

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 This is the unique reference for this application generated by the system.

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

Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Yes No

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Is the applicant's business registered outside the UK? Yes No

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

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

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

Continued from previous page...

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Applicant Business Address

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

Building number or name

Street

City or town

County or administrative area

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 (£)

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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

Details

Registered number (where applicable)

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

Continued from previous page...

Limited Company

Address

Building number or name

City or town

County or administrative area

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? 01 / 07 / 2021
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.

Ground floor and basement premises to be converted from retail use to a restaurant and bar. There will be outside seating abutting the building and close by in Rose Court.

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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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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

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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

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

Continued from previous page...

Will the provision of late night refreshment 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.

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 late night refreshments 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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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="10:00"/>	End	<input type="text" value="23:59"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:59"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:59"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:59"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:59"/>
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

District

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.

No such activities.

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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.

All relevant staff will be trained with respect to the Licensing Objectives with particular regard to age-related matters.

b) The prevention of crime and disorder

- 1) The requirement for door staff will be risk assessed on an ongoing basis by the licence holder and/or premises supervisor.
- 2) Where CCTV is required to be installed; records will be retained and made available to the Responsible Authority.
- 3) All incidents of crime and disorder will be reported to the police and details shall be kept in an incident log book.

c) Public safety

- 1) Appropriate safety and fire fighting equipment will be installed and regularly maintained.
- 2) Relevant staff to be trained on matters of safety, evacuation and use of emergency equipment as required.
- 3) Fire exits and means of escape shall be kept clear and in good operational condition.

d) The prevention of public nuisance

Clear and legible notices will be prominently displayed at exits to remind customers to leave quietly and have regard to local residents.

e) The protection of children from harm

- 1) The Applicant adopts Challenge 25 and will train all relevant staff accordingly. Records of training and re-training will be available for the Responsible Authorities.
- 2) Any children on the premises shall be required to be supervised by an adult at all times.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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.

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- 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

Marc Sorrentino

* Capacity

Solicitor to the Applicant

* Date

12 / 04 / 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="MS.ELR004.1"/>
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"/>

Appendix 2

Project: 79 Wentworth Street, E1 7TD
 Client: WTT
 Document Ref: GA-02-1000
 Title: Proposed

Ground Floor
 Stage 2
 Design Development
 Drawn: [Name]
 Date: 15/04/2020

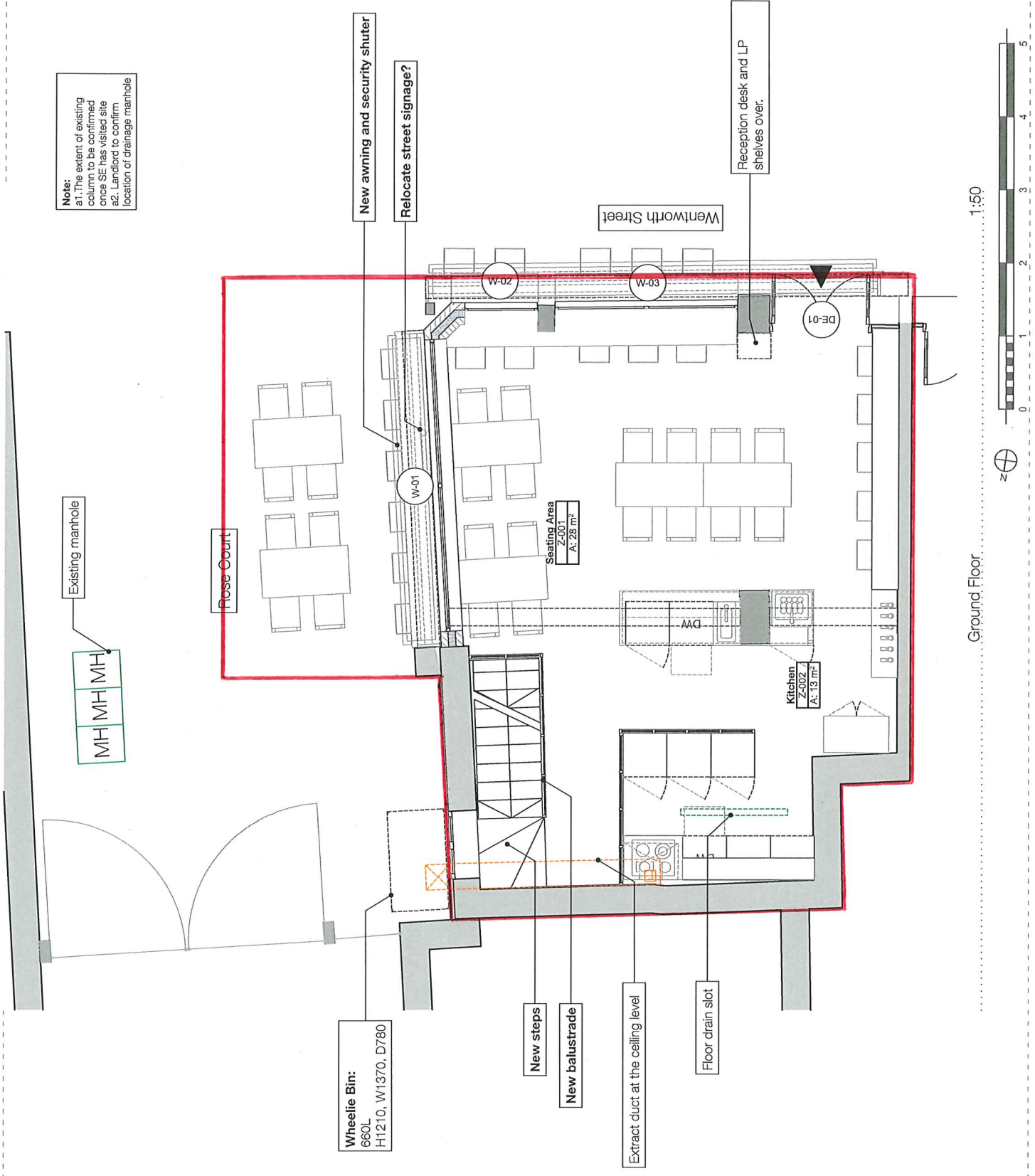
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Revision Date Description
 15/04/2020 DRAFT

