

Appendix 1

(Sakana Sushi)
Unit E
43a Commercial Street
London
E1 6BD

Licensable Activities authorised by the licence

The sale by retail of alcohol

See the attached licence for the licence conditions

Signed by

David Tolley 
Head of Trading Standards & Environmental Health

Date: 27th April 2017



Part A - Format of premises licence

Premises licence number

27347

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Unit E
43a Commercial Street

Post town

London

Post code

E1 6BD

Telephone number

██████████

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

Sunday to Thursday from 11:30 hours to 22:30 hours

Friday and Saturday from 11:30 hours to 23:00 hours

The opening hours of the premises

Sunday to Thursday from 11:30 hours to 23:00 hours

Friday and Saturday 11:30 hours to 23:30 hours

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

On sales only

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

J Cuisine Limited
43a Commercial Street
Unit E
London
E1 6BD

Shibli Alam/Mohammed Zakir Hossaion 

Registered number of holder, for example company number, charity number (where applicable)

11717203

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Shibli Alam



Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol



Annex 1 - Mandatory conditions

No supply of alcohol may be made under the premises licence-

- a) at a time where there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

1.

- (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises;
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)

- 2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

4. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

5.
 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 2. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula —

$$P = D + (D \times V)$$
 where —
 - (i) **P** is the permitted price
 - (ii) **D** is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

- (iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence
 - (i) the holder of the premises licence
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day

Annex 2 - Conditions consistent with the operating Schedule

Not applicable

Annex 3 - Conditions attached after a hearing by the licensing authority

1. The supply of alcohol at the premises shall only be to a person seated taking a meal there and for consumption by such a person as ancillary to their meal
2. CCTV – The CCTV system shall incorporate a recording facility and any recording shall be retained and stored in a suitable and secure manner for a minimum of 31 days. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation and all

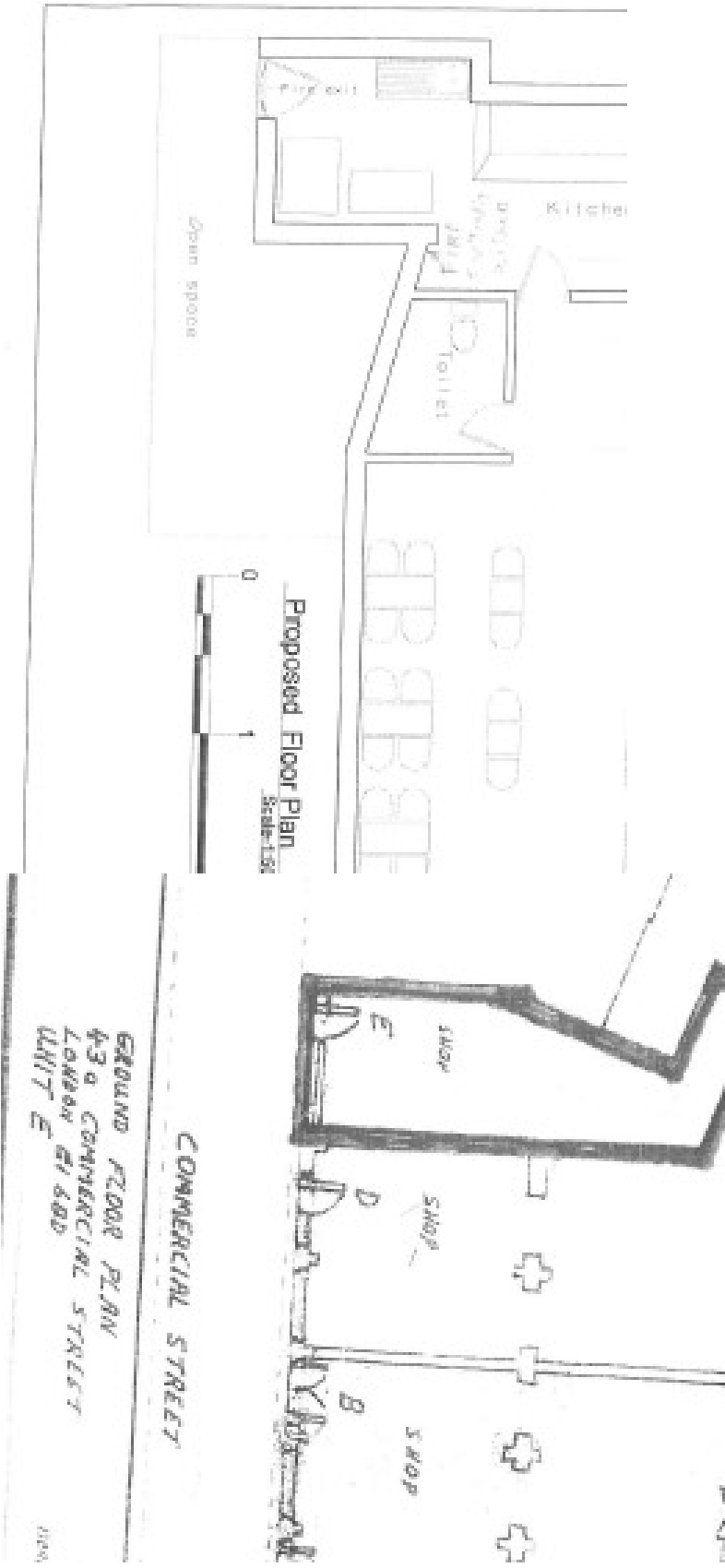
signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises is open for any licensable activity. There must be someone on the premises who can download the images and present them on request by Police Officer or other Responsible Authority. Cameras will be appropriately sited throughout and at the entrance to the premises.

