

Appendix 1

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I/We Mr Azmal Mert Hussain

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
124-126 Brick Lane (Ground Floor & Basement) London			
Post town	London	Postcode	E1 6RU

Telephone number at premises (if any)	██████████
Non-domestic rateable value of premises	£

Part 2 - Applicant details

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

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

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

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="checked" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname: Azmal Mert			First names: Hussain		
Date of birth: [REDACTED]		I am 18 years old or over		Please tick yes <input checked="checked" type="checkbox"/>	
Nationality: [REDACTED]					
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]		
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)

Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

<p>Please give a general description of the premises (please read guidance note 1)</p> <p>The premises is situated in a shopping parade with residential flats above the premises. The premises was licenced to sell alcohol and late-night refreshment. The previous occupier was the applicant's tenant and the premises licence was under the tenant's company name. The company has lapsed as a result of that premises licence has cancelled.</p>
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If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon	-----	-----	<u>Please give further details here</u> (please read guidance note 4)		
Tue	-----	-----			
Wed	-----	-----	<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur	-----	-----			
Fri	-----	-----	<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	-----	-----			
Sun	-----	-----			

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon	-----	-----		<u>Please give further details here</u> (please read guidance note 4)	
Tue	-----	-----			
Wed	-----	-----	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur	-----	-----			
Fri	-----	-----	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	-----	-----			
Sun	-----	-----			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon	-----	-----	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue	-----	-----	
Wed	-----	-----	
Thur	-----	-----	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri	-----	-----	
Sat	-----	-----	
Sun	-----	-----	
	-----	-----	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon	-----	-----	<u>Please give further details here</u> (please read guidance note 4)		
Tue	-----	-----			
Wed	-----	-----	<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur	-----	-----			
Fri	-----	-----	<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	-----	-----			
Sun	-----	-----			

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				Please give further details here (please read guidance note 4)	Both
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				Please give further details here (please read guidance note 4)	Both
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Mon	-----	-----		Outdoors	
				Both	
Tue	-----	-----	<u>Please give further details here</u> (please read guidance note 4)		
Wed	-----	-----			
Thur	-----	-----	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri	-----	-----			
Sat	-----	-----	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun	-----	-----			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	23:00 -----	3:00			
Tue	23:00 -----	3:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Wed	23:00 -----	3:00			
Thur	23:00 -----	3:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri	23:00 -----	3:00			
Sat	23:00 -----	3:00			
Sun	23:00 -----	3:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	11:30	2:30			
Tue	11:30	2:30			
Wed	11:30	2:30			
Thur	11:30	2:30			
Fri	11:30	2:30			
Sat	11:30	2:30			
Sun	11:30	2:30	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name: Mr Azmal Mert Hussain	
Date of birth: [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	11:00	3:30	
Tue	11:00	3:30	
Wed	11:00	3:30	
Thur	11:00	3:30	
Fri	11:00	3:30	
Sat	11:00	3:30	
Sun	11:00	3:30	
Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)			

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

This property had a Premises Licence, the previous occupier has surrendered the company as a result of that the premises licence has lapsed. Therefore, I am applying for a new premises licence. I am a personal licence holder. All reasonable steps will be taken to ensure that the premises have a positive impact on the local environment and its residents at all times.

b) The prevention of crime and disorder

Training will be provided to all staff to ensure a good knowledge and awareness of the prevention of crime and disorder. All staff will have sufficient knowledge of who is allowed and who is not by law, to purchase alcoholic drinks in the licensed premises. CCTV will be installed and the recorded materials shall be retained and stored in a suitable/secure manner for a minimum of 31 days. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with relevant legislation. CCTV will be operational during opening hours. Recordings and images will be available on request for the police and other responsible authorities.

c) Public safety

Compliance with Health & Safety Law.
All staff will have sufficient knowledge on how to prevent accidents, incidents and follow fire safety procedures without harming themselves. Fire extinguishers will be in place and regularly serviced in accordance with fire safety regulations and fire authority guidelines. All fire escapes routes will be clearly marked and kept free from obstructions at all times. There will be a Fire Alarm in place.

License Holder/ DPS will control the premises or any persons concerned in the management of the premises will not cause or permit a drunk person/street drinker to purchase alcohol at the premises.

d) The prevention of public nuisance

No children will be allowed to gather around the premises. We will keep outside of the premises tidy; all spillages will be cleaned. I.e. Bottles, glass, litter, etc. No drinks, bottled drinks, or food will be allowed to be consumed in front of the shop.
We will take ZERO TOLERANCE on drunk and drug matters. If any drunken person intends to purchase drinks he/she will be refused to be served politely and asked to leave quietly. If we cannot control them as a last resort, we will call the police and request assistance.
No early morning or late delivery will take place.

e) The protection of children from harm

We will adopt the 'Challenge 25' policy in our premises and ask for identification to be provided as and when we suspect. Staff will accept a Driving Licence Photo Card, Passport or PASS accredited card when checking the age and identification of persons believed to be under 25. The DPS/Premises Licence Holder will ensure signs are displayed at prominent locations in the premises highlighting the 'Challenge 25' and ID policy. The DPS/ Premises Licence Holder will ensure that signs are displayed at prominent locations in the premises highlighting that sales of alcohol will not be made to persons under 18 years of age or persons purchasing alcohol on behalf of persons under 18 years of age. DPS/Premises Licence Holder will instigate ongoing training for all staff in relation to the legislation governing underage sales, proxy

purchasing and the 'Challenge 25' and ID policy. The DPS/Premises Licence Holder will ensure that a Refusals Book is maintained and kept at the premises at all times. There will be a member of staff available at all times to monitor the alcohol sales area and will ensure the prevention of the sale of alcohol to the under-aged.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).


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

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.

