidance note 6) | | | <u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
|---|-------|--------|---|----------|--------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| Mon | | | <u>Please give further details here</u> (please read guidance note 3) | Both | <input type="checkbox"/> |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for performing plays</u> (please read guidance note 4) | | |
| Thur | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Sat | | | | | |
| Sun | | | | | |

B

| | | | | | | | | |
|---|-------|--------|---|----------|--------------------------|--|--|--|
| Films Standard days and timings (please read guidance note 6) | | | <u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> | | | |
| | | | | Outdoors | <input type="checkbox"/> | | | |
| | | | | Both | <input type="checkbox"/> | | | |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | | | | |
| Mon | | | | | | | | |
| Tue | | | | | | | | |
| Wed | | | | | | <u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4) | | |
| Thur | | | | | | | | |
| Fri | | | | | | <u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Sat | | | | | | | | |
| Sun | | | | | | | | |

C

| | | | |
|--|-------|--------|---|
| Indoor sporting events Standard days and timings (please read guidance note 6) | | | <u>Please give further details</u> (please read guidance note 3) |
| Day | Start | Finish | |
| Mon | | | <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4) |
| Tue | | | |
| Wed | | | |
| Thur | | | <u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5) |
| Fri | | | |
| Sat | | | |
| Sun | | | |
| | | | |

D

| | | | | | |
|--|-------|--------|--|----------|--------------------------|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 6) | | | <u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 3) | | |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4) | | |
| Thur | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Sat | | | | | |
| Sun | | | | | |

E

| | | | | | | | | |
|--|-------|--------|--|----------|--------------------------|--|--|--|
| Live music Standard days and timings (please read guidance note 6) | | | <u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> | | | |
| | | | | Outdoors | <input type="checkbox"/> | | | |
| | | | | Both | <input type="checkbox"/> | | | |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | | | | |
| Mon | | | | | | | | |
| Tue | | | | | | | | |
| Wed | | | | | | <u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) | | |
| Thur | | | | | | | | |
| Fri | | | | | | <u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Sat | | | | | | | | |
| Sun | | | | | | | | |

F

| | | | | | | | | |
|--|-------|--------|--|----------|--------------------------|--|--|--|
| Recorded music Standard days and timings (please read guidance note 6) | | | <u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> | | | |
| | | | | Outdoors | <input type="checkbox"/> | | | |
| | | | | Both | <input type="checkbox"/> | | | |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | | | | |
| Mon | | | | | | | | |
| Tue | | | | | | | | |
| Wed | | | | | | <u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4) | | |
| Thur | | | | | | | | |
| Fri | | | | | | <u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Sat | | | | | | | | |
| Sun | | | | | | | | |

G

| | | | | | | | | |
|---|-------|--------|---|----------|--------------------------|---|--|--|
| Performances of dance Standard days and timings (please read guidance note 6) | | | <u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> | | | |
| | | | | Outdoors | <input type="checkbox"/> | | | |
| | | | | Both | <input type="checkbox"/> | | | |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | | | | |
| Mon | | | | | | | | |
| Tue | | | | | | | | |
| Wed | | | | | | <u>State any seasonal variations for the performance of dance</u> (please read guidance note 4) | | |
| Thur | | | | | | | | |
| Fri | | | | | | <u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Sat | | | | | | | | |
| Sun | | | | | | | | |

H

| | | | | | |
|--|-------|--------|--|----------|--------------------------|
| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6) | | | <u>Please give a description of the type of entertainment you will be providing</u> | | |
| Day | Start | Finish | <u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| Mon | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Tue | | | <u>Please give further details here</u> (please read guidance note 3) | | |
| Wed | | | | | |
| Thur | | | | | |
| Fri | | | <u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4) | | |
| Sat | | | | | |
| Sun | | | | | |
| | | | <u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |

I

| | | | | |
|--|-------|--------|---|--------------------------|
| Provision of facilities for making music Standard days and timings (please read guidance note 6) | | | <u>Please give a description of the facilities for making music you will be providing</u> | |
| | | | <u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2) | |
| Day | Start | Finish | Indoors | <input type="checkbox"/> |
| | | | Outdoors | <input type="checkbox"/> |
| | | | Both | <input type="checkbox"/> |
| Mon | | | <u>Please give further details here</u> (please read guidance note 3) | |
| | | | | |
| Tue | | | <u>Please give further details here</u> (please read guidance note 3) | |
| | | | | |
| Wed | | | <u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4) | |
| | | | | |
| Thur | | | <u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4) | |
| | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | |
| | | | | |
| Sat | | | <u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | |
| | | | | |
| Sun | | | <u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | |
| | | | | |

J

| | | | | | | |
|---|-------|--------|--|--|----------|--------------------------|
| Provision of facilities for dancing Standard days and timings (please read guidance note 6) | | | <u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2) | | Indoors | <input type="checkbox"/> |
| | | | | | Outdoors | <input type="checkbox"/> |
| | | | | | Both | <input type="checkbox"/> |
| | | | <u>Please give a description of the facilities for dancing you will be providing</u> | | | |
| Day | Start | Finish | | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 3) | | | |
| | | | | | | |
| Tue | | | | | | |
| | | | | | | |
| Wed | | | <u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4) | | | |
| | | | | | | |
| Thur | | | | | | |
| | | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | | |
| Sat | | | | | | |
| | | | | | | |
| Sun | | | | | | |
| | | | | | | |

K

| | | | | | |
|--|-------|--------|---|----------|--------------------------|
| Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6) | | | <u>Please give a description of the type of entertainment facility you will be providing</u> | | |
| Day | Start | Finish | <u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| Mon | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Tue | | | <u>Please give further details here</u> (please read guidance note 3) | | |
| Wed | | | | | |
| Thur | | | | | |
| Fri | | | <u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4) | | |
| Sat | | | | | |
| Sun | | | | | |
| | | | <u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |

L

| | | | | | | | | |
|--|-------|--------|---|----------|--------------------------|---|--|--|
| Late night refreshment Standard days and timings (please read guidance note 6) | | | <u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> | | | |
| | | | | Outdoors | <input type="checkbox"/> | | | |
| | | | | Both | <input type="checkbox"/> | | | |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | | | | |
| Mon | 23:00 | 00:00 | | | | | | |
| Tue | 23:00 | 00:00 | | | | | | |
| Wed | 23:00 | 00:00 | | | | <u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) | | |
| Thur | 23:00 | 00:00 | | | | | | |
| Fri | 23:00 | 00:00 | | | | <u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Sat | 23:00 | 00:00 | | | | | | |
| Sun | | | | | | | | |