RISE

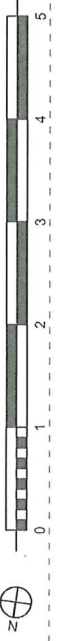
Unit 1, The Hive House
 203 Abchurch Lane
 London EC4A 3DF
 www.risedesignstudio.co.uk

Note:
 a1. The extent of existing column to be confirmed once SE has visited site
 a2. Landlord to confirm location of drainage manhole



Ground Floor

1:50



Appendix 3

Maps – Travel Goods, 79 Wentworth Street



Appendix 4

Photos – Travel Goods, 79 Wentworth Street













Appendix 5

79 Wentworth Street - Nearest licences

Name and address	Licensable activities and hours	Opening hours
<p>Agah, 43 Commercial Street</p>	<p>The sale by retail of alcohol (on sales only)</p> <ul style="list-style-type: none"> • Monday to Thursday from 12:00hrs (midday) to 23:00hrs • Friday and Saturday from 12:00hrs (midday) to 00:30hrs the following day • Sunday from 12:00hrs (midday) to 23:00hrs <p>The Provision of Late-Night Refreshment - indoors</p> <ul style="list-style-type: none"> • (Monday to Thursday – None) • Friday and Saturday from 23:00hrs to 00:30hrs the following day • (Sunday – None) <p>The Provision of Regulated Entertainment - Indoors (in the form of Recorded Music)</p> <ul style="list-style-type: none"> • Monday to Thursday from 12:00hrs (midday) to 23:00hrs • Friday and Saturday from 12:00hrs (midday) to 23:30hrs • Sunday from 12:00hrs (midday) to 22:00hrs 	<ul style="list-style-type: none"> • Monday to Thursday from 07:00hrs to 23:30hrs • Friday and Saturday from 07:00hrs to 01:00hrs the following day • Sunday from 07:00hrs to 23:30hrs
<p>Culpeper 40-42 Commercial Street</p>	<p>Supply of Alcohol (on and off sales), Regulated Entertainment (plays, films, indoor sporting events, recorded music, performance of dance, provision of facilities for making music and provision of facilities for dancing)</p> <ul style="list-style-type: none"> ▪ Monday to Wednesday, from 07:00hrs to 00:00hrs (midnight) ▪ Thursday to Saturday, from 07:00hrs to 03:00hrs ▪ Sunday, from 10:00hrs to 23:00hrs <p>Live music</p> <ul style="list-style-type: none"> ▪ Monday to Saturday, from 07:00hrs to 23:30hrs ▪ Sunday, from 10:00hrs to 23:00hrs 	<p>The opening hours of the premises</p> <ul style="list-style-type: none"> ▪ Monday to Wednesday, from 07:00hrs to 00:30hrs ▪ Thursday to Saturday, from 07:00hrs to 04:00hrs ▪ Sunday, from 10:00 hours to 23:30hrs <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> ▪ Sundays immediately preceding a bank holiday, from 07:00hrs to 04:00hrs ▪ Bank Holiday Mondays, from 07:00hrs to 01:30hrs ▪ St. Valentines Day, St. Patrick's Day, St. Georges Day, Halloween, Christmas

79 Wentworth Street - Nearest licences

	<p>Late Night Refreshment</p> <ul style="list-style-type: none"> ▪ Monday to Wednesday, from 23:00hrs to 00:30hrs ▪ Thursday to Saturday, from 23:00hrs to 04:00hrs ▪ Sunday, from 23:00hrs to 23:30hrs <p><u>Non-standard timings</u></p> <p>Supply of Alcohol and Regulated Entertainment (plays, films, indoor sporting events, recorded music, performance of dance, provision of facilities for making music and provision of facilities for dancing)</p> <ul style="list-style-type: none"> ▪ Sundays immediately preceding a bank holiday, from 07:00hrs to 03:00hrs ▪ Bank Holiday Mondays, from 07:00hrs to 01:00hrs ▪ St. Valentines Day, St. Patrick's Day, St. Georges Day, Halloween, Christmas Eve and Boxing Day, from 07:00hrs to 03:00hrs ▪ New Year's Eve, from 07:00hrs to 03:00hrs 2nd January <p>Late Night Refreshment</p> <ul style="list-style-type: none"> ▪ Sundays immediately preceding a bank holiday, from 23:00hrs to 04:00hrs ▪ Bank Holiday Mondays, from 23:00hrs to 01:30hrs ▪ St. Valentines Day, St. Patrick's Day, St. Georges Day, Halloween, Christmas Eve and Boxing Day, from 23:00hrs to 04:00hrs ▪ New Year's Eve, from 23:00hrs to 04:00hrs 2nd January 	<ul style="list-style-type: none"> ▪ Eve and Boxing Day, from 07:00hrs to 04:00hrs ▪ New Year's Eve, from 07:00hrs to 03:00hrs 2nd January
<p>(The Space Spitalfields) 44 Commercial Street</p>	<p>Sale of alcohol (on sales)</p> <ul style="list-style-type: none"> ▪ Monday to Sunday, from 11:00 hours to 23:30 hours <p>Provision of late night refreshment – Indoor and outdoor</p> <ul style="list-style-type: none"> ▪ Monday to Sunday, from 23:00 hours to 23:30 hours 	<ul style="list-style-type: none"> ▪ Monday to Sunday, from 11:00 hours to 00:00 hours (midnight) <p><u>Non-standard timings:</u></p> <ul style="list-style-type: none"> ▪ New Year's Eve, from 11:00 hours to 02:00 hours the following day