Part 4 – Signatures (please read guidance note 11)



Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [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
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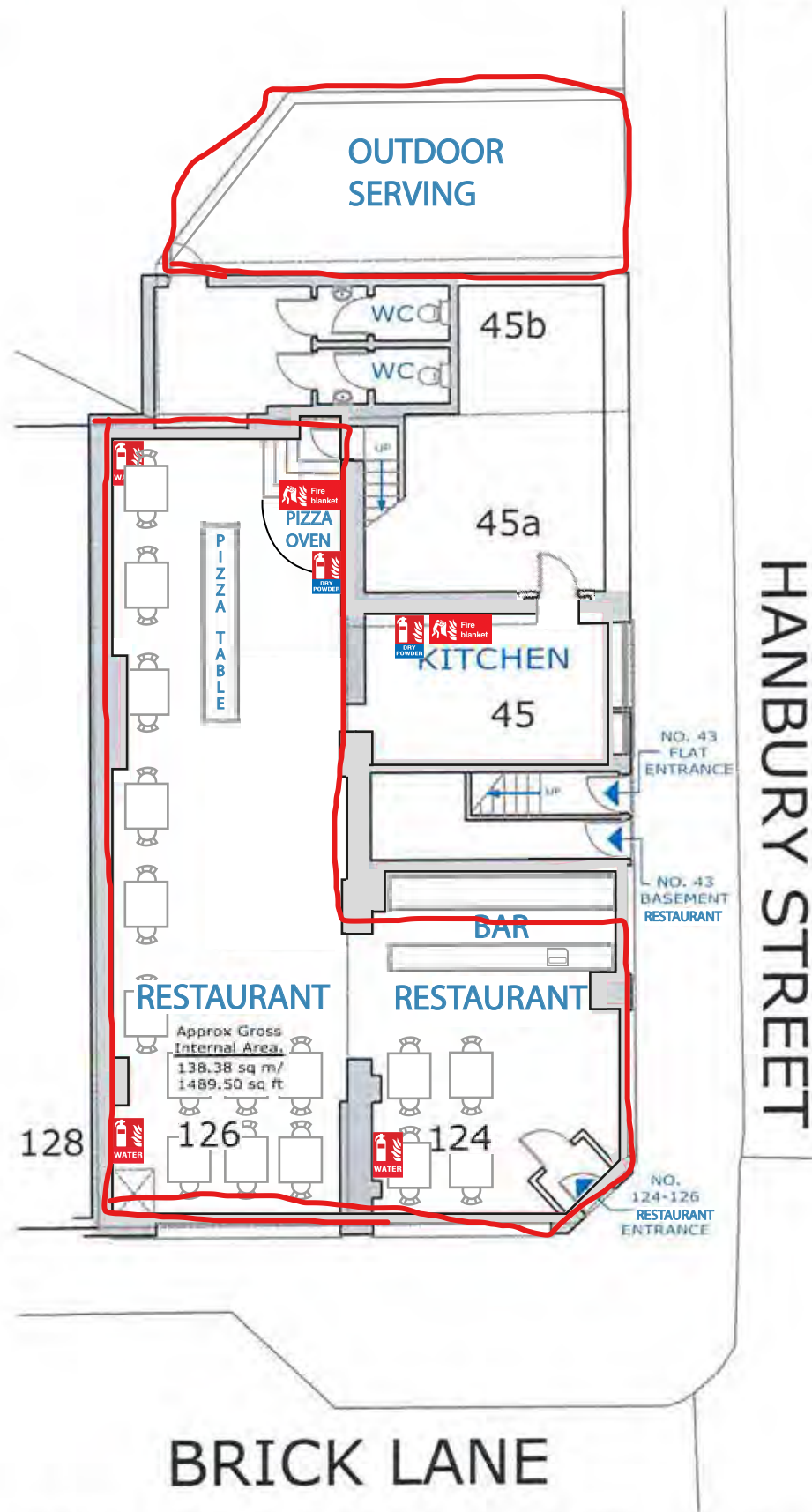
	<p>cease to be entitled to live and work in the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	OWNER 29/04/2021
Capacity	OWNER

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Mostak Ahmod Askor (MIH, FRSPH) Clearview Resources Limited 22 Market Square (1 st Floor) London			
Post town	London	Postcode	E1 0JP
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
			