M

| | | | | | |
|---|-------|--------|---|------------------|-------------------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 6) | | | Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7) | On the premises | <input type="checkbox"/> |
| | | | | Off the premises | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 4) | | |
| Mon | 08:00 | 23:30 | | | |
| Tue | 08:00 | 23:30 | | | |
| Wed | 08:00 | 23:30 | | | |
| Thur | 08:00 | 23:30 | | | |
| Fri | 08:00 | 23:30 | | | |
| Sat | 08:00 | 23:30 | | | |
| Sun | 08:00 | 22:30 | | | |
| | | | Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) | | |

N

| |
|---|
| <p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)</p> <p>n/a</p> |
|---|

O

| | | | |
|---|-------|--------|--|
| Hours premises are open to the public Standard timings (please read guidance note 6) | | | <u>State any seasonal variations</u> (please read guidance note 4) |
| Day | Start | Finish | |
| Mon | 08:00 | 00:00 | |
| | | | |
| Tue | 08:00 | 00:00 | |
| | | | |
| Wed | 08:00 | 00:00 | |
| | | | |
| Thur | 08:00 | 00:00 | |
| | | | |
| Fri | 08:00 | 00:00 | |
| | | | |
| Sat | 08:00 | 00:00 | |
| | | | |
| Sun | 08:00 | 23:00 | |
| | | | |
| | | | <u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5) |

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

Please see attached.

b) The prevention of crime and disorder

Please see attached.

c) Public safety

Please see attached.

d) The prevention of public nuisance

Please see attached.

e) The protection of children from harm

Please see attached.

Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plans of the works to be done at the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

| | |
|-----------|--|
| Signature |  Ewen Macgregor for TLT Solicitors |
| Date | 6 th January 2021 |
| Capacity | Solicitor for Applicant |

For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent. (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Ewen Macgregor
TLT Solicitors
One Redcliff Street

| | | | |
|------------------|---------|------------------|---------|
| Post town | Bristol | Post code | BS1 6TP |
|------------------|---------|------------------|---------|

| | |
|----------------------------------|------------|
| Telephone number (if any) | [REDACTED] |
|----------------------------------|------------|

| | |
|---|------------|
| If you would prefer us to correspond with you by e-mail your e-mail address (optional) | [REDACTED] |
|---|------------|

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where you are completing Part 4 and your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Proposed Licensed Unit

Units 37-41,

Boxpark Shoreditch,

2-10 Bethnal Green Road,

London, E1 6GY

**SCHEDULE OF PROPOSED OPENING HOURS, HOURS FOR PROVISION OF
LICENSEABLE ACTIVITIES AND CONDITIONS**

Schedule of Proposed Opening Hours

- Monday to Saturday – 0800 to 0000
- Sunday and Bank Holidays – 0800 to 2300

Hours for the Provision of Licensable activities

- Sale of Alcohol (on and off sales)
Monday to Saturday – 0800 to 2330
Sunday and Bank Holidays – 0800 to 2230
- Late Night Refreshment
Monday to Saturday – 2300 to 0000

SCHEDULE OF PROPOSED CONDITIONS

1. The premises licence holder will install a CCTV system as follows:
 - Recordings shall be kept for a minimum of 31 days with time and date stamping.
 - The entire licensable area shall be covered by the CCTV. There shall be at least one camera positioned at each entry and exit point to monitor any external areas to the premises. This includes any areas designated for tables and chairs and/or a designated smoking area.
 - Data recordings shall be made immediately available to an authorised officer of the Police and/or Licensing Authority together with facilities for viewing upon request.
 - Recorded images shall be of such quality as to be able to identify the recorded person in any light.
 - At least one member of staff on the premises at any time during operating hours shall be trained to access and download material from the CCTV system.

2. Signs shall be placed in prominent positions on the premises notifying customers that CCTV is in operation
3. Signs will be prominently displayed at all exit points reminding customers to leave quietly and respect local residents.
4. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.
5. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following
 - a. All crimes reported:
 - b. All ejections of patrons
 - c. Any complaints received.
 - d. Any incidents of disorder.
 - e. Seizure of drugs or offensive weapons.
 - f. Any faults in the CCTV system
 - g. Any refusal of the sale of alcohol.
 - h. Any visit by a relevant authority or emergency service.
6. Premises to operate zero tolerance policy to drugs and comply with Hackney Police and Council Community safety unit drugs and weapons policy where appropriate. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises
7. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons.
8. Any music to be played on the premises shall be limited to background music
9. Substantial refreshment shall be available at all times that the premises are open for the sale of alcohol
10. Any sales of alcohol by way of off sales must be accompanied by a purchase of food

SCHEDULE OF WORKS

Plans of the proposed units that are the subject of the application premises are submitted with the application.

These comprise 5 container units at the well establish Boxpark premises (which already hold a number of premises licences issued by the London Borough of Hackney).

