

Appendix 1



* required information

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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

Roof Top, 60 Highway E1

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

Are you an agent acting on behalf of the applicant?

- Yes No

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

Applicant Details

* First name

Yuval

* Family name

Hen

* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

- Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

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

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

Applicant Business

Is the applicant's business registered in the UK with Companies House?

- Yes No

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

Registration number

06742938

Business name

Studio Spaces Ltd

If the applicant's business is registered, use its registered name.

VAT number

- [REDACTED]

Put "none" if the applicant is not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

Agent Business

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable
value of premises (£)

16,500

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

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NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Studio Spaces Ltd

Details

Continued from previous page...

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

Telephone number

Other telephone number

* Date of birth
dd mm yyyy

* Nationality

[Documents that demonstrate entitlement to work in the UK](#)

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OPERATING SCHEDULE

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

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

Provide a general description of the premises

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

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Second floor, Roof Top of the building at 60 Highway, only to be licensed for outdoor use as a licensed Premises. A new Premises Licence for the outside area to become an outside garden space, to be open from 11.00 to 21.00 , and to serve alcohol, refreshments, and have regulated entertainment from 11.00 to 20.30.

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

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

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Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Music and speech may be amplified ; however sound system will be controlled by a sound limiter, and all music noise to be inaudible at the residents.

State any seasonal variations for playing recorded music

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

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music 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.

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

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

[See guidance on regulated entertainment](#)

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

- Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="20:30"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="20:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="20:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="20:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="20:30"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

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

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

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

Continued from previous page...

Name

First name

Family name

Date of birth

Enter the contact's address

Building number or name

City or town

County or administrative area

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

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ADULT ENTERTAINMENT

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

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

None

Continued from previous page...

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

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.

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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.

Well designed and approved, safe premises with good ventilation and safe access.

- Well trained staff and positive attitude to promoting the safe use of premises to the public, for sale of alcohol and food.
- Management policy to ensure staff are well supervised and working to achieve licensing objectives: eg no underage drinking, no use of drugs, no violent behaviour tolerated.
- Use of proof of age ID., challenge 25 in place, staff to protect children from harm, at all times.

b) The prevention of crime and disorder

- Staff trained and aware of issues; effectively observing customers throughout hours of operation; participation in Challenge 25.
- CCTV installed in liaison with local police guidance.
- Sufficient registered SIA door supervisors as necessary.
- No happy hours or special drink prices.
- Management policy of on-going training in effectively dealing with customers and preventing crime, senior management are to be members of the 'Pub Watch' or similar local schemes.

c) Public safety

- Well signed entrances and fire exits.; well lit exits and entrances.
- Building and services complies to all building regulations and fire safety.
- Staff well trained and aware of public safety, many SIA trained staff to supervise customers
- No overcrowding.
- Drinking water available.
- Good public transport route.
- Adoption of best practice
- Risk assessments undertaken and followed

d) The prevention of public nuisance

- Well trained and aware staff to prevent noise and disturbance to any residents.
- Regular visits by management to all parts of premises; Responsible management.
- Notices asking customers to leave quietly.
- Lobby doors used where appropriate; Dispersal and exit policy in place and well supervised.
- Good licenced taxi firm in use.
- Obviously inebriated people not served, nor allowed into the premises.
- Sound system for outside use to be controlled by sound limiter and all music noise to be inaudible at residents.

e) The protection of children from harm

- Children admitted only when accompanied by an adult, and to outdoor area only to 21.00 only.

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- Staff trained and aware of specific needs of children, and child protection requirements.
- Staff trained and aware of how to report concerns about the welfare of a child.
- Children must be accompanied by an adult at all times.
- Children under 18 not served alcohol.
- Well ventilated premises.
- No gambling or drugs on premises. Proof of age ID required, Challenge 25 in operation.

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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.

Continued from previous page...

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

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

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

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

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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

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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.

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- 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 (£)

190.00

DECLARATION

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

[APPLICABLE TO INDIVIDUAL APPLICANTS ONLY, INCLUDING THOSE IN A PARTNERSHIP WHICH IS NOT A LIMITED LIABILITY PARTNERSHIP] I UNDERSTAND I AM NOT ENTITLED TO BE ISSUED WITH A LICENCE IF I DO NOT HAVE THE ENTITLEMENT TO LIVE AND WORK IN THE UK (OR IF I AM SUBJECT TO A CONDITION PREVENTING ME FROM DOING WORK RELATING TO THE CARRYING ON OF A LICENSABLE ACTIVITY) AND THAT MY LICENCE WILL BECOME INVALID IF I CEASE TO BE ENTITLED TO LIVE AND WORK IN THE UK (PLEASE READ GUIDANCE NOTE 15). THE DPS NAMED IN THIS APPLICATION FORM IS ENTITLED TO WORK IN THE UK (AND IS NOT SUBJECT TO CONDITIONS PREVENTING HIM OR HER FROM DOING WORK RELATING TO A LICENSABLE ACTIVITY) AND I HAVE SEEN A COPY OF HIS OR HER PROOF OF ENTITLEMENT TO WORK, IF APPROPRIATE (PLEASE SEE NOTE 15).

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

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

* Full name

Shaun Murkett

* Capacity

Licensing Agent

* Date

31 / 03 / 2021
dd mm yyyy

Add another signatory

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

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

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

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY

Applicant reference number	<input type="text" value="Roof Top, 60 Highway E1"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

Background Information, to accompany new Premises Licence Application for Roof Top,

60 The Highway, Wapping, Tower Hamlets, E1W 2BF.

30th March 2021

1. This document is background information and an outline of the proposal for the new Premises Licence Application for the Roof Top, 60 Highway, Wapping, with additional information to support the application. The roof top at present is vacant, but the roof top was last operating as a car park for the Alan Day VW Garage, which occupied the ground, first floor and roof top.