Appendix 2

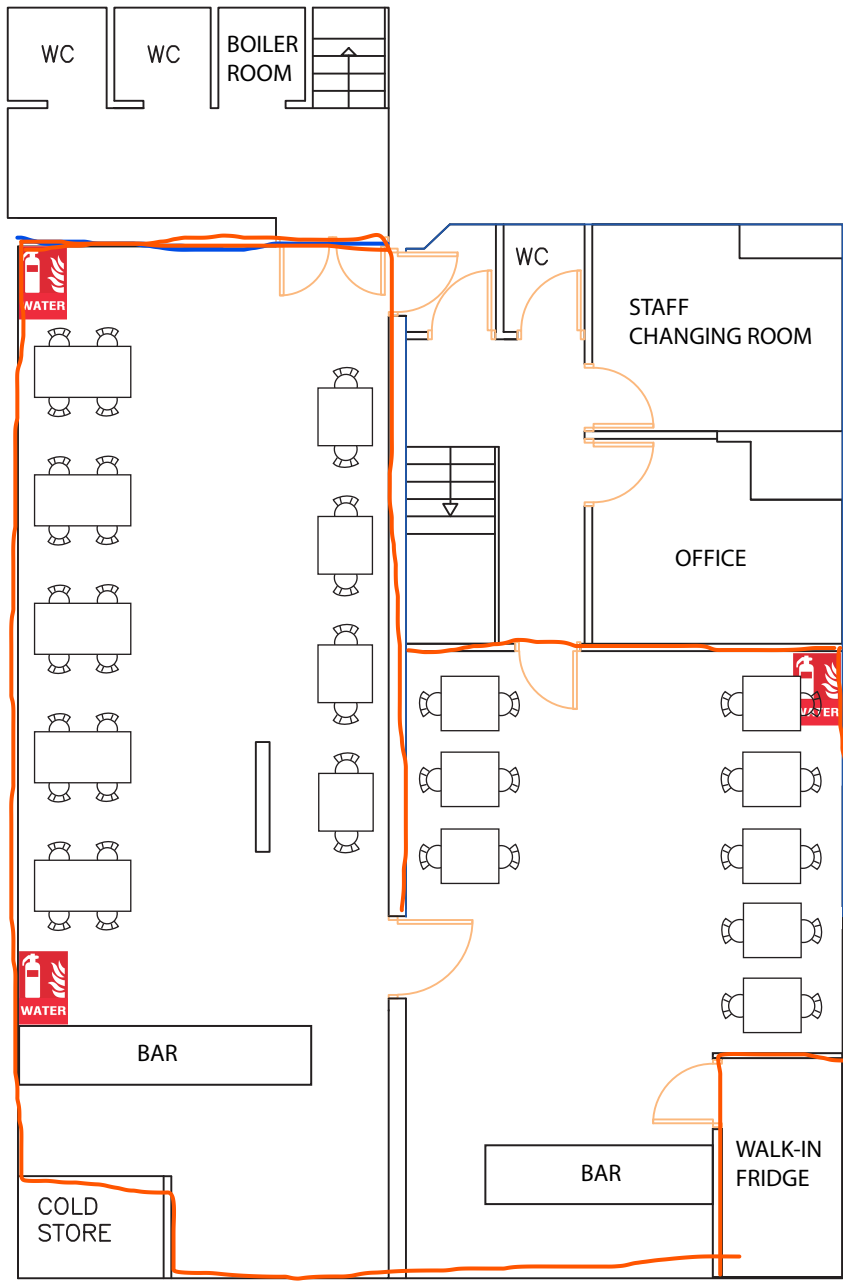


GROUND FLOOR PLAN
SCALE 1:200



client	address 124-126 BRICK LANE LONDON E1 6RU	location GROUND FLOOR LEASE PLAN	date 23-APR-2021 drawing no. BC1093-01	scale 1:200 revision	sheet A4 Boram Consult Limited 191 Lawrence Avenue London E12 5QR Tel: 08450523724 Fax: 07092226990 kb@equham@hotmail.com www.leaseplan2go.co.uk
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HANBURY STREET

BRICK LANE

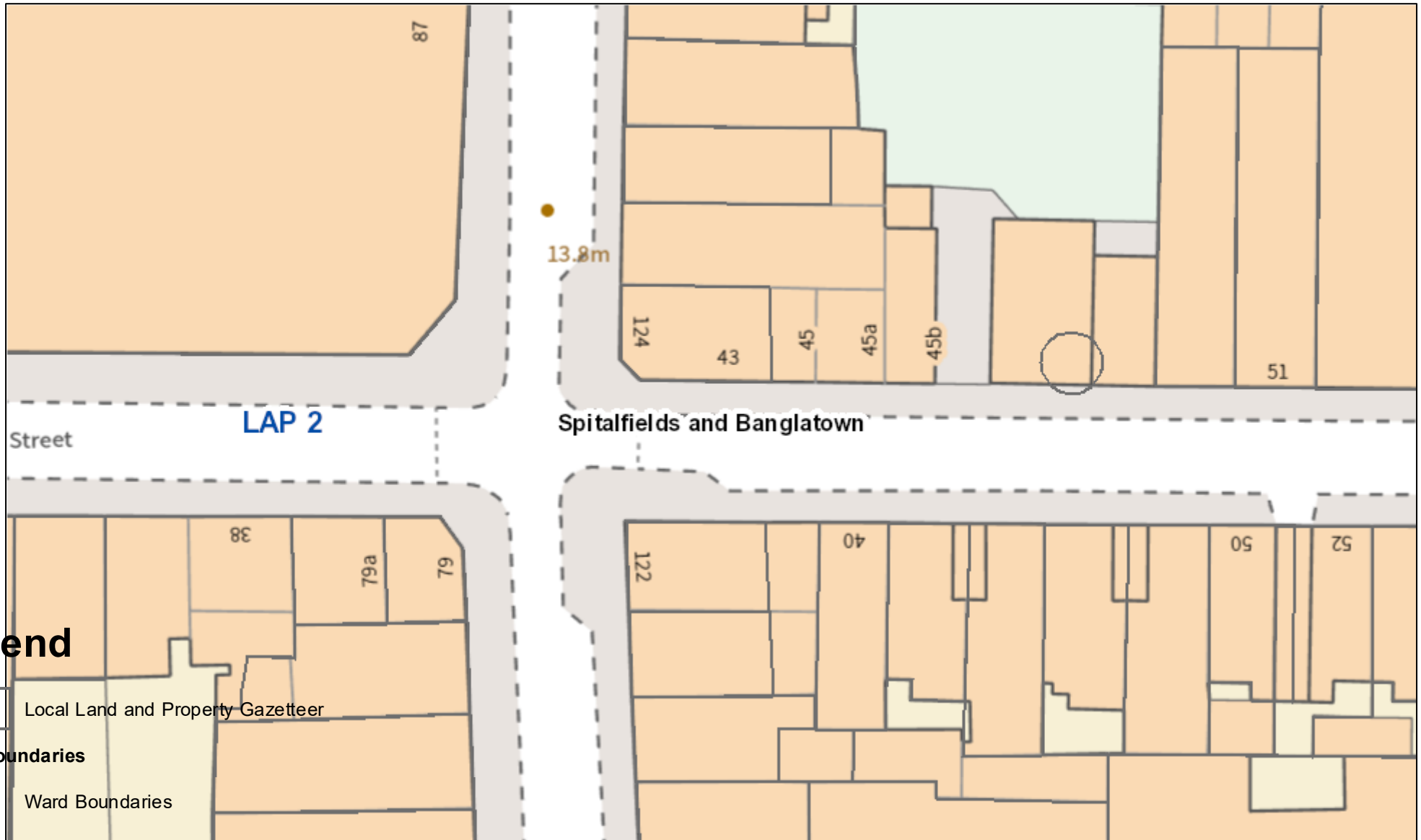
BASEMENT FLOOR PLAN
 SKETCH – 126 & 124
 Brick Lane