79 Wentworth Street - Nearest licences

	<p>Provision of regulated Entertainment - Indoor <u>Live music, recorded music, performance of dance and anything of a similar description. Provision of facilities for making music, Provision of facilities for dancing and anything of a similar description</u></p> <ul style="list-style-type: none"> ▪ Monday to Sunday, from 11:00 hours to 23:30 hours <p><u>Licensable activities non-standard timings:</u></p> <ul style="list-style-type: none"> ▪ New Year's Eve, from 11:00 hours to 01:30 hours the following day 	
<p>(Unity Diner) 60 Wentworth Street</p>	<p>The sale by retail of alcohol (On sales only)</p> <ul style="list-style-type: none"> • Monday to Friday from 12:00 hours to 23:00 hours • Saturday, from 12:00 hours to 23:30 hours (midnight) • Sunday, from 12:00 hours to 21:30 hours 	<ul style="list-style-type: none"> • Monday to Friday from 12:00 hours to 23:30 hours • Saturday, from 12:00 hours to 00:00 hours • Sunday, from 12:00 hours to 22:00 hours
<p>(Xian Biang Biang) 62 Wentworth Street</p>	<p>The sale by retail of alcohol (on sales) Monday to Sunday from 11:00 hours to 22:30 hours</p>	<p>Monday to Sunday from 11:00 hours to 23:00 hours</p>
<p>(Chicago Rib Shack) Retail Unit D City Scape Wentworth Street</p>	<p>On sale of alcohol (on sales) Monday to Thursday from 09:00 hrs to 23:00 hrs Friday and Saturday from 09:00 hrs to 23:30 hrs Sunday from 09:00hrs to 22:00 hrs</p> <p>Provision of late night refreshment: Monday to Thursday until 23.30 hrs Friday and Saturday until midnight</p>	<p>Monday to Thursday from 06:00 hrs to 23:30 hrs Friday and Saturday from 06:00 hrs to midnight Sunday from 06:00 hrs to 22:30 hrs</p>
<p>(Hungry Donkey) 56 Wentworth Street</p>	<p>Sale by retail of alcohol (On sale)</p> <ul style="list-style-type: none"> • Monday to Thursday from 11:00hrs to 23:00hrs • Friday and Saturday from 11:00hrs to 23:30hrs • Sunday from 11.00hrs to 22:00hrs 	<ul style="list-style-type: none"> • Monday to Thursday from 07:30hrs to 23.30hrs • Friday and Saturday from 07.30hrs to 00:00hrs (midnight) • Sunday, from 07:30hrs to 22:30hrs

79 Wentworth Street - Nearest licences

Sale by retail of alcohol (Off sale)

- Monday to Saturday from 11:00hrs to 23:00hrs
- Sunday from 11:00hrs to 22:00hrs

The provision of regulated entertainment

Recorded Music

- Monday to Thursday from 11:00hrs to 23:00hrs
- Friday and Saturday from 11:00hrs to 23:30hrs
- Sunday from 11:00hrs to 22:00hrs

Provision of late night refreshment

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

Appendix 6

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 7

Place Directorate Public Realm

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

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

Tel [REDACTED]

Enquiries to **Lavine Miller-Johnson**

Email [REDACTED]@towerhamlets.gov.uk

www.towerhamlets.gov.uk

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

Licensin Authorit
[REDACTED]

Agent
[REDACTED]

12th May 2021

My reference: LIC/137212

Dear Sir/Madam,

Licensing Act 2003

New Premises Licence Application: Travel Goods 79 Wentworth Street London E1 7TD

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 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 Licences and Club Premises Certificate applications (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity).*

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

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

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

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

This Policy will be strictly applied and where relevant representations are received it is the view of the Council that the application will be refused.

Applicants will need to demonstrate that there are exceptional circumstances and that granting their application will not negatively add to the cumulative effect on the Licensing Objectives within the Brick Lane and Bethnal Green CIZ if they wish to rebut this presumption.

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

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

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

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

Licensable activities and times

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

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

Applications in respect of premises licences and club premises certificates to authorise licensable activities outside the framework hours, and in respect of which relevant representations are made, will be decided on their own merits and with particular regard to the following.

- a) The location of the premises and the general character of the area in which the premises are situated. (i.e. does the area include residential or business premises likely to be adversely affected).*
- b) The proposed hours during which licensable activities will be take place and the proposed hours during which customers will be permitted to remain on the premises.*
- c) The adequacy of the applicant's proposals to address the issues of the prevention of crime and disorder **and** the prevention of public nuisance.*

d) Where the premises have been previously licensed, the past operation of the premises.

e) Whether customers have access to public transport when arriving at or leaving the premises at night time and in the early hours of the morning.

f) The proximity of the premises to other licensed premises in the vicinity and the hours of those other premises.

The hours of licensable activities originally applied for which exceeded the council's framework hours, have now been reduced to framework hours following a letter to written Corinne Holland on 7th May 2021. However, *the end times set out in the policy are not (and should not be regarded as) the 'usual' or 'normal' terminal hour for licensable activities in the Borough. Instead, the 'framework hours' serve to identify cases where the Licensing Authority will pay particular regard to the likely effect on the local neighbourhood of carrying out the proposed licensable activities during the hours applied for. Applications for hours up to the end of the Framework Hours will not automatically be granted. This policy will be applied only where relevant representations are made. Each case will be considered on its merits.*

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."*

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, particularly through access and egress

Within close proximity of this premises are private dwellings. I understand that this premises will be at a capacity of 50 persons or less, however when alcohol is served it changes the dynamic of the customers behaviour which may lead to

customers leaving the premises in high spirits causing a disturbance to residents and therefore potentially undermining the licensing objectives

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

A black rectangular redaction box covering the signature of the Licensing Officer.

av ne er- o nson

**Licensing Officer
(Acting as a Responsible Authority)**

Appendix 8

Corinne Holland

From: Licensing
Sent: 10 May 2021 16:58
To: Corinne Holland
Subject: FW: 137212 New premise license application for Travel Goods 79 Wentworth Street, London

From: Nicola Cadzow <[REDACTED]>
Sent: 10 May 2021 15:59
To: Licensing <Licensing@towerhamlets.gov.uk>
Cc: Mark Perry <[REDACTED]>; marc.sorrentin <[REDACTED]>
Subject: 137212 New premise license application for Travel Goods 79 Wentworth Street, London

Dear Licensing,

Having considered the new premise licence application for Travel Goods 79 Wentworth Street, London and the potential impact of public nuisance and measures to prevent noise generated from within the premises or outside it which could cause disturbance to people in the vicinity, the proposed increase in hours are well beyond the Council's framework hours, and consideration has to be given to the fact that the premises is in Brick Lane Cumulative Impact Zone.