2 This application is submitted from Studio Spaces of E1 London, 110 Pennington street, which was recently granted the variation to the licence to include the outside space known as “Site 5”, E1 London outside space. Upon successful granting of this new premises licence for Roof Top, 60 Highway, Studio Spaces will not continue to use the Site 5 outside area. This new licence for the Roof Top will be an alternative licensed outside area, and not an additional outside area. The E1 venue has been run successfully and safely for at least ten years, and the owner is very experienced, and has other similar venues in London. There have been no issues with the Police, the Licensing Department, or the Noise team for many years since our Noise Reports were issued and our many recommendations were implemented, including a revised Drug Policy and a revised Exit and Dispersal Management Policy. These well thought out Management Policies have all worked very successfully, which is recognised by the Relevant Authorities, and Local Residents.

3 The current challenges which are being faced by owners of licensed premises during this situation with coronavirus are significant and exceptional, and are of such magnitude as to almost jeopardize some less efficient businesses. The Studio Spaces company, based at 110 Pennington street, run the licensed premises known as E1. They have the benefit of having just arranged access to a new large roof top outdoor space, which is near to, but not attached to, the main E1 venue building at 110 Pennington street.

4 The proposal is to turn this empty roof top space at 60 Highway into a similar community garden outdoor space, “E1 Roof Top”, with trees and plants in planters, and flower beds, lots of new seating, also with sufficient toilets for around 500 people, offices, and a small bar and refreshment facilities, all in container type temporary structures. It would be rather like a large beer garden, with plastic grass and wooden decking, more safety infrastructure, a small sound system and a small area for music, lots of seats, and a designated outside smoking area.

5 There would be encouragement for links with the local community groups to be involved with selecting trees and plants and flower beds and “living walls” where plants and shrubs are installed against existing walls where feasible, and to be involved with various free community day events.

6 The bar and storage rooms would be made from steel shipping containers which would also form a large acoustic barrier, (around 7.5m high) to prevent music sound leakage, and prevent excessive light pollution to the nearby residents. The containers would be covered with sound absorbing plastic grass and other weatherproof fabric where practicable. The nearest residents with line of sight to the space are located to the west, in Artichoke Hill, at around 17m from the roof top perimeter and their windows are at a distance of around 40m from the centre of the roof top space.

7 It has been agreed that there will be a full noise survey and acoustic report to investigate and analyse the potential noise situation, given the close proximity of residents, and this report will give predictions of noise. However initial considerations indicate that with the acoustic barrier made up of the containers and timber panels, the sound of people talking would be almost inaudible at that distance, and the sound system would be controlled and calibrated with a sound limiter to ensure that all music noise is inaudible to the residents.

8 The outdoor space is around 50m long and 20m wide, as shown on the proposal layout plan and indicates the roof top outside space as around 1000m², and this would all be used initially at 2m social distancing in line with the current coronavirus health regulations. There would be one large entrance up the 5m wide ramp from the ground floor, and directly off The Highway, and separate fire exits in the building down to the ground floor. The seating would be arranged to suit the prevailing current regulations and some of the seating be of a temporary nature to allow different community events to take place.

9 The initial use of the outdoor area, under the present covid regulations, in terms of timing and hours of operation, are for this outside area to be open only from 11 am to 9.00 pm, with all regulated entertainment and music and serving of alcohol to stop at 8.30pm, and with strict supervision of social distancing of customers by registered SIA staff. All customers to have left the roof top space by 9.00pm sharp.

10 The management team will also review the security arrangements, the exit and dispersal policy, and noise management, and make any required improvements that may further reduce any possible disturbance to the minimum. The Studio Spaces management will continue to liaise closely with the Tobacco Dock management to avoid major events on the same day, to reduce any disturbance to residents.

11 Discussions have been held with Local Residents, the Licencing officers, Police and Noise team officers to discuss these proposals, and have received a favourable initial response, as the E1 premises has been successfully and safely run over the years without any issues. It is considered that this new proposed roof top outside space, Roof Top, will generally be of overall benefit to the community; however any comments on the proposals will be gratefully considered, and discussion welcomed.

Shaun Murkett

1 Clissold Road, Stoke Newington, London N16 9EX

t: 020 7923 7275 m: 07956 367598

e: murkett@aol.com

www.shawnmurkett-acoustics.co.uk

Managing Director and Principal Consultant: Shaun Murkett BSc. C.Eng. MIEE. MIOA

Registered company no.3708245 VAT. reg. no. 778-2825-80

Appendix 2



Pennington Street

Proposed Layout licence plan of Roof Top,
60 The Highway, Wapping, Tower Hamlets, London E1W 2BF