No	DATE	AMENDED	BY	CHK
ADDRESS: 124-126 Brick Lane London E1 6RU				
DRAWING NUMBER: 45 Hanbury Sketch				
SCALE: 1:200		SHEET SIZE: A4		
DRAWN: OB	CHECKED: OB	DATE: APRIL 2021		


Appendix 3




ArcGIS Web Map



Legend

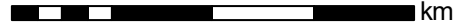
 Local Land and Property Gazetteer

Ward Boundaries

 Ward Boundaries

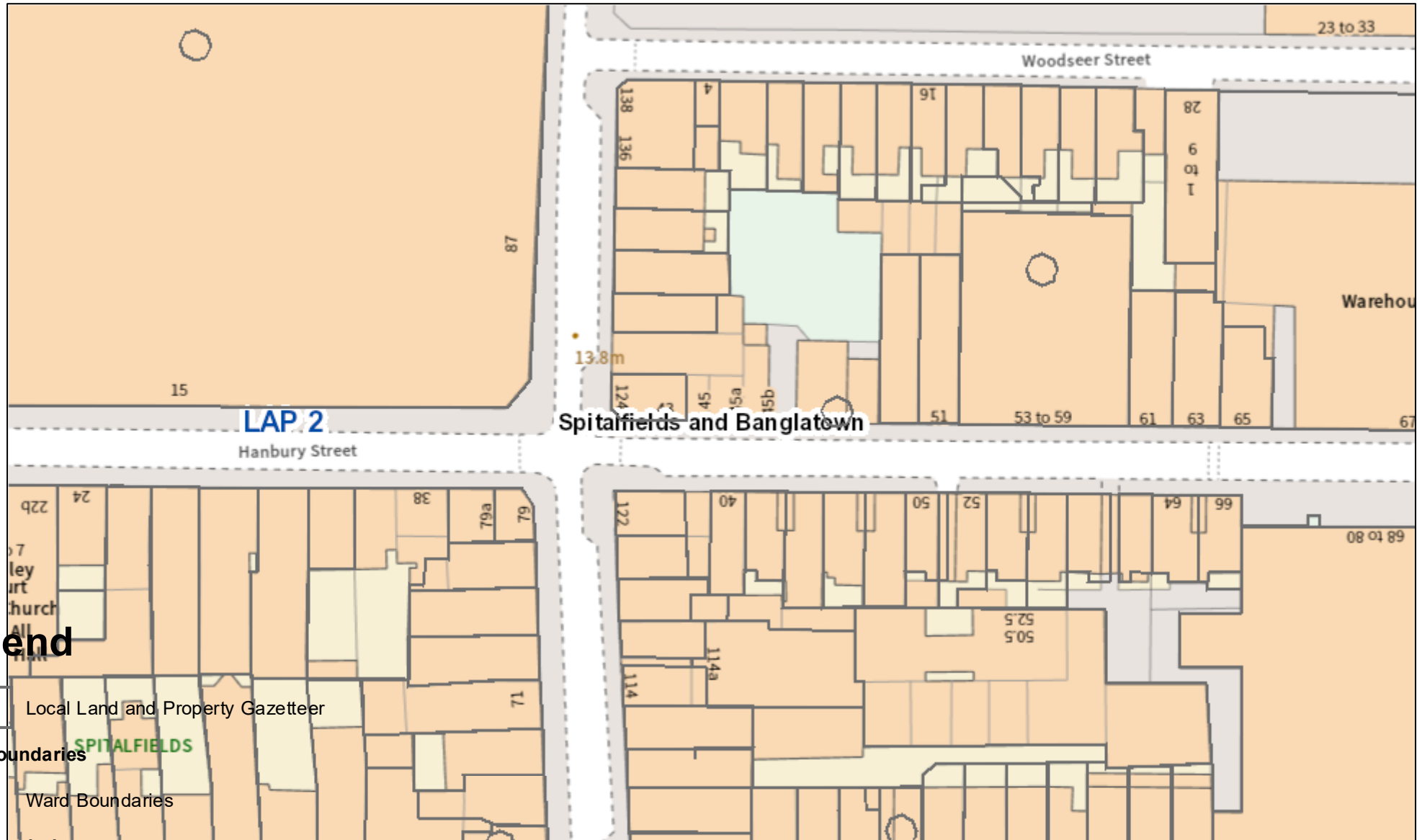
LAP Boundaries

 LAP Boundaries






0.00375 0.0075 0.015 0.0225 0.03
 km

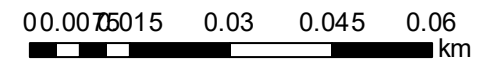


ArcGIS Web Map



Legend

-  Local Land and Property Gazetteer
-  Ward Boundaries
-  Ward Boundaries
-  LAP Boundaries
-  LAP Boundaries