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

- **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 variation of hours for licensable hours as follows:-

Late night refreshment:-

- **Monday to Thursday** until **00:30 (an increase of an hour on framework hours)**
- **Friday & Saturday** until **00:30 hours (an increase of half hour on framework hours)**
- **Sunday** until **00:30 hours (from 23:00 hours an increase of one and a half hours on framework hours)**

Supply of alcohol:-

- **Monday to Thursday** until **23:59 hours (an increase 29 minutes on framework hours)**
- **Sunday** until **23:59 hours (an increase one hour and 29 minutes on framework hours)**

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, and the condition

Noise Sensitive premises: residential premises in close proximity to 79 Wentworth Street, 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, of patrons, especially due to patrons likely to be in high spirits; and
- The hours of operation (inclusive of proposals)

CONCLUSION

Environmental Protection **does not** support the application for Travel Goods 79 Wentworth Street, London, as there is great likelihood of disturbance to residential premises at the noise sensitive hours sought, with particular consideration to the fact that the premises is in the 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

www.towerhamlets.gov.uk

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Appendix 9



Aaron & Partners
Solicitors

Ms Corrinne Holland
Tower Hamlets

Our Ref: BKH.CLM.ELR4.1

Your Ref:

By email: [REDACTED]

Date: 7 May 2021

Dear Ms Holland

Application for Premises Licence at 79 Wentworth Street E1 7TD

I refer to correspondence we have exchanged in connection with the above application.

We have been discussing the conditions with PC Lebane of Metropolitan Police Licensing and confirm that he has asked for some conditions to be added to the licence and subject to one minor query I will be writing to ask for the conditions to be incorporated in any licence which is granted.

I have also been considering with my client the statement of policy and whilst I believe that there are exceptional circumstances relating to this application, namely that the premises have a capacity of 50 persons or less and are not alcohol led but will operate as a restaurant, I consider that it is appropriate to reduce the hours we have sought to fit in with the authority's Framework Hours. I would therefore be grateful if you would amend the application so that the commencement time remains as in the application but the times for serving alcohol or any other licensable activity (including late night refreshment) will be 22:30hrs on Sundays, 23:30hrs Mondays to Thursdays and 00:00hrs (midnight) on Fridays and Saturdays. The premises will be closed to the public 30 minutes after the end of licensable activity.

As has been explained to your colleagues in the Pavement Licensing department, no work can be carried out at these premises until the terms of the licence have been ascertained and so the premises will not be able to open for trade, but I would be happy to invite a condition that the operator will join the appropriate local organisations relating to licensing control.

Grosvenor Court, Foregate Street, Chester CH1 1HG
[REDACTED]

Web: aaronandpartners.com

Offices also at Shrewsbury and Manchester



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A full list of member is available at the registered office. Aaron & Partners LLP is a limited liability partnership registered in England & Wales under Registration Number OC307122. Registered office: Grosvenor Court, Foregate Street, Chester CH1 1HG. Service by fax and email not accepted.

My client will be able to produce evidence, if required, of the successful way his other operations have been run without any licensing or police problems, but I do appreciate that this is not to be taken into account as an exceptional circumstance.

Conditions have been offered with regard to notices on the premises requesting customers to leave quietly and respect the neighbourhood and I have already indicated that we will be accepting almost all of the suggested conditions from Metropolitan Police.

I would be grateful if you could give me a call to discuss these matters; I have been unable to contact your department by telephone. My numbers are [REDACTED] as I am currently working from home.

I look forward to hearing from you.

Yours sincerely

Barry K Holland

Consultant Solicitor; Notary Public

For Aaron and Partners LLP

Email: [barry.holland](mailto:barry.holland@[REDACTED]) [REDACTED]

[Barry@](mailto:Barry@[REDACTED]) [REDACTED]

Landline: [REDACTED]

Mobile: [REDACTED]

Office Direct Dial + [REDACTED]



Aaron & Partners
Solicitors

Ms Nicola Cadzow
Tower Hamlets

Our Ref: BKH.CLM.ELR4.1

Your Ref: 137212

By email: [REDACTED]

Date: 11 May 2021

Dear Ms Cadzow

79 Wentworth Street E1 7TD

I write in response to your email of 10 May 2021, a copy of which was forwarded to us by the Tower Hamlets Licensing Department.

We are conscious of the location of the premises and, during the consultation period we contacted the licensing authority seeking to reduce the permitted hours to accord with the Council's Framework Hours. The revised submission provided that licensable activities would cease at the following times:

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

My clients took the decision to seek revised hours following consultation with Metropolitan Police despite the fact that, in our client's view, there are exceptional reasons why the framework hours need not be adopted for a small restaurant such as this one.

For the avoidance of doubt, there is to be no live or recorded music other than background music and our clients, as operators, have not had any complaint at their existing premises for noise outbreak. These premises are not alcohol-led and our clients have agreed conditions proposed by Metropolitan Police (subject to one minor alteration) and have offered a condition to post notices on the premises asking patrons to leave quietly.

I would also recommend that a condition be imposed, if sought, that one member of staff each day shall be appointed to be in control of the potential escape of noise. We have applied for a tables and chairs licence in Rose Court and have reached agreement with the appropriate Officers with regard to that venture.

Grosvenor Court, Foregate Street, Chester CHI 1HG

Web: aaronandpartners.com

Offices also at Shrewsbury and Manchester



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It is not accepted that there is a “great likelihood of disturbance” but instead it is submitted that the proposals would improve the aspect of the building, the look of the area and provide a valuable asset to Wentworth Street.