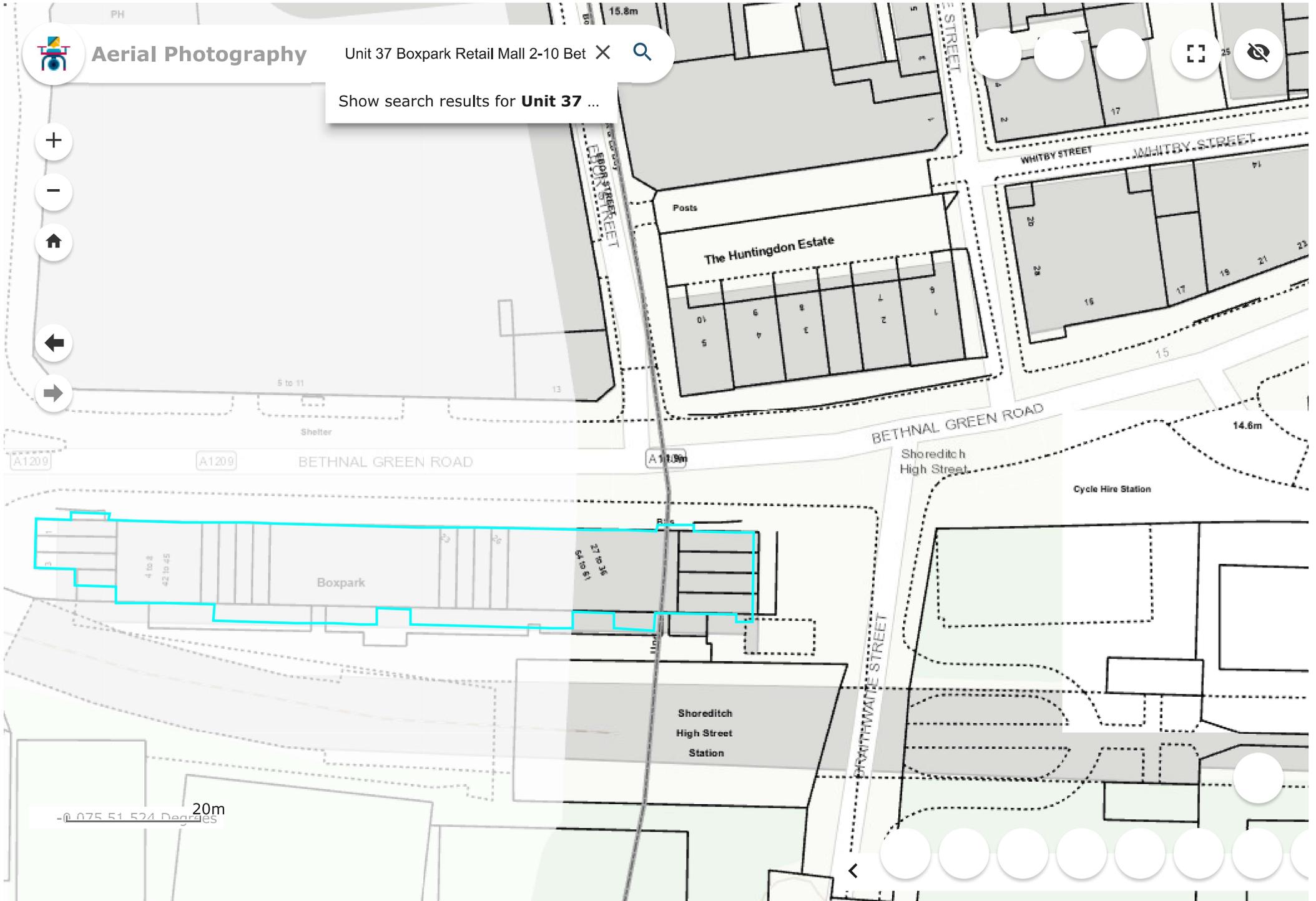
The units were previously used for retail purposes and the intention is that, subject to the grant of the licence, they will be converted in to one single leisure unit operating as a licensed bar and restaurant

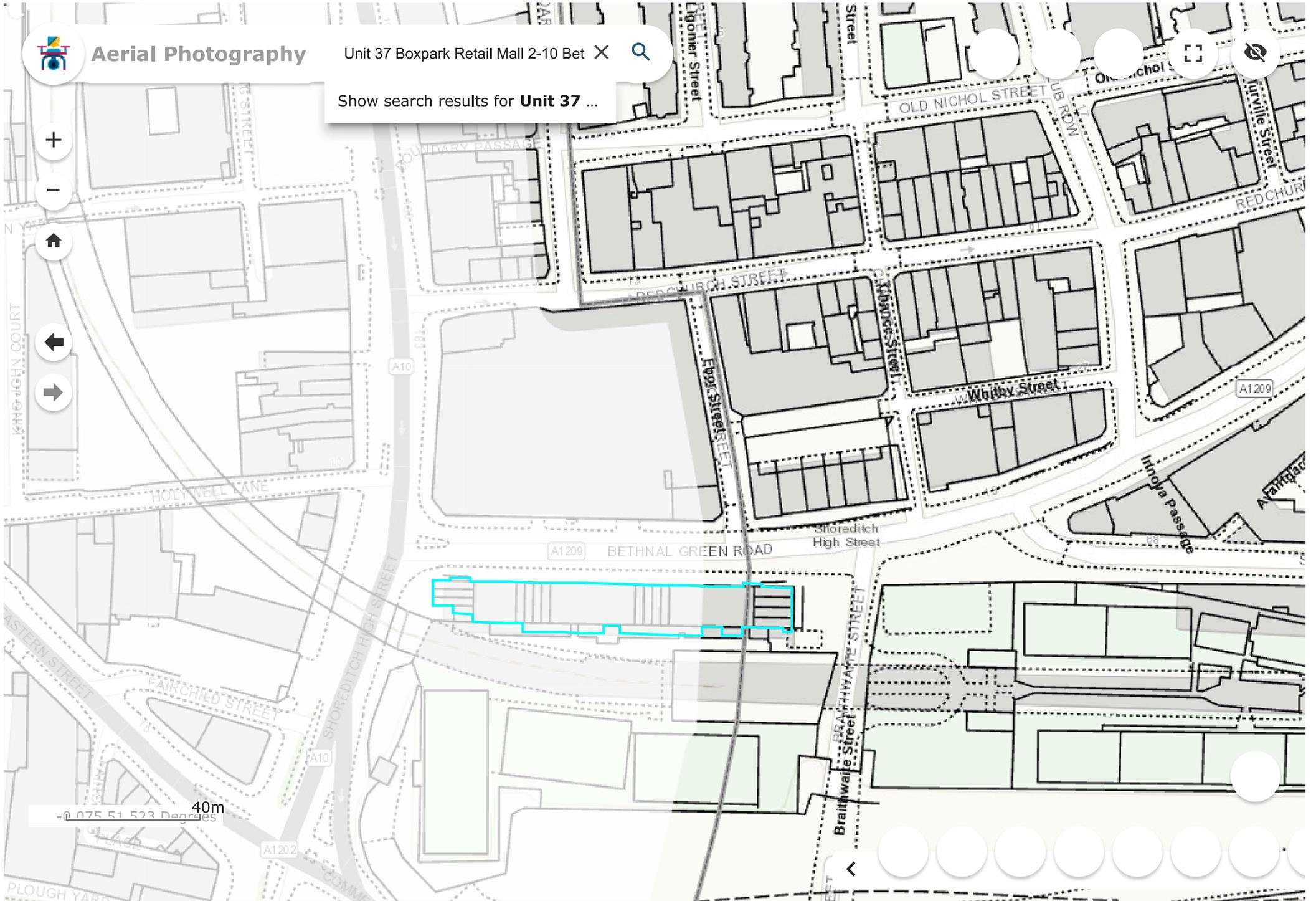
This is in line with the planning permission issued by Tower Hamlets Council dated 13 November 2020 number PA/20/01491.