Italian Graffiti – premises pictures



Italian Graffiti – premises pictures



Appendix 4

Italian graffiti Food Centre - Nearest licences

Name and address	Licensable activities and hours	Opening hours
(Preem) 118 -122 Brick Lane London E1 6RL	<u>Sale of Alcohol (On Sales Only)</u> <ul style="list-style-type: none"> • Monday to Sunday from 12:00hrs (midday) to 01:00hrs (the following day) <u>The Provision for Late Night Refreshment</u> <ul style="list-style-type: none"> • Monday to Sunday from 23:00hrs to 01:00hrs (the following day) 	Monday to Sunday from 12:00hrs (midday) to 01:30hrs (the following day)
(Muhib Indian Cuisine) 73 Brick Lane London E1 6QL	<u>Hours for the Sale of Alcohol (On sales only)</u> <ul style="list-style-type: none"> • Sunday from 11:00 hours to 23:30 hours • Monday to Wednesday from 11:00 hours to 24:00 hours (midnight) • Thursday to Saturday from 11:00 hours to 01:30 hours the next day. <u>Provision of Late Night Refreshment</u> <ul style="list-style-type: none"> • Sunday from 11:00 hours to 23:30 hours • Monday to Wednesday from 11:00 hours to 24:00 hours (midnight) • Thursday to Saturday from 11:00 hours to 01:30 hours the next day. 	<ul style="list-style-type: none"> • Sunday from 11:00 hours to 24:00 hours (midnight) • Monday to Wednesday from 11:00 hours to 00:30 hours the next day • Thursday to Saturday from 11:00 hours to 02:00 hours the next day. <u>Non-standard Times</u> On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
Aladin Brick Lane Limited 132 Brick Lane London E1 6RU	<u>The Provision of Late Night Refreshment</u> <ul style="list-style-type: none"> • Sunday to Thursday from 23:00hrs to 00:00hrs (midnight) • Friday and Saturday from 23:00hrs to 01:00hrs (the following day) <u>The Provision of Regulated Entertainment (recorded music only)</u> <ul style="list-style-type: none"> • Sunday to Thursday from 12:00hrs (midday) to 00:00hrs (midnight) • Friday and Saturday from 12:00hrs (midday) to 01:00hrs (the following day) 	<ul style="list-style-type: none"> • Sunday to Thursday from 12:00hrs (midday) to 00:30hrs (the following day) • Friday and Saturday from 12:00hrs (midday) to 01:30hrs (the following day)
(Standard Balti House) 71 Brick Lane London E1 6QL	For the Supply of Alcohol, Late Night Refreshment (On and off sales), Sunday to Thursday 11 00 hrs to midnight Friday and Saturday 11 00 hrs to 01 00 hrs the following day	Sunday to Thursday 11 00 hrs to 01 00 hrs the following day Friday and Saturday 11 00 hrs to 02 00 hrs the following day

Italian graffiti Food Centre - Nearest licences

<p>(Sheba Restaurant) Ground Floor 136 Brick Lane London E1 6RU</p>	<p>The sale by retail of alcohol (On sales) Monday to Sunday from 11:00 hours to 23:00 hours</p>	
<p>(Bengal Village) 75 Brick Lane London E1 6QL</p>	<p>Alcohol may be sold or supplied: (On sales only)</p> <p>(1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10am to midnight.</p> <p>(2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm</p> <p>(3) On Christmas Day: 12 noon to 11:30pm;</p> <p>(4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight;</p> <p>(5) On New Year's Eve on a Sunday, 12 noon to 11.30 p.m.</p> <p>(6) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p> <p>For conditions relating to times for restaurants and residential properties see Mandatory Conditions</p> <p>Late Night Refreshment On weekdays from 23:00 hours to midnight On Sundays from 23:00 hours to 23:30 hours</p> <p>Hot food and hot drinks may be sold for up to thirty minutes after the end of normal permitted hours.</p>	<p>There are no restrictions on the hours during which this premises is open to the public</p> <p>However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day</p>
<p>(Nazrul Restaurant) 130 Brick Lane London E1 6RU</p>	<p><u>The provision of late night refreshment</u></p> <ul style="list-style-type: none"> • Sunday to Thursday from 23:00hrs to 00:00hrs (midnight) • Friday and Saturday from 23:00hrs to 01:00 hours (the following day 	<ul style="list-style-type: none"> • Sunday to Thursday from 12:00hrs (midday) to 00:30hrs (the following day) <p>Friday and Saturday from 12:00hrs (midday) to 01:30hrs (the following day)</p>

Italian graffiti Food Centre - Nearest licences

<p>134 Brick Lane London E1 6RU</p>	<p><u>Sale of alcohol (On sales only)</u></p> <p>Sunday to Thursday from 11:30 hours to 00:00 hours (midnight) Friday & Saturday from 11:30 hours to 01:00 hours (the following day)</p> <p><u>Late Night Refreshments</u></p> <p>Sunday to Thursday from 23:00 hours to 00:00 hours (midnight) Friday & Saturday from 23:00 hours to 01:00 hours (the following day)</p>	<p>Sunday to Thursday from 23:00 hours to 00:30 hours the following day. Friday & Saturday from 23:00 hours to 01:30 hours the following day.</p> <p>Note: New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p>
<p>(Curry Bazaar) 77 Brick Lane London E1 6QL</p>	<p>The sale by retail of alcohol: (On sales only)</p> <ul style="list-style-type: none"> • Sunday, Monday, Tuesday, Wednesday, Thursday from 11:00 hours until midnight • Friday and Saturday from 11:00 hours until 02:00 hours the following day. • On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December). <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p> <p>For provision of Late Night Refreshment:</p> <ul style="list-style-type: none"> • Sunday, Monday, Tuesday, Wednesday, Thursday from 11:00 hours until midnight • Friday and Saturday from 11:00 hours until 02:00 hours the following day. 	<ul style="list-style-type: none"> • Sunday, Monday, Tuesday, Wednesday, Thursday from 11:00 hours until 00:30 hours the following day • Friday and Saturday from 11:00 hours until 02:30 hours the following day.

Italian graffiti Food Centre - Nearest licences

<p>(City Spice) 138 Brick Lane London E1 6RU</p>	<p>The Sale by retail of alcohol: (On and off sales) Monday to Saturday from 10:00 hours to 23:00 hours Sunday from 10:00 hours to 22:30 hours</p> <p>Regulated Entertainment consisting of Recorded Music Only: Monday to Saturday from 10:00 hours to 23:00 hours Sunday from 10:00 hours to 22:30 hours</p>	<p>Monday to Saturday from 10:00 hours to 23:30 hours Sunday from 10:00 hours to 23:00 hours</p>
<p>(A & Y Wines) 116 Brick Lane London E1 6RL</p>	<p>The sale by retail of alcohol (Off sales only)</p> <p>Monday to Sunday 08 00 hrs to 02 30 hrs the following day</p>	<p>Monday to Sunday 08 00 hrs to 02 30 hrs the following day</p>

Appendix 5

Place Directorate Public Realm

Licensing Authority
Place Directorate
London Borough of Tower Hamlets
2nd Floor, Mulberry Place
5 Clove Crescent
London
E14 2BG