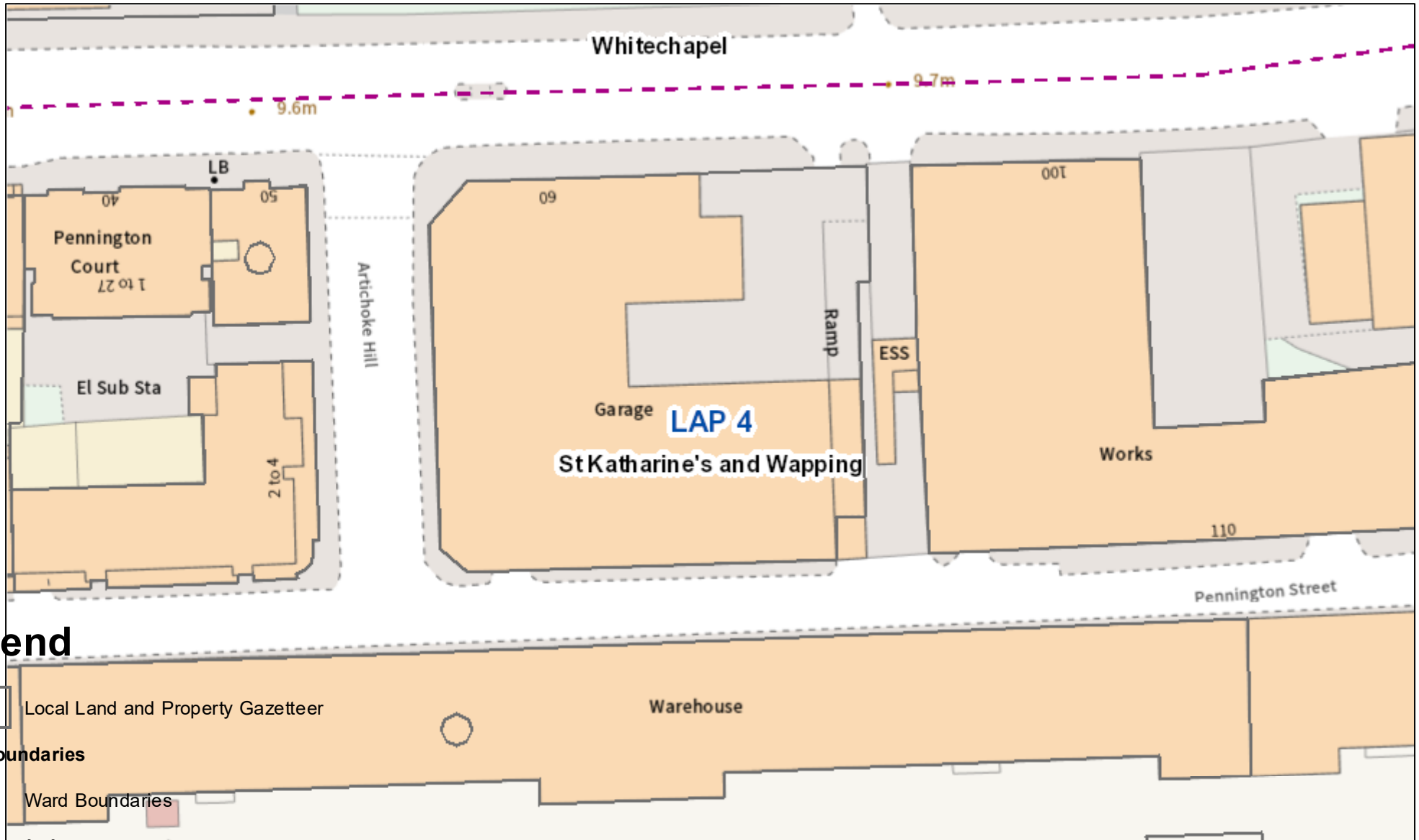
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Shaun Murkett Acoustic Consultants Ltd.
www.shawnmurkett-acoustics.co.uk
Approx 1:100 A2