The work will include the internal fit out to include installation of kitchen, customer area and lavatories to enable premises to trade as a bar/restaurant with facilities for takeaway and home delivery service with outside area (subject to the conditions submitted with this application)

Appendix 2

Appendix 3

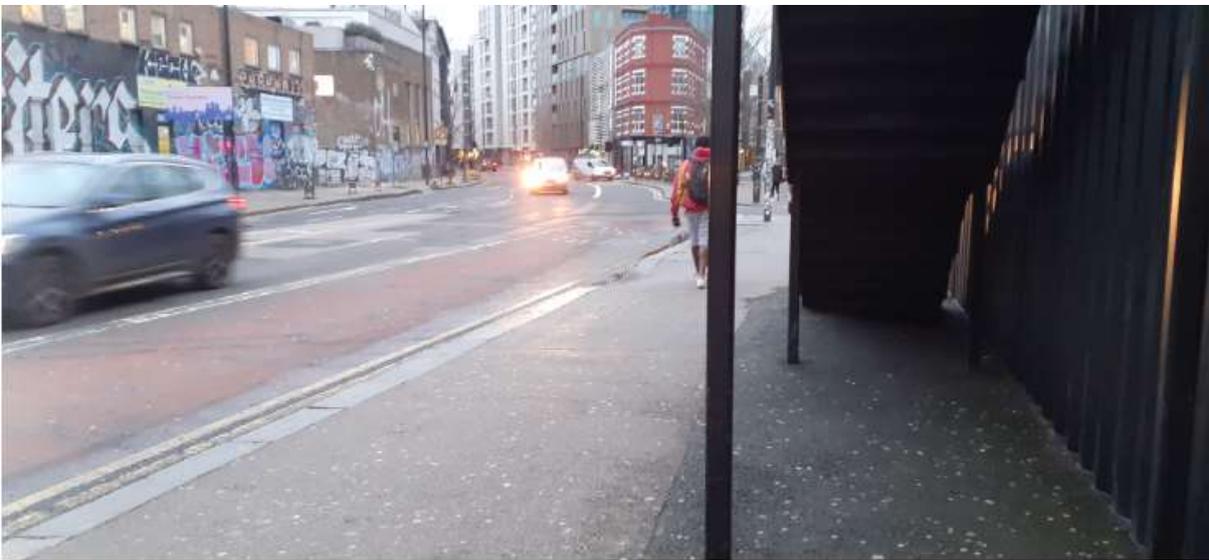




Boxpark pictures



Boxpark pictures



Appendix 4

Box park - Nearest licences

| Name and address | Licensable activities and hours | Opening hours |
|---|--|--|
| <p>17 Bethnal Green Road (Ground Floor. Inc. basement for toilet facilities only) London E1 6LA</p> | <p>Alcohol may be sold or supplied (On sales only):</p> <p>(1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 11am to 12pm.</p> <p>(2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm</p> <p>(3) On Christmas Day: 12 noon to 11:30pm;</p> <p>(4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight;</p> <p>(5) On New Year's Eve on a Sunday, 12 noon to 11.30 p.m.</p> <p>(6) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p> | <p>There are no restrictions on the hours during which this premises is open to the public</p> |
| <p>Beach Blanket Babylon Basement, Ground and First Floor 19 – 23 Bethnal Green Road London E1 6LA</p> | <p>Alcohol (On sales only) and Regulated Entertainment - Indoors (live music, recorded music, provision of facilities for making music, provision of facilities for dancing)</p> <ul style="list-style-type: none"> • Sunday to Wednesday, from 10:00hrs to 01:00hrs (the following day) • Thursday to Saturday, from 10:00hrs to 03:00hrs (the following day) <p>Alcohol non-standard timings On no more that 12 occasions per calendar year, the terminal hours shall be one hour later that the standard timing show above, following 10 working days notice to the Police and licensing Authority and subject to the consent of the Police.</p> <p>Late Night Refreshment - Indoors</p> <ul style="list-style-type: none"> • Sunday to Wednesday, from 23:00hrs to 01:00hrs (the following day) • Thursday to Saturday, from 23:00hrs to 03:00hrs (the following day) <p>Further non-standard timings Licensable activities from New Years Eve until the start time on New Years Day for all of the above.</p> | <ul style="list-style-type: none"> • Monday to Sunday, from 10:00hrs to 30 minutes after the terminal hours for the sale of alcohol the following day |

Box park - Nearest licences

| | | |
|--|---|---|
| <p>(Rich Mix Cultural Foundation) 35-47 Bethnal Green Road London E1 6LA</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 Third Floor: Meeting Room 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>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</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> |
|--|---|---|

Box park - Nearest licences

Second Floor: Lobby, Live Room and two Group 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

Sunday, Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 09:00 hours to 23:00 hours

INDOOR SPORTS AND BOXING OR WRESTLING ENTERTAINMENT:

4th Floor venue and gallery only

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

LIVE MUSIC AND RECORDED MUSIC AND FACILITIES FOR MAKING MUSIC AND ANYTHING OF SIMILAR:

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

Third Floor: Meeting Room

Fourth Floor: Bar and Rehearsal Space

Sunday, Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 09:00 hours to 23:00 hours

PERFORMANCE OF DANCE AND PROVISION OF FACILITIES FOR DANCING AND ANYTHING OF SIMILAR:

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

Box park - Nearest licences

| | | |
|---|--|--|
| | <p>Friday and Saturday from 09:00 hours to 01:00 hours the following day</p> <p>Basement: Visual Arts Gallery</p> <p>First Floor: Mezzanine Level, Gallery and Studio 3</p> <p>Second Floor: Live Room and two Group Teaching Spaces, Office, Studio 1 and 2</p> <p>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>LATE NIGHT REFRESHMENT:</u></p> <p>4th Floor Bar</p> <p>Sunday, Monday, Tuesday, Wednesday and Thursday until midnight</p> <p>Friday and Saturday until 01:00 hours the following day</p> | |
| <p>(London Cocktail Club) Commercial Unit 12, Avant Garde Building 29 Sclater Street London E1 6HR</p> | <p><u>Sale of Alcohol (on sales only)</u></p> <ul style="list-style-type: none"> • Monday to Thursday from 10:00 hours to 00:00 hours (midnight) • Friday to Saturday from 10:00 hours to 01:00 hours (the following day) • Sunday from 10:00 hours to 00:00 hours (midnight) <p><u>The Provision of Late Night Refreshments (indoors)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday from 23:00 hours to 00:00 hours • Friday & Saturday from 23:00 hours to 01:00 hours (the following day) <p><u>The Provision of Regulated Entertainment in the form of Films (indoors), Live Music (indoors) and Recorded Music (indoors)</u></p> <ul style="list-style-type: none"> • Sunday to Thursday from 16:30 hours to 00:00 hours • Friday & Saturday from 16:30 hours to 01:00 hours (the following day) | <ul style="list-style-type: none"> • Monday to Thursday from 10:00 hours to 00:30 hours (the following day) • Friday to Saturday from 10:00 hours to 01:30 hours (the following day) • Sunday from 10:00 hours to 00:30 hours (the following day) |