Email: Licensing@towerhamlets.gov.uk

28th May 2021

My reference: LIC/137623

Dear Sir/Madam,

Licensing Act 2003

New Premises Licence Application: Cocoa House Brick Lane
London, E1 6RU

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

- Prevention of Public Nuisance

Cumulative Impact Policy

On 1st November 2013, Tower Hamlets Council adopted a Cumulative Impact Policy in the Brick Lane Area. The Council Cumulative Impact Zone (CIZ) was revised alongside this Statement of Licensing Policy on the 1st November 2018. *Local crime mapping showed that although there had been a reduction in crime and disorder linked to licensed premises within the CIZ since January 2015, the same crime mapping showed that the area of the CIZ is still higher than average in regards to crimes and disorder linked to licensed premises compared to the rest of the borough (19.3).*

The Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the Bethnal Green area is having a

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

Licensing Section
2nd Floor, Mulberry Place
5 Clove Crescent
London
E14 2BG

Tel: [REDACTED]
Fax **020 7364 0863**
Enquiries to **Lavine Miller-Johnson**

Email: [REDACTED]

www.towerhamlets.gov.uk

cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone within the area. The Bethnal Green CIZ aims to manage the negative cumulative impact of the concentration of licensed premises in the area and the stresses that the saturation of licensed premises has had on local amenity, environmental degradation and emergency and regulatory services in managing this impact.

The effect of this Special Cumulative Impact Policy will affect applications in respect of the sale or supply of alcohol on or off the premises and/or late-Night Refreshment for the following:

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

The Licensing Authority expects such applications to have regard for and make reference to the CIZ (19.5).

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

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

- *Genuinely exceptional circumstances,*
- *Relevant good practices they employ (for example, this could include details of membership of local Pubwatch/other trade groups,*
- *Accreditation of Award Schemes (as applicable), and any participation in Police/Council initiatives),*
- *Other good operational/practice arrangements in respect of any outside drinking and smoking to control potential impact in the area,*
- *Measures used to promote the licensing objectives (for example, any relevant conditions to control noise, dispersal, litter and other anti-social issues (19.7)*

This Policy will be strictly applied and where relevant representations are received it is the view of the Council that the application will be refused. Applicants will need to demonstrate that there are exceptional circumstances and that granting their application will not negatively add to

the cumulative effect on the Licensing Objectives within the Brick Lane and Bethnal Green CIZ if they wish to rebut this presumption.

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

- *small premises with a capacity of fifty persons or less who only intend to operate during Framework Hours,*
- *premises which are not alcohol led and operate only within Framework Hours, such as coffee shops,*
- *instances where the applicant has recently surrendered a licence for another premises of a similar size and providing similar licensable activities in the same Special Policy Area.*

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

- *that the premises will be well managed and run,*
- *that the premises will be constructed to a high standard,*
- *that the applicant operates similar premises elsewhere without complaint (19.8).*

Licensable activities and times

The applicant has applied for the following licensable activities and hours:

The licensable hours applied for are:

Late Night Refreshment (indoors)

Monday to Sunday from 23:00 hrs to 03:00 hours

Supply of Alcohol (On sales)

Monday to Sunday from 11:30 hours to 02:30 hours

Hours open to the public

Monday to Sunday from 11:00 hours to 03:30 hours

The hours applied for far exceed the framework hours within the Tower Hamlets Licensing Policy, this premises is situated within the Brick Lane CIZ.

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

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

On a balance of probability, this Authority is concerned by the addition of another premise providing "licensable activities", potentially adding to the existing anti-social issues in the area. Within close proximity of this premise,

there are some late-night premises. If this premises were to be licensed this would give rise to customers already in high spirits, filtering out of such premises and using this as a stop off to end the night. It is also important to note that, having late night 'Licensable Activities' until 03:00 hours 7 days a week would be unreasonable and unfair to local residents, especially young families, those who work unsociable hour and the vulnerable.

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

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

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

Great consideration has been given to the fact that the premise is in the Brick Lane Cumulative Impact Zone and it has been noted that the applicant has provided minimal information in the Operating Schedule to address particularly the impact that the 'Licensable Activities' will have within the CIZ in regards to Public Nuisance.

It is important to note that when applying for a licence in a CIZ area, applicants need to demonstrate that the granting of their application will not negatively add to the cumulative effect and undermine the licensing objectives.

On considering this application as it stands, The Licensing Authority believes granting this application would undermine the licensing objectives for public nuisance and therefore does not support this application.

Yours faithfully



Lavine Miller-Johnson
Licensing Officer
(Acting as a Responsible Authority)

Appendix 6

Mohshin Ali

From: Licensing
Sent: 21 May 2021 16:11
To: Mohshin Ali
Subject: FW: 137623 - New premises License application for Cocoa House 124-126 Brick Lane, London

Follow Up Flag: Follow up
Flag Status: Flagged

From: Nicola Cadzow [REDACTED] >
Sent: 21 May 2021 15:52
To: Licensing <Licensing@towerhamlets.gov.uk>
Cc: mark perry <[REDACTED]> clearviewinfo [REDACTED]
Subject: 137623 - New premises License application for Cocoa House 124-126 Brick Lane, London

Dear Licensing,

Having considered the premises license application for Cocoa House 124-126 Brick Lane, London and I have to consider the impact of the licensing objectives, particular for Environmental Protection the prevention of public nuisance and the prevention of noise generated from within the premises or outside to be causing disturbance to people in the vicinity. Also, consideration also has to be given to the fact that the premises is within Brick Lane Cumulative Impact Zone.