A copy of this letter has been provided to the licensing authority and Police Constable Leban of Metropolitan Police. If you have any further comments please do not hesitate to contact me; I am working from home and my telephone numbers are [REDACTED]

Yours sincerely

Barry K Holland

Consultant Solicitor; Notary Public

For Aaron and Partners LLP

Email: [barry.hollan](mailto:barry.hollan@[REDACTED]) [REDACTED]

[Barry@](mailto:Barry@[REDACTED]) [REDACTED]

Landline: [REDACTED]

Mobile: [REDACTED]

Office Direct Dial +44 [REDACTED]



Aaron & Partners
Solicitors

Ms Lavine Miller-Johnson
Licensing Officer
Tower Hamlets
John Onslow House
1 Ewart Place
London E3 5EQ

Our Ref: BKH.CLM.ELR4.1

Your Ref:

Date: 14 May 2021

By email only: [REDACTED]

Dear Ms Miller-Johnson

Application for Premises Licence – Travel Goods, 79 Wentworth Street, London E1 7TD

I have received your letter of 12 May and would be grateful for an opportunity to discuss the matter with you on the telephone. I have tried your number but am asked “to phone back later”!!

I note your view of the application I have made and, in accordance with the Authority’s requirements, would now ask you to consider the following points.

1. Following conversations with Metropolitan Police, the hours of operations were changed and agreement on the conditions suggested by Police Constable Leban was reached and we have requested those conditions be placed on any licence granted. Metropolitan Police have withdrawn their objection to the application and we understand that there has been no public reaction at all.
2. The applicant is obviously aware of the location of the premises, and the conditions we offered together with the conditions agreed with Metropolitan Police, we believe cover effectively the way in which the premises are to be controlled. These are small premises which the capacity of 50 or less and will operate as a restaurant being food-led. There is no question of the premises operating as any kind of “nightclub” or attracting customers who may cause problems.
3. My clients (owners of the property and effectively landlords of both residential and commercial property in the area) have chosen an operator with a very good reputation, but at the moment he does not operate in this area and therefore is not a member of any crime reduction initiative or other local organisation. We would be prepared to undertake that the operator will become a member of such bodies prior to the premises opening.

Grosvenor Court, Foregate Street, Chester CH1 1HG
[REDACTED]

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4. Given the size of the premises and nature of the operation, we would not have thought that a dispersal policy would be necessary. Being a restaurant, the premises will have (hopefully) a steady turnover of people and this it is unlikely that there will be any problem caused when the evening comes to a conclusion. It has been agreed with Metropolitan Police that a condition be added that the chairs and tables outside will be rendered unusable by 23:00hrs and they will be placed inside when the premises close at the appointed times under the Framework Hours. The operator will ensure that patrons outside the premises behave in an orderly manner and are appropriately supervised. I do not feel that there is any need to increase that condition but if you have a set of wording that you would wish us to adopt, please let me know.
5. Consideration was given to the use of live or recorded music, but it was decided this would be inappropriate and therefore background music will be the only music on the premises. This will obviously cause no problem by way of public nuisance. The nature of the anticipated customer will mean that there is, in my view, no potential for the increase of crime and disorder. Metropolitan Police agree with this and I have received no residents' objections.
6. In terms of availability of public transport, our clients do not feel that, as with the dispersal policy, they will have a problem with arrivals or departures. I offer an undertaking that at least one member of staff in any shift shall be trained in local transport issues/information is available for calling taxis etc. Again, if you have a particular set of wording, I will be happy to request it as a condition. In other areas where I have been instructed for larger premises offering longer hours I have offered conditions concerning annual training of staff in Responsible Drinking; I will be happy to offer such an undertaking here using the services of a consultant who was formally a licensing inspector in the Metropolitan Police.
7. Our clients intend to spend a considerable amount of money improving the exterior of the premises including improvements to the adjacent Rose Court. This will have a benefit to the area and, when the restaurant opens, will hopefully provide jobs for people who may come from the locality. Your own authority is in negotiation with my clients over some works to be done in "Ann's Passage" at the other end of the block and have indicated that they are pleased with the efforts that our clients are making. I hope to be able to provide some evidence of that shortly.
8. There are other licensed premises in that vicinity; this application falls inside or equates to the hours that they traded. Due to the pandemic, we are not certain of the current situation; some may not re-open or operate differently. My clients wish to provide a small, attractive food-led venue which will uplift a rather unsightly retail/open space into something which will benefit and attract local people. The last thing they wish to do is alienate their neighbours. The conditions and undertakings offered should enable the grant in the C.I.Z.

In short, I believe that the proposed premises licence on the Framework Hours will be an asset to the area and improve its appearance as well as providing a facility which will complement the other

restaurants and similar facilities. The improvement of the building by having these works done if a licence is granted will be an asset and benefit to those living nearby.

I repeat that as Metropolitan Police have withdrawn their objection following the imposition of agreed conditions and the reduction of hours to Framework Hours that this application should proceed and that you could withdraw your objection on this basis but, if there are any other requirements that you may have, I would be delighted to discuss them with you and, where appropriate, add them to the licence. I make these offers, obviously, in the hope that a hearing can be avoided. I am copying this letter to Corinne Holland in Licensing and to PC Leban for his information.

I look forward to hearing from you.

Yours sincerely

Barry K Holland

Consultant Solicitor; Notary Public
For Aaron and Partners LLP





Aaron & Partners
Solicitors

Ms Corrinne Holland
Tower Hamlets

Our Ref: BKH.CLM.ELR4.1

Your Ref:

By email: [REDACTED]

Date: 15 June 2021

Dear Ms Holland

Application for Premises Licence – Travel Goods, 79 Wentworth Street E1 7TD

I refer to our previous correspondence and note that we are awaiting to agree a date for the Panel to hear this matter. I have written to both Ms Cadzow and Ms Miller-Johnson with regard to amendments made to the original application and have asked for telephone contact. Unfortunately, this has not occurred and I therefore write to indicate the current position and request that consideration be given to clearing the issues which are still live before the Panel meet to consider the application.