Box park - Nearest licences

| | | |
|---|---|---|
| <p>(Pizzaluxe) Unit 11, Avant Garde Sclater Street London E1 6HZ</p> | <p>The sale by retail of alcohol (on sales only)</p> <ul style="list-style-type: none"> • Sunday to Wednesday from 09:00hrs to 23:00hrs • Thursday to Saturday from 09:00hrs to 00:00hrs (midnight) <p>The provision of late night refreshment (both indoors and outdoors)</p> <ul style="list-style-type: none"> • Thursday to Saturday from 23:00hrs to 00:00hrs (midnight) | <ul style="list-style-type: none"> • Sunday to Wednesday from 08:00hrs to 23:30hrs • Thursday to Saturday from 08:00hrs to 00:30hrs (the following day) |
| <p>Smokestack Unit 11, Avant Garde Sclater Street London E1 6HZ</p> | <p>Sale of Alcohol (on and off sales) Monday – Sunday 10:00 hours – 00:00 hours (midnight)</p> <p>Provision of late night refreshments: Monday – Sunday 23:00 hours – 00:00 hours (midnight)</p> | <p>Monday – Sunday 10:00 hours – 00:30 hours (the following day)</p> |
| <p>(Rum Kitchen) Unit 13 (Basement and Ground Floors) 5 Sclater Street London E1 6GX</p> | <p>The sale by retail of alcohol (On and off sales)</p> <ul style="list-style-type: none"> • Monday to Sunday, from 11:00 hours to 23:30 hours <p>The provision of late night refreshment</p> <ul style="list-style-type: none"> • Monday to Sunday, from 23:00 hours to 23:30 hours | <ul style="list-style-type: none"> • Monday to Sunday, from 11:00 hours to 23:30 hours |
| <p>(Close-Up Cinema) 97-99 Sclater Street London E1 6HR</p> | <p>Sale of Alcohol</p> <ul style="list-style-type: none"> • Monday to Sunday from 10:00 hours to 23:30 hours <p>The Provision of Regulated Entertainment - indoors</p> <p><u>Films</u></p> <ul style="list-style-type: none"> • Monday to Sunday from 10:00 hours to 23:30 hours <p>The Provision for Late Night Refreshments</p> <ul style="list-style-type: none"> • Monday to Sunday from 23:00 hours to 23:30 hours | <ul style="list-style-type: none"> • Monday to Sunday from 08:00 hours to 00:00 hours (midnight) |

Appendix 5

Mohshin Ali

From: Nicola Cadzow
Sent: 03 February 2021 16:21
To: Licensing; Kathy Driver
Cc: ewen.macgregor [REDACTED]
Subject: 135269 -Provision statement for Unit 37-41 Boxpark, Shoreditch, 2-10 Bethnal Green Road, London

Dear Licensing,

I have reviewed the provision statement for Unit 37-41 Boxpark, Shoreditch, 2-10 Bethnal Green 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 with particular consideration has to be given to the fact that the premises is in Brick Lane Cumulative Impact Zone (CIZ).

Also the applicant has provided insufficient details in their operating schedule to show how they will promote the licensing objective for the prevention of public nuisance, bearing in mind that the premises is in the CIZ

Noise Sensitive premises: residential premises in close proximity to Unit 37-41 Boxpark Shoreditch 2-10 Bethnal Green 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

CONCLUSION

Environmental Protection **does not** support the provisional licence application for Unit 37-41 Boxpark Shoreditch, 2-10 Bethnal Green Road as there is great likelihood of disturbance to residential premises given the fact that the premises is in Brick Lane cumulative impact zone. If the licensing sub-committee are minded to grant the provisional application I would ask that the following noise conditions be considered:-

1. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
2. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 5 persons at any one time.
3. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a public nuisance.

Kind regards

Nicola Cadzow
Environmental Health Officer
Environmental Protection Team
Place Directorate
London Borough of Tower Hamlets
John Onslow House
London E3 5EQ

[REDACTED]
www.towerhamlets.gov.uk

Appendix 6



Place Directorate
Public Realm
Environmental Health & Trading Standards

Head Of Service David Tolley

Tel 020 7364 5171
Fax 020 7364 0863
Enquiries to Kath Driver
Email [REDACTED]

www.towerhamlets.gov.uk

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

3rd February 2021

My reference: P/PR/LIC/135269

Dear Sir/Madam,

Licensing Act 2003
Re: Box Park, Units 37-41, 2-10 Bethnal Green Rd, London E1 6GY

I am writing in my capacity of Licensing Authority in relation to the provisional statement application for the above address.

On 1st November 2013, Tower Hamlets adopted a Cumulative Impact Policy (CIP) in and around the Brick Lane/Spitalfields Area and was updated on 1st November 2018. The Council has recognised that because of the number and density of licensed premises selling alcohol, on and off the premises and the provision of late night refreshment (sale of hot food after 11pm) within the Brick Lane Area, there might be exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect.

The Licensing Authority recognises that there is a wide diversity of premises requiring a licence and will have full regard to the differing impact these will have on the local community. It therefore also recognises that, within this Policy, it may be able to approve licences that are unlikely to add significantly to the saturation, and will consider the circumstances of each individual



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John Onslow House
1 Ewart Place
London
E3 5EQ

application. The Authority may therefore consider that the imposition of conditions is unlikely to address these problems and may consider the adoption of a special policy of refusing new licences because the area is saturated with licensed premises and the granting of any more would undermine one of the licensing objectives.

The Licensing Authority is now 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/Spitalfields Area as having a cumulative impact on the licensing objectives and has therefore declared a Cumulative Impact Zone (CIZ).

The effect of this CIZ is to create a rebuttable presumption for applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity). Where the premises are situated in the CIZ and a representation is received, the licence will be objected to by the Authority. To rebut this presumption the applicant is expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced.

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 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.

This application falls within the Cumulative Impact Zone and seeks the sale of alcohol Monday to Saturday from 08:00 hours to 23:30; Sunday and Bank Holidays from 08:00 hours to 22:30 hours with opening hours an additional half an hour later. Late Night refreshment Monday to Saturday until midnight.