Also It must be noted that the Council's framework hours (i.e. when premises are open) are:

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

The applicant is proposing operating hours for licensable activities as follows:

sale of alcohol:

- **Monday to Thursday until 02:30 hours in the morning (an increase of three hours on council framework hours)**
- **Friday and Saturday until 02:30 hours in the morning (an increase of two and a half on council framework hours)**
- **Sunday until 02:30 hours in the morning (an increase of four hours on council framework hours)**

Late night refreshment :

- **Monday to Thursday until 03:00 hours in the morning (an increase of three and a half hours on council framework hours)**
- **Friday and Saturday until 03:00 hours in the morning (an increase of three hours on council framework hours)**
- **Sunday until 03:00 hours in the morning (an increase of four and a half hours on council framework hours)**

With premises closing seven days a week at 03:30 hours in the morning

Also, there is insufficient information in the operating schedule of the licence application to show how the applicant will promote the licensing objective for the prevention of public nuisance. The conditions under prevention of public nuisance relate to crime and disorder rather than the prevention of public nuisance.

Noise Sensitive premises: residential premises in close proximity to 124-126 Brick Lane, London

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

- Noise breakout from the venue affecting neighbouring residents,
- Access & egress to and from the venue, with patrons in high spirits; and
- Hours of operation

CONCLUSION

Environmental Protection does not support the application for Cocoa House 124-126 Brick Lane, London as the hours applied for are well beyond framework hours and the applicant has provided insufficient information to show how they will promote the licensing objective for the prevention of public nuisance, and consideration has to be given to the fact that the premises is in Brick Lane Cumulative Impact Zone.

Kind regards

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


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Appendix 7



Tom Lewis
Head of Licensing
Tower Hamlets Council

HT - Tower Hamlets Borough

Licensing Office
Shoreditch Police Station

Email: [REDACTED]
www.met.police.uk

25th May 2021

Dear Sir,

Central East Police Licensing formally object to the application for a Premises License at 124 – 126 Brick Lane E1 6RU. This objection is on the grounds of preventing Crime and Disorder and Public Nuisance.

We note that the applicant says they are requesting a new license to replace the previous license that lapsed due to insolvency, yet the applicant has requested hours in excess of the previous license.

The premises lays in the heart of the Tower Hamlets Councils Cumulative Impact Zone, yet the applicant has made scant reference to this in their application, and put in place few measures to show how they would ensure that their premises would not add to the crime and disorder and public nuisance in this area.

The applicant has not said what type of premises they will be, how much of it will be a sit down restaurant and how much a bar, will people be able to go to the bar and stand and drink, or will it be table service. Who are the premises customers going to be at 2am in the morning?

The area in Brick Lane suffers from high levels of alcohol related crime and disorder and public nuisance, and most customers entering the premises after 2am will probably those who have been out drinking in the Shoreditch area. As this committee knows, people who have consumed alcohol are far more likely to be either the victims of or perpetrators of alcohol related crime, yet the applicant has not acknowledged this let alone proposed any mitigating measures, save to call the Police.

Likewise the area around the premises has large amounts of residential properties, at 3am in the morning and after consuming alcohol, customers leaving the venue are likely to cause noise nuisance to local residents, yet again the applicant has not acknowledged this or put measures in place to mitigate it.

In short this application has failed to recognise that it is in the Cumulative Impact Zone or demonstrate how it would uphold the licensing objectives. We therefore have no choice but to recommend that the application is rejected.

If however the committee were minded to grant the application in some form we would suggest that it is given Framework Hours with the following conditions. Once the applicant has demonstrated that they can operate the premises effectively then they can request an extension to their hours.

Sale of Alcohol:

Monday to Thursday 10:00 hours to 23:00 hours

Friday & Saturday 10:00 hours to 23:30

Sunday 06:00 hours to 22:00 hours

Late Night Refreshment:

Friday & Saturday 23:00 hours to midnight

Hours Open to the Public

Monday to Thursday 0600 hours to 2330 hours; and

Friday & Saturday 0600 hours to midnight

Sunday 0600 hours to 2230 hours

Conditions:

1.The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.

2.A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff

member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

3. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.

4. When the designated premise supervisor is not on the premises any or all persons authorised to sell alcohol will be authorised by the designated premises supervisor in writing. This shall be available on request by the Police or any authorised officer.

5. A minimum of (2) SIA licensed door supervisors shall be on duty On Friday and Saturday from 8pm till close of premises.

6. 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.

7. 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) Call 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.

8. 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.

9. 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.

10. 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.

11. No person shall be employed to solicit for custom or be permitted to solicit for custom for business for the premises in any public place within a 500 meters radius of the premises as shown edged red on the attached plan. (marked as Appendix- X)

12. Clear Signage to be placed in the restaurant windows stating that the premises supports the Council's 'No Touting' policy.

13. Have a written dispersal policy, available on request to any responsible authority.

14. No open containers of alcohol to be taken outside the premises.

15. The premises shall only operate as a restaurant:

A: In which customers are shown to their table; where the supply of alcohol is by waiter or waitress service only;

B) Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery;

C) Which do not provide any take away service of food or drink for immediate consumption;

D) Which do not provide any take away service of food or drink after 23.00, and

E) Where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals

there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

16. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

17. The supply of alcohol shall be by waiter or waitress service only.

Kind Regards

Mark



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

Appendix 8

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 9

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 10

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 11

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

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

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

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

Licensing Policy

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

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

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

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

Cumulative Impact

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

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

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

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

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

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

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

Other Legislation

Crime and Disorder Act 1998

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

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

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

Appendix 12

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 13

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 14.8 of the Licensing Policy)