I note notified both objectors (there being no objection from Metropolitan Police or any residents) that the hours of the application have now been reduced so that Licensable Activities are carried out only within the Framework Hours established by Tower Hamlets.

I have also indicated that as well as the conditions agreed with Metropolitan Police, we will offer a condition that at least one member of staff with knowledge of local transport arrangements will be on duty at the close of business. A further condition to effect that the operator will join such local organisations relating to the crime reduction initiatives as and when the premises open for trade.

I would have thought that these alterations to the application and offered conditions could enable Ms Cadzow to withdraw her objection and hopefully Ms Miller-Johnson could hone her objection down to the issues, if any, which remain. I am hopeful that such consideration would reduce the need for such a hearing or if that fails then at least reduce its length significantly.

I have commissioned a report on other licensed premises in the area from an independent licensing consultant (Andy Newman Consultancy: Mr Newman having been a licensing inspector in Hackney and now operating as a consultant) and believe it may be helpful for the Panel to see his report prior to the hearing. How would you like this to be submitted? It may be of assistance to Ms Cadzow and Ms Miller-Johnson so if you would let me know how you would like it delivered, I would be pleased to conform.

Grosvenor Court, Foregate Street, Chester CHI 1HG

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As mentioned, I am copying this letter to the ladies who had made representations and I look forward to hearing from you.

Yours sincerely

Barry Holland

Barry K Holland

Consultant Solicitor; Notary Public

For Aaron and Partners LLP

[Redacted signature block]

Corinne Holland

From: Corinne Holland
Sent: 16 June 2021 16:13
To: 'Catherine MacGillivray'
Subject: RE: Application for Premises Licence – Travel Goods, 79 Wentworth Street E1 7TD

Dear Barry



Assuming the report from Mr Newman is a written report it can be emailed to me and I can include it in the agenda report for the Committee hearing.

Kind regards

Corinne Holland
Licensing Officer
Environmental Health and Trading Standards
Place Directorate
London Borough of Tower Hamlets
2nd Floor, Mulberry Place
5 Clove Crescent
London
E14 2BG


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From: Catherine MacGillivray <
Sent: 15 June 2021 15:49
To: Corinne Holland <
Subject: Application for Premises Licence – Travel Goods, 79 Wentworth Street E1 7TD

Dear Madam

I attach correspondence for your attention on the above matter.

Yours sincerely

Cathy MacGillivray
PEER Team Secretary
For Aaron & Partners LLP


In line with current Government guidance, many of our colleagues are working from home, however we remain available to assist you. You can stay in touch with us as normal via telephone, email and video conferencing. We can, by prior arrangement, also meet in person where a remote meeting is not appropriate. Please visit www.aaronandpartners.com for further information.

Appendix 10

CRIME and DISORDER

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. 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.
4. As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join the local Pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.

PUBLIC NUISANCE

1. There shall be no sales of alcohol for consumption off the premises after (23:59).
2. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
3. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
4. All outside tables and chairs shall be rendered unusable by (23:00 hours) each day.
5. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.

6. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
7. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
8. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
9. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
10. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
11. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
12. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
13. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.

PROTECT CHILDREN FROM HARM

1. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
2. A Challenge 21 or 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.

Corinne Holland

From: Barry Holland [REDACTED] >
Sent: 12 May 2021 10:37
To: Barr .D.Leban [REDACTED]
Cc: [REDACTED]
Subject: Re: 79 Wentworth St

Re 79, Wentworth St. Premises Licence Application Thanks, Mr Leban. I confirm that all your suggested conditions with the exception of "Public Nuisance 5" are to be included in any Premises Licence; the tables will be made unusable by 23.00 daily, but cannot be moved into the building from the outside area until the restaurant is closed. Thanks again for your help. I am sending a copy of this to Ms Holland in the Licensing Department, and will be writing more fully later Kind regards,

Barry K Holland
[REDACTED]

On Wed, 12 May 2021 at 09:35, <Barry.D.Leban@[REDACTED]> wrote:

>
> Good morning Mr Holland,
> Can you please confirm today, via email that your client has agreed to all conditions and that the table and chairs will be made unusable at the agreed time please?
> Kind regards,
> Barry LEBAN PC1485CE
> Stoke Newington police station licensing unit -----Original
> Message-----
> From: Barry Holland <Barry@[REDACTED]>
> Sent: 07 May 2021 11:18
> To: Leban Barry D - CE-CU <[REDACTED]>
> Subject: 79 Wentworth St

>
> Dear PC Leban.
> Thanks for your call; I will be reducing the hours sought as you
> suggest but can we have a word about your suggested condition PN5
> please. The furniture is to be stored in the restaurant, so could we
> alter to, say "30 minutes after the premises have closed"? I would
> value a chat on the "framework hours". Mobile preferable Kind regards,

>
> Barry
> [REDACTED]

> NOTICE - This email and any attachments are solely for the intended recipient and may be confidential. If you have received this email in error, please notify the sender and delete it from your system. Do not use, copy or disclose the information contained in this email or in any attachment without the permission of the sender. Metropolitan Police Service (MPS) communication systems are monitored to the extent permitted by law and any email and/or attachments may be read by monitoring staff. Only specified personnel are authorised to conclude binding agreements on behalf of the MPS by email and no