Appendix 3




60 The Highway



Legend

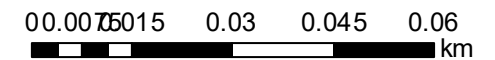
 Local Land and Property Gazetteer

Ward Boundaries

 Ward Boundaries

LAP Boundaries

 LAP Boundaries






60 The Highway



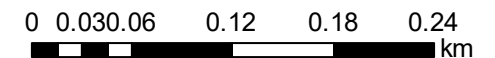
Legend

Ward Boundaries

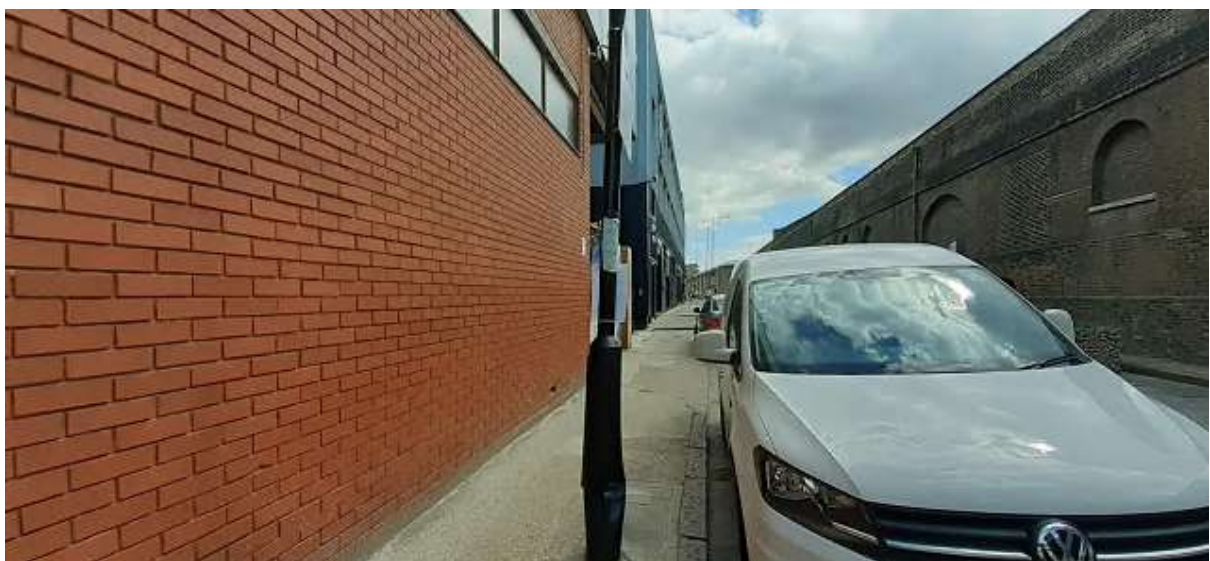
 Ward Boundaries

LAP Boundaries

 LAP Boundaries



Rooftop, 60 The Highway



Rooftop, 60 The Highway



Appendix 4

Rooftop, 60 The Highway - Nearest licences

Name and address	Licensable activities and hours	Opening hours
<p>(Studio Spaces Ltd) 110 Pennington Street London E1W 2BB</p>	<p>Sale of Alcohol (On sales)</p> <ul style="list-style-type: none"> • Sunday to Thursday, from 08.00 hours to 00.00 hours (midnight) • Friday and Saturday, from 08.00 hours to 07.00 hours the following day <p>Late night refreshments Indoors</p> <ul style="list-style-type: none"> • Sunday to Thursday, from 23.00 hours to 00.00 hours (midnight) • Friday and Saturday, from 23.00 hours to 07.00 hours the following day <p>Provision for Regulated Entertainment - Indoors (Plays, Films, Live Music, Recorded Music, Performance of Dance and Anything of a Similar Description.</p> <ul style="list-style-type: none"> • Sunday to Thursday, from 06:00 hours to 00:00 hours (midnight) • Friday and Saturday, from 06.00 hours to 07.00 hours the following day <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> • Licensable activities, from the beginning of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day and on all days preceding a Bank Holiday until 07:00hrs the next day. <p><u>Conditions for Garden area (outdoor space)</u></p> <p>Sale of Alcohol</p> <ul style="list-style-type: none"> • Monday to Sunday 08:00 hours to 20:30 hours with half an hour drink up time until 21:00 hours. <p>Provision for Regulated Entertainment – Recorded Music Outdoors for garden area only</p> <ul style="list-style-type: none"> • Monday to Sunday 08:00 hours to 21:00 hours <p><u>Photographic Studio</u> A small indoor photographic studio area 120 meter squared to operate as per the existing hours permitted on the premises licence. (NOT FOR USE BY THE PUBLIC DURING THE CORONAVIRUS REGULATIONS)</p>	<ul style="list-style-type: none"> • Sunday to Thursday, from 06:00hrs to 00:30hrs (the following day) • Friday and Saturday, from 06.00 hours to 07.00 hours the following day <p>The opening hours of the outdoor space</p> <ul style="list-style-type: none"> • Monday to Sunday from 08:00 hours to 21:30 hours.

Rooftop, 60 The Highway - Nearest Licences

<p>(Great Chef London Limited) Unit 301 110 Pennington Street London E1W 2BB</p>	<p><u>The Supply of Alcohol (off sales only)</u></p> <ul style="list-style-type: none"> Monday to Sunday from 11:30hrs to 23:30hrs <p><u>The provision of Late Night Refreshment</u></p> <ul style="list-style-type: none"> Monday to Sunday from 23:00hrs to 23:30hrs 	<ul style="list-style-type: none"> Monday to Sunday from 11:30hrs to 23:30hrs Premises not open to public, online deliveries only
<p>(Dominos Pizza) 50 The Highway London E1W 2BG</p>	<p>The provision of late night refreshment Monday to Sunday 23:00 hours – 05:00 hours the following day. (Allows trading Monday to Sunday 24 hours a day).</p>	<p>Monday to Sunday 24 hours a day.</p>
<p>(Wapping Supermarket) 172-176 The Highway London E1W 3DD</p>	<p>The sale by retail of alcohol (Off sales only)</p> <ul style="list-style-type: none"> Sunday to Thursday 08.00 until 23.00 hours; and Friday to Saturday 08.00 until 00.00 hours 	<p>Monday to Sunday 07.00 until 06.59 hours</p>
<p>(Big Yellow Storage) Room B04 Unit 9 100 The Highway London E1W 2BX</p>	<p><u>Sale by retail of alcohol (off sales)</u></p> <ul style="list-style-type: none"> Monday to Sunday from 22:00 hours to 07:00 hours the following day 	<ul style="list-style-type: none"> Monday to Sunday from 22:00 hours to 07:00 hours the following day
<p>(McDonald's Restaurant) 102/106 The Highway Westbound London E1 9BU</p>	<p>The provision of Late night refreshment</p> <ul style="list-style-type: none"> Monday to Sunday 23:00 hours to 05:00 hours 	<p>There are no restrictions on the hours during which this premises is open to the public</p>

Appendix 5

Section 182 Advice by the Home Office Updated on April 2018

Relevant, vexatious and frivolous representations

9.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.

9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.

9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority’s corporate complaints procedure. A person may also challenge the authority’s decision by way of judicial review.

9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this

Guidance, an assessment should be prepared by officials for consideration by the sub-committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.

9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

9.10 Licensing authorities should consider providing advice on their websites about how any person can make representations to them.