It is noted no regulated entertainment has been applied for and a condition offered that music be limited to background only, however should the consumption of alcohol on the premises be granted, the Live Music Act 2012 would deregulate certain aspects of entertainment and any conditions on the

licence between the hours of 08:00 and 23:00 hours. I would point members to section 182 Guidance Chapter 15.

Members should also note the activities which already take place in this and other Boxpark locations of which the entertainment is non licensable, for example, unamplified live music, live broadcast of sporting events and sporting activities. The nature of these events attracts large numbers into the area, with the addition of alcohol alongside this creates a hub for anti social behaviour. Already in this area there are large reports of ASB from cars being parked in neighbouring street close to residents, preloading drinks before attending venues and creating noise as they leave.

The Boxpark website states “Boxpark has become the biggest food, culture and social hub in London” this application will increase footfall into an already busy area and the premises would undoubtedly add to the impact.

Despite a number of conditions being offered there is no condition that would deal with aspects of the large crowds and gathering of people taking off sales and food off site and impacting on local residents leaving rubbish behind and causing noise and public nuisance. The Council has already invested in Late Night Levy funds to add toilets in the area due to the high volume of urination by visitors to these areas. By adding additional venues to an already busy area will lead to further investment by the Council and Police to control public nuisance and associated crime.

I therefore ask that the application be refused.

Yours sincerely,

A solid black rectangular box used to redact the signature of the Principal Licensing Officer.

Kathy Driver
Principal Licensing Officer

Appendix 7

Mohshin Ali

From: Licensing
Sent: 01 February 2021 13:59
To: Mohshin Ali
Subject: FW: Box Park Extension - Licensing Objection

From: John Fortune [REDACTED]
Sent: 01 February 2021 13:06
To: Licensing <Licensing@towerhamlets.gov.uk>
Cc: Tom Lewis [REDACTED]; Kathy Driver [REDACTED]
Subject: Box Park Extension - Licensing Objection

Dear Licensing Team,

I wish to object to the licensing application made in relation to the Box Park, 2-10 Bethnal Green Road, E1 6GY. I believe there are reasonable grounds to object to license being granted as this is likely to lead to an increase in Crime, Disorder and ASB, including an increase in noise, nuisance and litter. The area already has high levels of crime and ASB occurring and to increase footfall in the evenings is likely to see a further increase.

Residents are very concerned about the current levels of noise and disturbance that they are suffering and to increase the footfall in the area will only make matters worse. Residents have held public meetings to raise their concerns about the general issue and some of their complaints were directed specifically at the Box Park and the immediate vicinity.

The venue itself gets very crowded and this further attracts other people to stand around drinking before going into other pubs and clubs. I believe that the open design of the venue adds to this atmosphere and the problems that it creates. I understand the attraction to the public to gather and consume their own drink, saving money and soaking up the atmosphere, but it causes a further disturbance and is distressing for those living nearby. The people gathering become a target for people such as buskers, beggars and unlicensed street traders who lead to further increase in noise.

The following picture was taken shortly before 10pm on 7th August while police were attending the venue.



Many of those using box Park are believed to be there prior to moving on to other clubs in Hackney which stay open later, this means that as this venue closes people move through residential areas making noise.

We also know that people coming to Hackney licenced venues travel by car, they park in surrounding streets. Often as they arrive they drink around their cars making noise, playing their music systems, disturbing residents, these are

being referred to by residents as “Car bars” this is repeated again in the early hours of the morning when people return to their cars. Many of the surrounding areas suffer from people urinating in the streets.

I am sure that the applicant will attempt to prevent crime and disorder from within and immediately outside of the premises, but they will have no control on what is occurring just a few streets from the business and this will be in residential areas and on housing estates.

I also object on the bases that there is already sufficient licensed properties in the area catering to the night time economy and the cumulative effect of this see substantial numbers of complaints. I believe that the application made is within the Cumulative Impact Zone. The area where the application is sought does have restaurants, shops and other businesses, and is close to residential areas, where the impact on families will be significant.

Regards

John

John Fortune

Neighbourhood Manager
Safer Neighbourhood Operations

Community Safety & Substance Misuse
Health, Adults & Community Services
London Borough of Tower Hamlets
1st Floor, Toby Club
Vawdrey Close

London E1 4XL



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Appendix 8

Mohshin Ali

From: Mohshin Ali on behalf of Licensing
Sent: 03 February 2021 17:06
To: Mohshin Ali
Subject: FW: Box Park, Units 37-41,2-10 Bethnal Green Road, London E1 Ref: 135269
Attachments: BPSHoreditchAgreedconditionswiththepolice01022021docx-V1.docx

From: Ewen Macgregor [REDACTED]
Sent: 03 February 2021 16:24
To: Kathy Driver [REDACTED]; Licensing [REDACTED]
Subject: Box Park, Units 37-41,2-10 Bethnal Green Road, London E1 Ref: 135269

Good afternoon Kathy

I have now had the chance to speak to my clients.

Planning permission for the units which are the subject of the application was granted by the authority and the hours requested mirror those approved by the planning authority.

You may not be aware but we have been able to agree a revised schedule if conditions with the police which build on the conditions offered with the application. A copy of these conditions are attached.

These are small premises. It has been agreed with the police that no vertical drinking shall be permitted at the premises and that the premise shall operate primarily as a restaurant

In relation to two specific matters that you raise we would comment as follows:

1. Entertainment/Live Music Act

We note the comments that you make in relation to the above.

There is no intention to permit these to take advantage of the relaxations provided by the Live Music Act

Our client offered, and the police have agreed, a condition that

“All music to be played on the premises shall be limited to background music”

Furthermore, any attempt to extend the range of entertainment offered would be inconsistent with the conditions referred to above in relation to the type and style of operation

2. Takeaways

You have raised a concern about “large crowds and the gathering of people taking off sales and food off site and impacting on local residents leaving rubbish behind and causing noise and nuisance”

Our client does not wish to offer a takeaway service in the manner that you describe. Customers would not be able to collect takeaways from the premises.

Our client has offered, and again this has been accepted by the police, that

Any sales of alcohol by way of off sales will be by way of home delivery only and must accompany an order for substantial refreshment

We are happy to discuss this matter further with you should you wish but would invite you to reconsider your representation on the basis of the above and the attached revised conditions

My contact numbers are below should you wish to discuss this matter.

I look forward to hearing from you.