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

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

(See 14.9 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates

Appendix 14

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

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

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

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

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

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

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

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

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

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

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

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

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

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

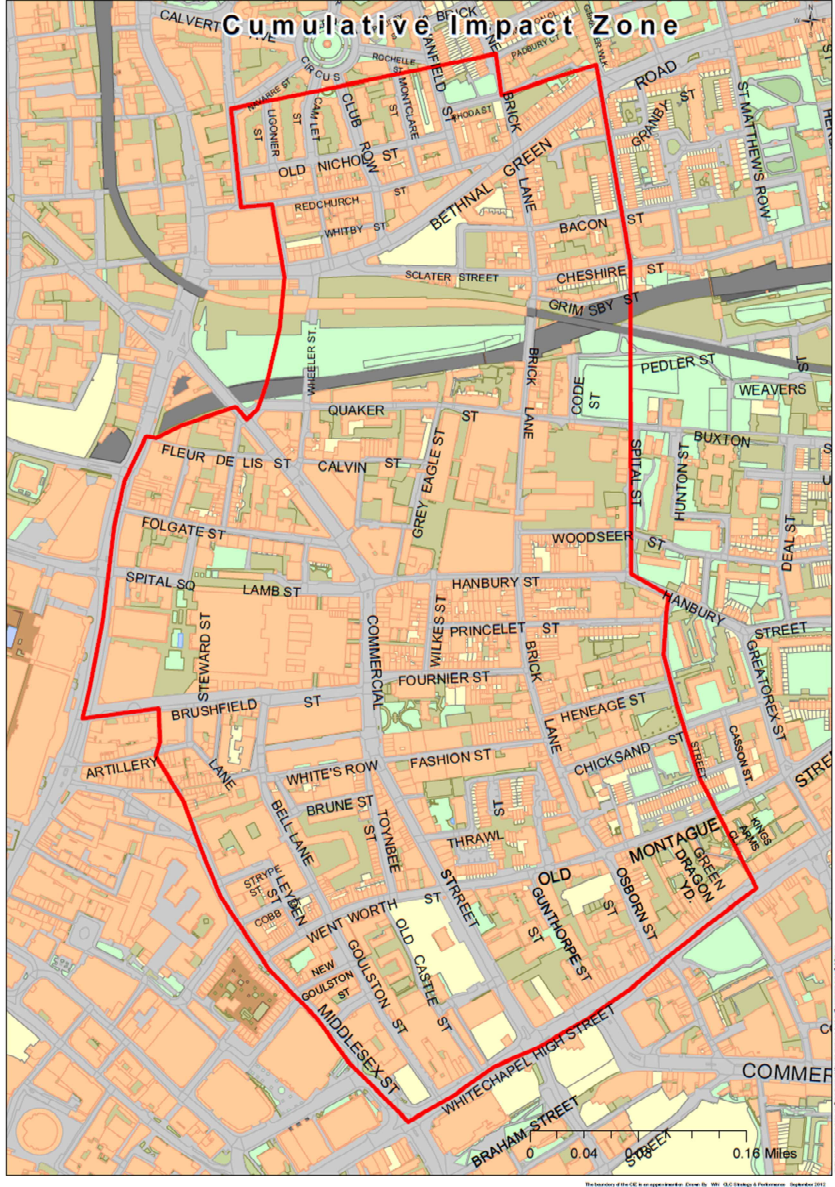
- that the premises will be well managed and run,
- that the premises will be constructed to a high standard,
- that the applicant operates similar premises elsewhere without complaint.

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

The Cumulative Impact Zones:

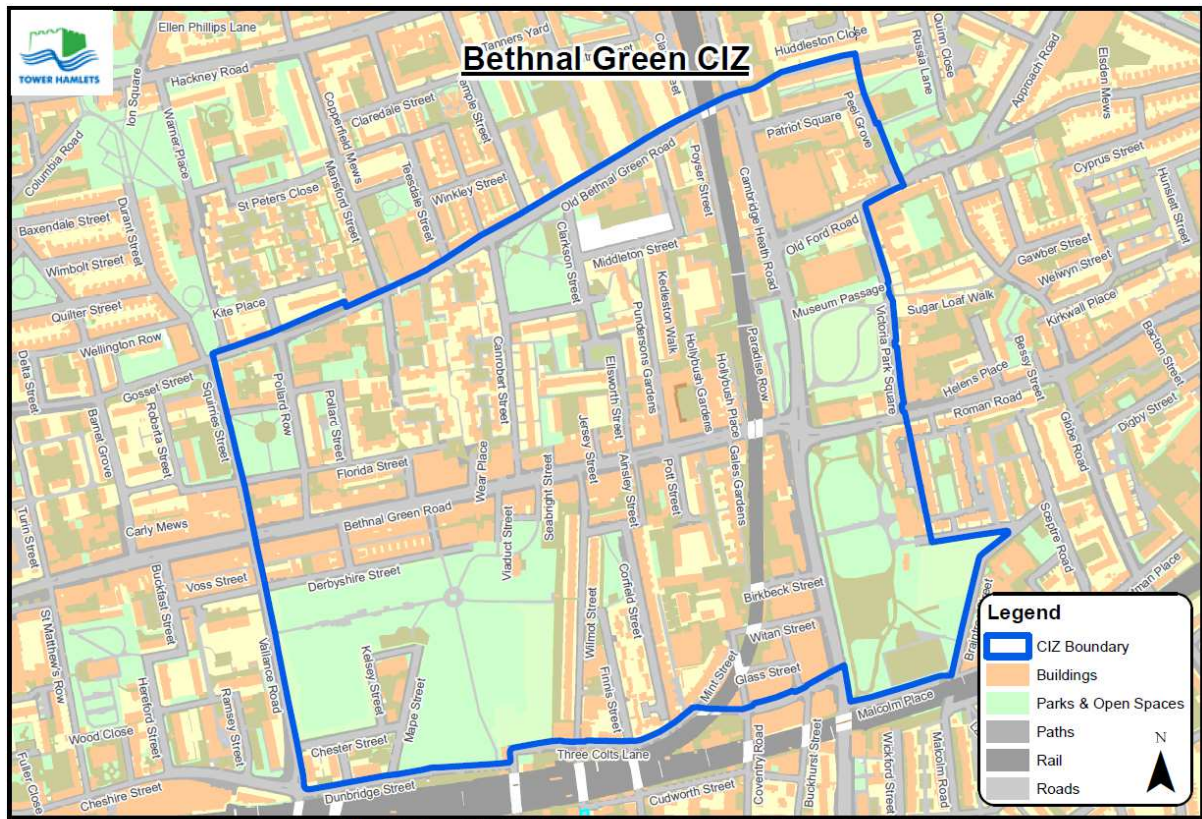
Figure One

Brick Lane area:



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Figure Two:
Bethnal Green Area



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Cumulative Impact Zone