Appendix 6

Mohshin Ali

From: Kathy Driver
Sent: 13 May 2021 16:34
To: Licensing; Mohshin Ali
Subject: FW: Roof Top, 60 The Highway, London E1W 2BF

From: Kathy Driver
Sent: 13 May 2021 16:33
To: 'Yuval Hen' [redacted]; shaun [redacted]
Cc: Nicola Cadzow [redacted]; Mark Perry [redacted]
Subject: Roof Top, 60 The Highway, London E1W 2BF

I am acting as Responsible Authority on behalf of the Licensing Authority, upon looking at your application I have concerns on the impact of the event on the wider area in respect of prevention of Public Nuisance; Crime and Disorder and Public Safety.

The concerns of Licensing Authority is the unknown capacity and layout of the outdoor venue including the position of bars and any music equipment, it is stated as supplementary information a rough capacity of 500 however, it is unclear from the plans provided how seating will be laid out and whether there is the potential for large space for vertical drinking, especially once social distancing measures have been removed.

It is also a concern that the area of space is only part of the whole site and therefore would like further information as to how customers and staff will be managed should other parts of the building be used. In addition, having regard to your main venue being in close proximity with later hours, I would ask what measures would in place should customers wish to leave this venue and move on to your other site.

I am therefore, at present, objecting to the application.

I would welcome further information how you will mitigate the above concerns, and ask you to also consider the below conditions.

1. No outside promotional events to take place.
2. No alcohol or drinks shall be taken off the licensed area.
3. A site plan of the layout and any changes to the layout must be agreed with Licensing Authority; Police and Environmental Protection prior to any activities taking place.
4. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
5. Adequate measures shall be in place to ensure customers remain within the site of the licensed area.
6. A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours.
7. The numbers of toilets provided shall be equivalent to the recommendation of the Purple Guide for outdoor events.
8. The premises shall discourage any attempt by organisers, artist or users of the premises to advertise by fly posting or using illegal placards;

9. There shall be no use of nox canisters used on site, the licence holder shall discourage any attempts of traders to sell balloons/canisters immediately outside the venue.

I would also like you to consider a condition to ensure there is adequate provision of seating for the space such as “More than 50% of the area shall be seating for customers”

I look forward to hearing from you.

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

Please visit our web page for application forms and guidance at www.towerhamlets.gov.uk/licensing

www.towerhamlets.gov.uk

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Appendix 7

Mohshin Ali

From: Mohshin Ali on behalf of Licensing
Sent: 30 April 2021 13:22
To: Mohshin Ali
Subject: FW: Objection to Application of Premises Licence requested by Studio Spaces Limited at Roof Top, Second floor of 60 Highway, Wapping, Tower Hamlets, London E1W 2BF.
Attachments: STUDIO SAPCES APPLICATION.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

From: Justyna Kowalska [REDACTED] >
Sent: 29 April 2021 23:15
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objection to Application of Premises Licence requested by Studio Spaces Limited at Roof Top, Second floor of 60 Highway, Wapping, Tower Hamlets, London E1W 2BF.

[REDACTED]

[REDACTED]

Dear Sir/Madam

Reference: Application of Premises Licence requested by Studio Spaces Limited at Roof Top, Second floor of 60 Highway, Wapping, Tower Hamlets, London E1W 2BF.

Requesting “ A new premises licence for the outside area to become an outside garden space to be open from 11.00 to 21.00 and to serve alcohol, refreshments, and regulated entertainment from 11.00 to 20:30.

I am a leaseholder of the apartment number [REDACTED] situated right next to the premises for which the licence is requested.

I know the site as well as the situation with the current premises where Studio Space Limited has a licence to offer above services and so I would like to heavily object to the above premises licence application.

The location of the site, the proposed activity and the long opening hours will result in complete loss of our privacy, loss of our Right to quiet enjoyment and so will deteriorate significantly our general well-being.

Please refer to the below points for more detailed

- We will lose our privacy as both bedrooms (ours and our children) of our apartment are literally in front of the venue, overlooking the premises.
- The noise and vibrations (especially due to music) from the current location of Studio Space Limited, which is further down on Pennington Street, is already clearly audible at our apartment. Having it right next to our bedrooms, for the entire day from 11am until 9pm, will be simply unbearable and will take away our Right to quiet enjoyment.
- Lightning around the venue will be also very intrusive, especially during autumn and winter months, and it will impact negatively our children's ability to sleep. They are 1 and 5 years old and so go to bed around 7pm and their bedroom is facing directly the venue.
- Additionally, as the premises will offer different hot food it will result in us being exposed every weekend during the entire day to the kitchen smells. It would mean we won't be able to open windows and ventilate our bedrooms and in long term it will be very troublesome for our health.
- Litter – currently there is already a lot of litter, including laughing gas canisters, around Chigwell and Pennington streets after Studio Space Limited events as this is unfortunately not cleared properly. This also includes people urinating on Pennington street while they queue or temporarily leave the premises to consume drags/ laughing gas. So it is fair to assume that the same thing will continue but now literally in front of our apartment building.
- We witness continued antisocial behaviours of Studio Space Customers, which includes urinating on Pennington street, drug and laughing gas consumption, shouting, screaming etc. Moving the premise even closer to residential building extrapolates the problem even further due to many children from our apartment block, as well as adjacent ones, being directly exposed to people leaving drunk or on drugs which creates an unsafe environment for children to move around; not to mention children getting wrong behaviour examples.

I hope that our objection regarding this application will be given careful consideration and we expect to receive further information in due course.