With best wishes

Ewen Macgregor
Partner
For TLT LLP

[LinkedIn](#) [Twitter](#)
www.tltsolicitors

From: Ewen Macgregor
Sent: 03 February 2021 15:34
To: Kathy Driver <[REDACTED]>; Licensing <[REDACTED]>
Subject: RE: Box Park, Units 37-41,2-10 Bethnal Green Road, London E1 Ref: 135269

Kathy

Thank you for your email

I have forwarded a copy to my client and will respond once I have instructions.

With best wishes

Ewen Macgregor
Partner

[LinkedIn](#) [Twitter](#)
www.tltsolicitors

From: Kathy Driver <[REDACTED]>
Sent: 03 February 2021 14:32
To: Licensing <Licensing@towerhamlets.gov.uk>; Ewen Macgregor <[REDACTED]>
Subject: Box Park, Units 37-41,2-10 Bethnal Green Road, London E1 Ref: 135269

Please find attached my representation in regards to the above Provisional Statement.

Kind Regards,

Kathy Driver
Principal Licensing Officer
Licensing & Safety Team
Place Directorate
London Borough of Tower Hamlets
John Onslow House

1 Ewart Place
London E3 5EQ

Licensing Hotline **020 7364 5008**

Licensing General Email: licensing@towerhamlets.gov.uk

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at www.towerhamlets.gov.uk/licensing**

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Appendix 9

Mohshin Ali

From: Licensing
Sent: 01 February 2021 16:10
To: Mohshin Ali
Subject: FW: BOXPARK SHOREDITCH
Attachments: BP Shoreditch Agreed conditions with the police.docx

From: MARK.J.Perry [REDACTED]
Sent: 01 February 2021 09:56
To: Ewen.Macgregor [REDACTED] Licensing <Licensing@towerhamlets.gov.uk>; Kerrie.L.Ryan [REDACTED]
Subject: BOXPARK SHOREDITCH

Dear all,

Please see conditions agreed with the applicant re Box Park provisional statement.

Kind Regards

Mark



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

[REDACTED]
A: Licensing Office, 2nd Floor Shoreditch Police Station

From: Ewen Macgregor [REDACTED]
Sent: 29 January 2021 16:08
To: Perry Mark J - CE-CU [REDACTED]
Cc: Ryan Kerrie L - CE-CU <[REDACTED]>
Subject: BOXPARK SHOREDITCH

Good afternoon Mark

I am pleased to confirm that the conditions are agreed

I attach an updated version taking our the red amends

Will you send to the council copying me in confirming that these are agreed?

With many thanks for your assistance

With best wishes

Ewen Macgregor
Partner
For TLT LLP



[LinkedIn](#) [Twitter](#)
www.tltsolicitors

From: [MARK.J.Perry](#) [Redacted]
Sent: 29 January 2021 15:17
To: Ewen Macgregor [Redacted]
Cc: [Kerrie.L.Ryan](#) [Redacted]
Subject: BP Shoreditch OS 25012021 EM comments (002).docx

Hi Ewen,

Here are the revised proposed conditions, if you can let me know what your clients think about this and we can speak Monday.

We are concerned about the premises becoming a stand alone bar, and we need assurances that this is not going to happen.

Kind Regards

Mark



PC Mark Perry
Central East Licensing Unit
Metropolitan Police Service (MPS)
[Redacted]
A: Licensing Office, 2nd Floor Shoreditch Police Station

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Appendix 10

Noise while the premise is in use

General Advice

If they conclude this is a problem Members should consider whether it is possible to carry out suitable and proportionate noise control measures so that noise leakage is prevented. In addition Members may consider that only certain activities are suitable.

The hours of operation also need to be considered (see below).
If Members believe that there is a substantial problem of noise while the premises are in use and it cannot be proportionately address by licensing conditions they should refuse the application.

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. (**See Sections 9.1 of the Licensing Policy**). While all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. (**See Section 14.10**).

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. (**See Section 9.2 of the Licensing Policy**).

The Licensing Authority will consider attaching conditions to prevent nuisance. In particular Members may wish to consider (this list is not exhaustive):

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

Police Powers

Part 8 of the Licensing Act 2003 enables a senior police officer to close down a premises for up to 24 hrs where public nuisance is being caused by noise coming from the premises and the closure of the premises is necessary to prevent that nuisance.

Guidance Issued under Section 182 of the Licensing Act 2003

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

Licence conditions should not duplicate other legislation (1.16).

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

Other Legislation

The Environmental Protection Act 1990, Part 111 gives Environmental Health Officers the power to deal with statutory nuisances.

The Anti-social Behaviour Act 2003, Sections 40 and 41 give Environmental Health Officers the power of closure up to 24 hours in certain circumstances.

Appendix 11

Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

Comment

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

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

General Advice

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

The hours of operation also need to be considered.

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

Licensing Policy

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

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

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

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

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

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

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

Licence conditions should not duplicate other legislation (1.16).

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

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

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

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

Appendix 12

Anti-Social Behaviour on the Premises

Licensing Policy

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

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

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

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

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

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

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

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

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices.

Other Legislation

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

Appendix 13

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

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

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

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

Licensing Policy

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

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

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

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

Cumulative Impact

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

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

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

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

The pool of conditions, adopted by the Council is recommended (see Appendix 3 of the Licensing Policy). Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder (2.18/2.21).

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

Other Legislation

Crime and Disorder Act 1998

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

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

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

Appendix 14

Planning

An application for a Premises Licence can be made in respect of a premises even where the premises does not have relevant Planning Permission. That application has to be considered and Members can only refuse the application where the application itself does not promote one of more of the Licensing Objectives. Members cannot refuse just because there is no planning permission. Where a Premises Licence is granted and which exceeds what is allowed by the Planning Permission and that Premises then operates in breach of planning then the operator would be liable to enforcement by Planning.