Appendix 11

Prevention of Public Nuisance

- 9.1 Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises.
- 9.2 The concerns mainly relate to noise nuisance both from the premises and customer egress, light pollution, noxious smells and disruption from parked vehicles and due regard will be taken of the impact these may have in considering a licence. The Licensing Authority will expect Operating Schedules to satisfactorily address these issues. Applicants are advised to seek advice from the Council's Environmental Health Officers before preparing their plans and Schedules.
- 9.3 The Licensing Authority, where its discretion is engaged, will consider, where appropriate, attaching conditions to licences and permissions to prevent the problems identified in Section 18 of this Policy (Special Cumulative Impact Policy for the Brick Lane and Bethnal Green Area), and these may include conditions drawn from the Model Pool of Conditions found in the Secretary of States Guidance.
- 9.4 **Street Furniture** – placing of street furniture, which includes advertising boards, on the highway can cause a public nuisance by way of obstruction, or encourage consumption of alcohol on an unlicensed area. The Licensing Authority expects applicants to have ensured that they fully comply with the Council's rules relating to authorisation of obstructions on the highway, and that the required authorisations are obtained prior to submitting a licence application. Where proportionate and appropriate, and its discretion is engaged, the Licensing Authority will impose conditions in relation to street furniture, including on private land.
- 9.5 **Fly Posting** – The Council has experienced problems with "fly posting" in relation to venues that offer entertainment. Fly posting is the unauthorised posting of posters / advertisements etc. Where it considers it proportionate and appropriate, and its discretion is engaged, the Licensing Authority will attach conditions relating to the control of fly posting to ensure that venues clearly prohibit all fly posting in their contract terms with others and they effectively enforce this control.

Appendix 12

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

Updated April 2018

Public nuisance

- 2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

- 2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.
- 2.20 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

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

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 15

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:

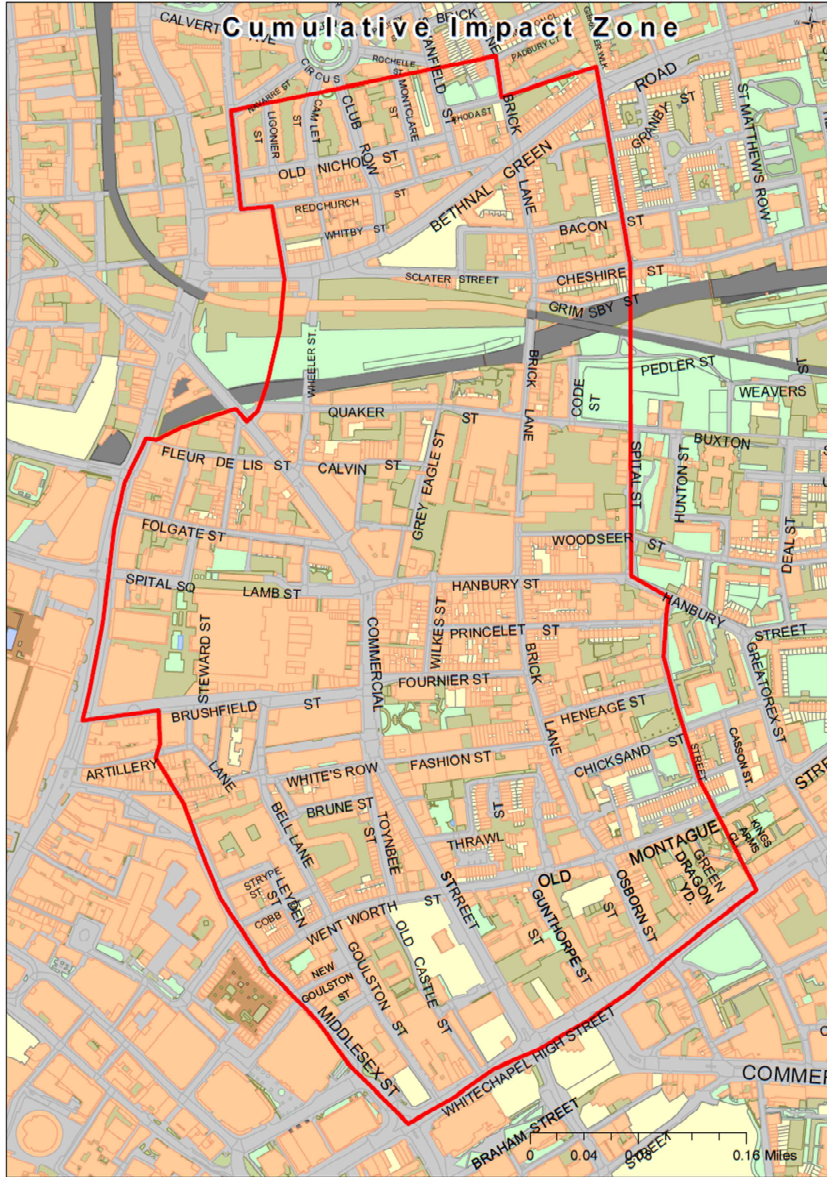
- that the premises will be well managed and run,
- that the premises will be constructed to a high standard,
- that the applicant operates similar premises elsewhere without complaint.

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:

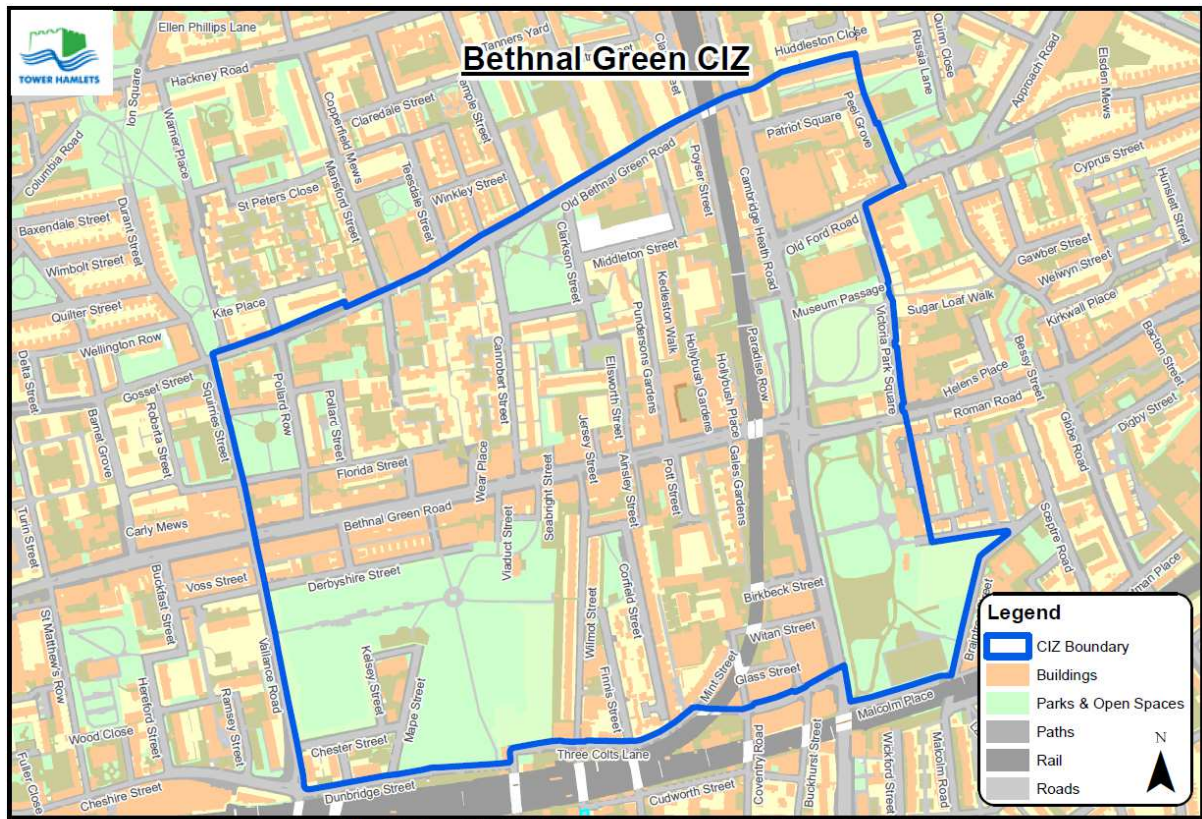
Figure One

Brick Lane area:

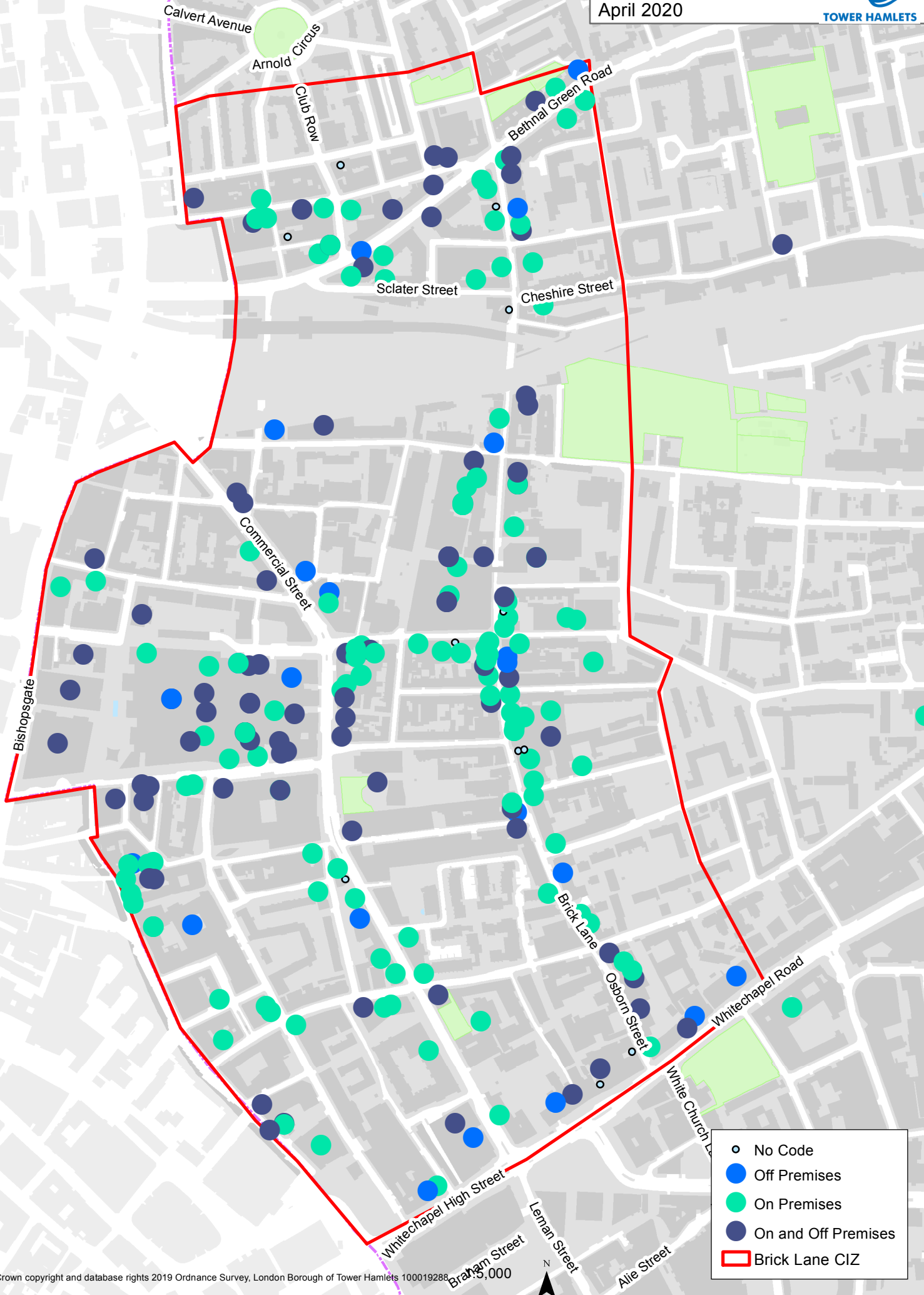


Reproduction of the CIE map by permission of the City of London Corporation. Copyright © City of London Corporation, September 2011.

Figure Two:
Bethnal Green Area



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- No Code
- Off Premises
- On Premises
- On and Off Premises
- ▭ Brick Lane CIZ

Appendix 16

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.