Yours faithfully

Justyna Majkowska

PS.1 Taking the opportunity, I would also like to complain how Studio Spaces is currently handling queues to enter their current site. They are completely blocking the pavement along almost entire distance from their current location to Wapping Lane. This means that whenever I'm passing by, including with children and a pram, I am not able to walk on the pavement and so have to walk on the street which is very dangerous due to continuous traffic on Pennington St (as cars use it to circumvent the traffic on The Highway).

Appendix 8



Jonathan Pitayanukul [REDACTED]

Studio Spaces Limited- Application for a premises licence 60 Highway Wapping E1W 2BF

1 message

Jonathan Pitayanukul [REDACTED]

To: licensing@towerhamlets.gov.uk

Sun, Apr 18, 2021 at 10:40 AM

Dear Sir / Madam

Studio Spaces Limited- Application for a premises licence 60 Highway Wapping E1W 2BF

I write to strongly object to the above application for the following reasons:

(1) Studio Spaces Limited have not a good record of operating a drink licence or a premises licence. Currently, they are operating at Pennington street next to Tobacco Dock and already causing a lot of havoc to the local areas. The noises, the uncontrolled drinkers pissing or pooing on the street, the rubbish being left all over Pennington street and Artichoke Hill and uncontrolled fighting during the night.

(2) Already we have a rooftop bar at Tobacco Dock. We have a rooftop bar at Tower Hill (Hilton hotel) and we have a large pub/bar at Thomas More Square. All these large bars are within a few hundred meters of each other.

(3) The proposed rooftop bar is hardly can be called a rooftop as it is on the second floor. It is quite low. The noises will travel all over the places and will cause substantial disturbance to the neighbourhood such as the building at Artichoke Hill and nearby. The so-called rooftop bar is not high enough. The noises will not be acceptable.

Please kindly consider the above and reject the application for the unsuitable operator, plenty of bars nearby and the second floor is not high enough.

Your kind consideration will be much appreciated.

Best Regards

JSP

Jonathan S Pitayanukul



Appendix 9

Mohshin Ali

From: Licensing
Sent: 21 April 2021 18:25
To: Mohshin Ali
Subject: FW: Objecting to Studio Spaces Limited licensing application

Follow Up Flag: Follow up
Flag Status: Flagged

From: Milena Court [REDACTED] >
Sent: 19 April 2021 19:02
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objecting to Studio Spaces Limited licensing application

Dear Sir/Madam,

I, tenant of the [REDACTED], wish to object to the application from Studio Spaces Limited for a Premises Licence for the Roof Top, Second Floor of 60 Highway, Wapping, Tower Hamlets, London E1W2BF.

My objection is based on my concern that this new licence may increase the possibility of public nuisance for the dwellings nearby, including my own.

I am concerned about noise nuisance as my living room and balcony would directly overlook the premises. The noise would carry very easily from the rooftop and would impact my right to quiet enjoyment. Moreover noise would not only come from the rooftop but also from customers entering and exiting the premises as this can already be witnessed from their current venue.

Finally I believe there will be an increase in inebriated behaviour outside my building which would lead to antisocial behaviour or continued partying in nearby streets.

Best,

Milena Court

Appendix 10

Mohshin Ali

From: Licensing
Sent: 10 May 2021 14:12
To: Mohshin Ali
Subject: FW: Premises License application 60 the Highway

Follow Up Flag: Follow up
Flag Status: Flagged

From: MARK.J.Perry [REDACTED]
Sent: 10 May 2021 10:37
To: yuval [REDACTED]
Cc: shaun [REDACTED]; Licensing <Licensing@towerhamlets.gov.uk>
Subject: RE: Premises License application 60 the Highway

Thanks Yuval,

I'll give you a call tomorrow to catch up.

Licensing please see conditions agreed with the applicant.

Take care

Mark



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



From: Yuval Hen <[REDACTED]>
Sent: 10 May 2021 10:35
To: Perry Mark J - CE-CU <[REDACTED]>
Cc: shaun [REDACTED]
Subject: Re: Premises License App

Hi Mark,
Thank you the email below and for the continuing trust of our operation.

We agree to the conditions below.

Kind regards.

Yuval

Sent from my iPhone

On 10 May 2021, at 10:28, [MARK.J.Perry](#) [REDACTED] wrote:

Hi Yuval and Shaun,

Hope you both are well and that the outside pub is ok?

I have no objection to this application but would like the same conditions on this as are on the current site 5 please let me know if they are acceptable.

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. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
4. A minimum of 1 SIA licensed door supervisors per 100 customers shall be on duty at the premises at all times whilst it is open for business
5. 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 complaints received concerning crime and disorder
 - d) any incidents of disorder;
 - e) all seizures of drugs or offensive weapons;
 - f) any faults in the CCTV system, searching equipment or scanning equipment;
 - g) any refusal of the sale of alcohol;
 - h) any visit by a relevant authority or emergency service.
6. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:

- a) the police (and, where appropriate, the London Ambulance Service) are called without delay;
 - b) all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
 - c) the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
 - d) such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
7. All drinking vessels used in the venue shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to being served. Customers shall not be permitted to leave their table carrying any such glass bottles or drink directly from the bottle.
8. 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 a driving licence, passport or proof of age card with the PASS Hologram.