Appendix 15

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 14.8 of the Licensing Policy)

In considering the applicability of frame work hours to any particular application regard should be had to the following

- Location
- Proposed hours of regulated activities, and the proposed hours the premises are open to the public
- The adequacy of the applicant's proposals to deal with issues of crime and disorder and public nuisance
- Previous history
- Access to public transport
- Proximity to other licensed premises, and their hours

(See 14.9 of the licensing policy)

Subject to any representations to the contrary in individual cases the following premises are not generally considered to contribute to late night anti-social behaviour and will therefore generally have greater freedom

- Theatres
- Cinemas
- Premises with club premises certificates

Appendix 16

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

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

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

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

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

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

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

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

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

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

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

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

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

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

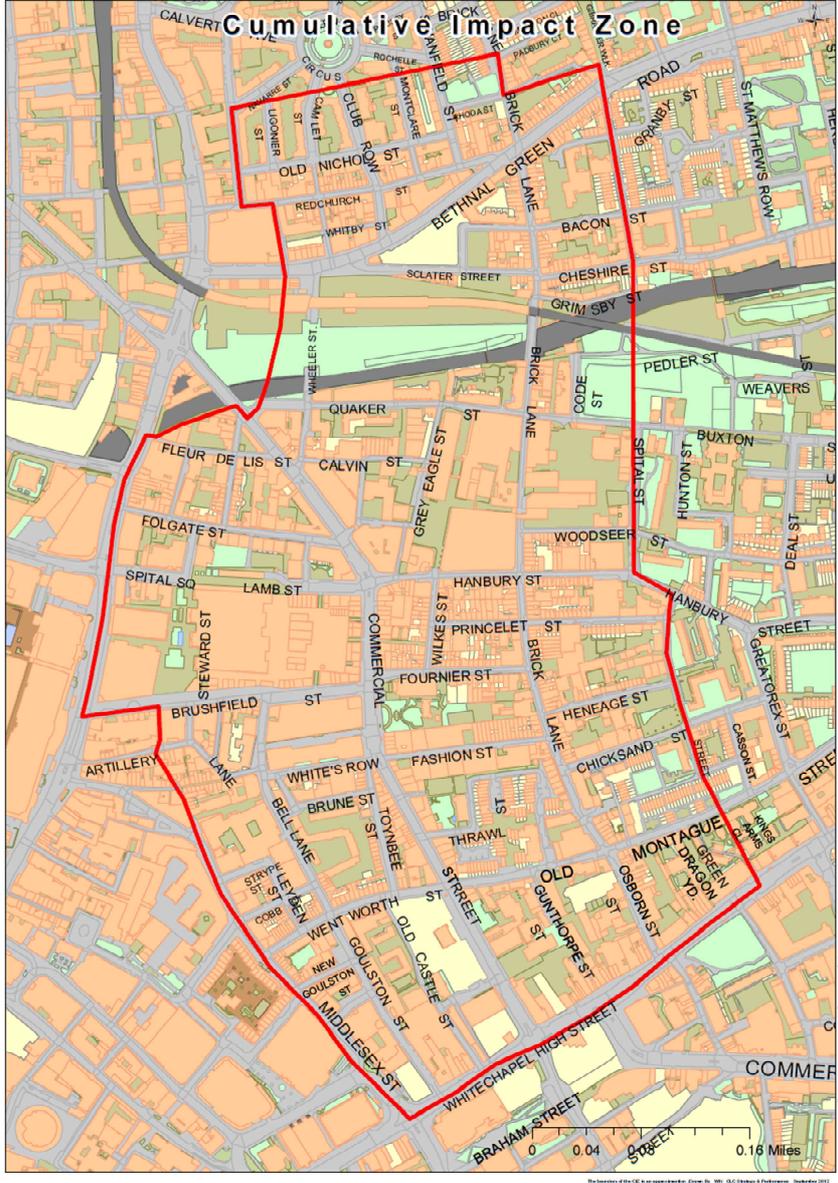
- that the premises will be well managed and run,
- that the premises will be constructed to a high standard,
- that the applicant operates similar premises elsewhere without complaint.

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

The Cumulative Impact Zones:

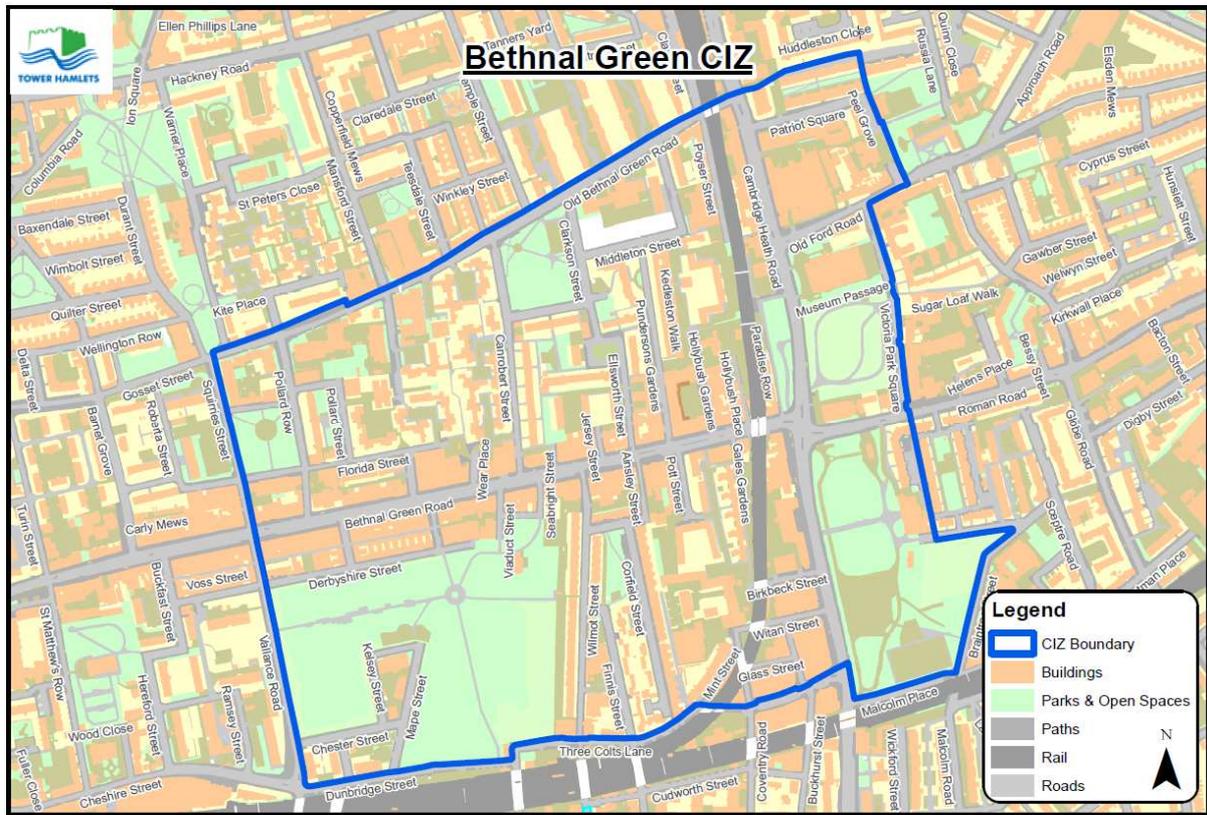
Figure One

Brick Lane area:



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Figure Two:
Bethnal Green Area



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