Kind Regards

<image001.jpg>

<image002.png>

PC Mark Perry

Central East Licensing Unit

Metropolitan Police Service (MPS)

Email

A: Licensing Office, 2nd Floor Shoreditch Police Station

<image005.png>

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Appendix 11

Mohshin Ali

From: Mohshin Ali on behalf of Licensing
Sent: 11 May 2021 13:36
To: Mohshin Ali
Subject: FW: 137016 Time Limited Premises License Roof Top Former Car Park, 60 The Highway, London

Follow Up Flag: Follow up
Flag Status: Flagged

From: Nicola Cadzow <[REDACTED]>
Sent: 11 May 2021 11:02
To: Licensing <Licensing@towerhamlets.gov.uk>
Cc: mark.j.perry [REDACTED]; shaun [REDACTED]
Subject: 137016 Time Limited Premises License Roof Top Former Car Park, 60 The Highway, London

Dear Licensing,

I have no objections to the time Limited Premises License Roof Top Former Car Park, 60 The Highway, London. ref 137016 following agreement by the applicant to the amendment to the conditions on the operating schedule for the prevention of public nuisance (see also email trail) :

Sound system for outside use to be controlled by sound limiter and all music to be in audible at residents amended to read:-

Sound system for outside use to be controlled by sound limiter and all music to be in audible within residents premises

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

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From: [shaun \[REDACTED\]](#) <[shaun \[REDACTED\]](#)>
Sent: 11 May 2021 10:47
To: Nicola Cadzow <[REDACTED]>
Cc: 'Shaun Murkett aol' [REDACTED]
Subject: RE: 137016 Time Limited Premises License Roof Top Former Car Park, 60 The Highway, London

Hi Nicola ,
Yes you are correct; it's a slightly ambiguous proposed condition and I agree with your amendment.
Thanks for clarifying the situation

Yours
Shaun Murkett, Managing Director,

Shaun Murkett Acoustic Consultants Ltd
1 Clissold Road
Stoke Newington
London N16 9EX

[REDACTED]

From: Nicola Cadzow <[REDACTED]>
Sent: 11 May 2021 09:31
To: [shaun \[REDACTED\]](#)
Subject: 137016 Time Limited Premises License Roof Top Former Car Park, 60 The Highway, London

Good morning Shaun,

With regards to the Time Limited Premises License Roof Top Former Car Park, 60 The Highway, London I would ask that the license condition in the operating schedule for the prevention of public nuisance as below:

Sound system for outside use to be controlled by sound limiter and all music to be in audible at residents

is amended to read:-

Sound system for outside use to be controlled by sound limiter and all music to be in audible within residents **premises**

As the condition stands in audible at residents is not clear!

Await your confirmation

regards

Nicola Cadzow
Environmental Health Officer
Environmental Protection Team
Place Directorate

Appendix 12

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 13

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 14

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 15

Anti-Social Behaviour on the Premises

Licensing Policy

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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):

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- Restrictions on drinking areas
- Capacity
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage
- Seating plans
- Capacity

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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 16

Protection of children from harm

- 10.1 The wide range of premises that require licensing means that children can be expected to visit many of these, often on their own, for food and/or entertainment. The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Home Office Guidance also expects Licensing authorities to consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 10.2 Tackling Child Sexual Exploitation (CSE) is a key target both locally and nationally as such the Licensing Authority expects Licence Holders to:
- Understand that there are criminal offences in relation to sexual exploitation of a child,
 - Ensure that they and their employees have a basic awareness of the signs of CSE and how to report it;
 - Report any concerns to the appropriate authorities or to the Licensing Authority can advise them of the appropriate authority to report concerns to.
- 10.3 Applicants are to consult with the Responsible Authority designated for Child Protection listed in appendix 1 - List of Responsible Authorities of this who this Licensing Authority recognises to be competent body to advise on the protection of children from harm.
- 10.4 The Act does not prohibit children from having access to any licensed premises; the Council recognises that limitations may have to be considered where it appears necessary to protect children from harm.
- 10.5 The Licensing Authority will judge the merits of each separate application before deciding whether to impose conditions limiting the access of children to individual premises. The following are examples of premises that will raise concern:-
- Where there have been convictions, Fixed Penalty Notices (FPNs) or formal cautions for serving alcohol to minors or with a reputation for underage drinking

- With a known association with drug taking or dealing
 - Where there is a strong element of gambling on the premises
 - Where entertainment of an adult or sexual nature is provided
 - Where irresponsible drinking is encouraged or permitted.
- 10.6 Where its discretion is engaged, the Licensing Authority will consider any of the following options when dealing with a licence application where limiting the access of children is considered necessary to prevent harm to children:
- Limitations on the hours when children may be present,
 - Limitations on ages below 18,
 - Limitations or exclusion when certain activities are taking place,
 - Requirements for an accompanying adult,
 - Full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 10.7 No conditions will be imposed requiring that children must be admitted to any premises and, where no limitation is imposed, this will be left to the discretion of the individual licensee.
- 10.8 The Act details a number of offences designed to protect children in licensed premises and the Licensing Authority will work closely with the police to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children.
- 10.9 All licence holders will be expected to comply the Portman Group Code of Practice, and in particular the Retailer Alert Bulletin by which the Portman Group informs licensed retailers, which products have been found to be in breach of the code, and should be removed from sale.
- 10.10 The Licensing Authority expects all licensed suppliers of alcohol to have robust measures, effectively managed and monitored, in place to ensure that minors are fully protected from harm. This will require operating plans to specify these measures and management controls taking into account paragraph 10.1 and 10.2 above. Where appropriate a written childcare policy should be available and be incorporated in the induction of staff.

- 10.11 The Licensing Authority will take appropriate and proportionate action where there are serious concerns in relation to the safe guarding of children in connection with a licensed premises, which may include consideration of applying for a review of the licence where there is significant evidence of undermining the licensing objective of the protection of children from harm.
- 10.12 The sale of alcohol to a minor is a criminal offence and Trading Standards will conduct appropriate covert test purchasing exercises and will take account of any complaints and intelligence received. The Act permits the use of children under the age of 18 to undertake test purchases.
- 10.13 Where there are age restrictions imposed by the Act on the licensable activities in respect of children below a certain age, then the licensee will be required to demonstrate that they have age verification systems in place. This Licensing Authority believes that Licensed Premises should have age verification policies to require individuals who appear to the person serving alcohol to be under the age of 25 years of age to produce on request appropriate identification. This is commonly referred to as the "Challenge 25 Scheme". The rationale for this is because it can often be difficult to judge how old teenagers are and "Challenge 25 age verification system" would provide licensed premises with margin of error to prevent underage sales. Thus Challenge 25 can help to empower staff to challenge customers where there is doubt about their age. In turn this is likely to reduce the risk of the owner, or the seller of the alcohol, committing an offence.
- 10.14 Training in age verification systems should be given to all persons who might be in a position to serve or refuse the sale of alcohol to children. The training should include a basic understanding of the law, seeking proof of age, verifying the authenticity of proof of age cards and handling and recording refusals.
- 10.15 Where proportionate and appropriate, and its discretion is engaged, the Licensing Authority will impose the following standard conditions in relation to age verification systems:
- 1) All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
 - 2) 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 a driving licence, passport or proof of age card with the PASS Hologram.
 - 3) A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record

shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.

- 4) All staff whose duties include the serving of alcohol must be trained in the requirements of this scheme including the importance of recording any refusals.

11 Access to Cinemas

- 11.1 Films cover a vast range of subjects, some of which deal with adult themes and / or contain, for example, scenes of horror or violence that may be considered unsuitable for children within certain age groups.
- 11.2 In order to prevent children from seeing such films, the Licensing Authority will impose conditions requiring licensees to restrict children from viewing age restricted films classified according to the recommendations of the BBFC, or the Council itself. The Licensing Authority will not consider reclassifying any films already classified by the BBFC. The Council will charge for classifying films, on a full cost recovery basis.
- 11.3 The Licensing Authority will classify films itself where it is satisfied that no BBFC classification exists. It will inform relevant licensee and require such classifications to be clearly contained in any advertising or informative material relating to such films.

12 Children and Public Entertainment

- 12.1 Many children go to see and / or take part in an entertainment arranged substantially for them. Consequently additional arrangements are required to safeguard them at such times.
- 12.2 Where 10.1 applies, and its discretion is engaged, the Licensing Authority will require the following arrangements in order to control their access and egress and to assure their safety:-
 - An adult member of staff to be stationed in the vicinity of each of the exits from any level, subject to there being a minimum of one member of staff per 50 children or part thereof,
 - No child unless accompanied by an adult to be permitted in the front row of any balcony,
 - No standing to be permitted in any part of the auditorium during the Performance.
- 12.3 Where children are taking part in any regulated entertainment, and its

discretion is engaged, the Licensing Authority will require the operating schedule to clearly state the steps taken to assure their safety.

- 12.4 Where its authority is engaged, the Licensing Authority will consider attaching conditions to licences and permissions to prevent harm to children, and these may include conditions drawn from the Model Pool of. Conditions that can be found in the Secretary of State's Guidance.

Guidance Issued by the Home Office under Section 182 of the Licensing Act 2003

Updated April 2018

Protection of children from harm

- 2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 2.23 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:
- adult entertainment is provided;
 - a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
 - it is known that unaccompanied children have been allowed access;
 - there is a known association with drug taking or dealing; or
 - in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.
- 2.24 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.

- 2.25 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.
- 2.26 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.
- 2.27 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:
- restrictions on the hours when children may be present;
 - restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
 - restrictions on the parts of the premises to which children may have access;
 - age restrictions (below 18);
 - restrictions or exclusions when certain activities are taking place;
 - requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 2.28 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.

- 2.29 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.
- 2.30 The 2003 Act provides that, where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.
- 2.31 Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.

Offences relating to the sale and supply of alcohol to children

2.32 Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under section 154 of the 2003 Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. Licensing authorities, alongside the police, are prosecuting authorities for the purposes of these offences, except for the offences under section 147A (persistently selling alcohol to children). Where, as a matter of policy, warnings are given to retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be aware of the warnings each of them has given.

Table of relevant offences under the 2003 Act Section	Offence	Prosecuting Authority
Section 145	Unaccompanied children prohibited from certain premises	Police and/or Licensing Authority
Section 146	Sale of alcohol to children	Police, Licensing Authority and/or Local Weights and Measures Authority
Section 147	Allowing the sale of alcohol to children	Police, Licensing Authority and/or Local Weights and Measures Authority
Section 147A	Persistently selling alcohol to children	Police and/or Local Weights and Measures Authority
Section 148	Sale of liqueur confectionery to children under 16. (This offence will be repealed by the Deregulation Act 2015 on 26 May 2015).	Police and/or Licensing Authority
Section 149	Purchase of alcohol by or on behalf of children	Police and/or Licensing Authority
Section 150	Consumption of alcohol by children	Police and/or Licensing Authority
Section 151	Delivering alcohol to children	Police and/or Licensing Authority
Section 152	Sending a child to obtain alcohol	Police and/or Licensing Authority
Section 153	Prohibition of unsupervised sales by children	Police and/or Licensing Authority

Appendix 17

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 18

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 framework 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