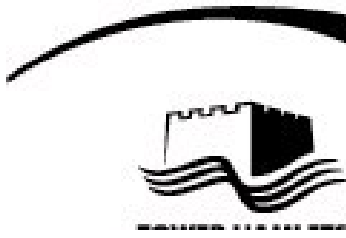
3. An incident book shall be kept at the premises, and made available to the Police or authorised Council Officers which will record:
 - a. crimes reported,
 - b. lost property,
 - c. all ejections of customers,
 - d. any complaints received,
 - e. any incidents of disorder,
 - f. any seizure of drugs or offensive weapons,
 - g. any faults in the CCTV,
 - h. any refusal in the sale of alcohol,
 - i. any visit by a Responsible Authority or Emergency Service,
4. Notices will be prominently displayed at entry and exit doors and point of sales advising customers:
 - a. to respect the needs of local residents and leave the area quietly
 - b. to respect the needs of local residents when smoking outside and use the area quietly
5. A Challenge 21 Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 21 shall provide documented proof that he/she is over 21 years of age. Proof of age shall only comprise a passport, a photo card driving licence, an EU/EEA national ID card or similar document, or an industry approved proof of age photo identity card with an official hologram.
6. All staff will be trained on induction and be given refresher training to appropriately undertake the sale of alcohol and their role in the operation of Challenge 21 Scheme. Training will include identifying persons under 21 making a challenge, acceptable proof of age and checking it, making and documenting refusals, avoiding conflict and responsible alcohol retailing;
7. Records of staff training are to be kept and provided to the Police or Responsible Authorities upon request.

Annex 4 - Plans

The plans are those submitted to the licensing authority on the following date:

20th December 2017





Part B - Premises licence summary

Premises licence number

27347

Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Unit E
43a Commercial Street

Post town

London

Post code

E1 6BD

Telephone number

0208617 8181

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

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

The opening hours of the premises

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

Name, (registered) address of holder of premises licence

J Cuisine Limited
43a Commercial Street
Unit E
London
E1 6BD

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

On sales only

Registered number of holder, for example company number, charity number (where applicable)

11717203

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Shibli Alam

State whether access to the premises by children is restricted or prohibited

No restrictions

Appendix 2

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We **Mr AT Mazharul Haque**
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 27347

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description La Luna Italian Pizza & Deli, Unit E, 43a Commercial Street London			
Post town	London	Postcode	E1 6BD

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£23500.00

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	[REDACTED]		
Post town	London	Postcode	[REDACTED]

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect? DD MM YYYY
[][] [][] [][][][]

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?
(Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)
Currently, we are licensed to sell Alcohol: Sunday to Thursday 11:30 Hours to 22:30 Hours, Friday & Saturday 11:30 Hours to 23:30 Hours. Late Refreshment Friday & Saturday 23:00 Hours to 23:30 Hours.
We have added our take away service in our business. Therefore, we want to extend our late night refreshments hours to 2:00 hours.
Our delivery personal will collect the hot food for delivery only. No eating/ dining, or public collection will be allowed.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend: []

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) **Please tick all that apply**

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat								
Sun								

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					

Wed			State any seasonal variations for the exhibition of films (please read guidance note 6)
Thur			
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)
Sat			
Sun			

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur					

Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)</u>
Sat			
Sun			

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>					
Mon								
Tue								
Wed						<u>State any seasonal variations for the playing of recorded music (please read guidance note 6)</u>		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Sat								
Sun								

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					

Tue			State any seasonal variations for the performance of dance (please read guidance note 6)
Wed			
Thur			
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7)
Sat			
Sun			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 5)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g)		

			at different times to those listed in the column on the left, please list (please read guidance note 7)
Sun			

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	23:00	2:00			
Tue	23:00	2:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Wed	23:00	2:00			
Thur	23:00	2:00			
Fri	23:00	2:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Sat	23:00	2:00			
Sun	23:00	2:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)					
Mon								
Tue								
Wed								
Thur						Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri								
Sat								
Sun								

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p> <p>N/A</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	7:00	23:00	
Tue	7:00	23:00	
Wed	7:00	23:00	
Thur	7:00	23:00	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)
Fri	7:00	23:30	
Sat	7:00	23:30	
Sun	7:00	23:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

We want to extend our late night refreshments hours to 2:00 hours.

Our delivery personal will collect the hot food for delivery only. No eating/ dining, or public collection will be allowed.

ease tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M.

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

Currently, we are licensed to sell Alcohol till Sunday to Thursday 11:30 Hours to 22:30 Hours, Friday & Saturday 11:30 Hours to 23:30 Hours. Late Refreshment Friday & Saturday 23:00 Hours to 23:30 Hours.

We have added our take away service in our business. Therefore, we want to extend our late night refreshments hours to 2:00 hours.

Our delivery personal will collect the hot food for delivery only. No eating/ dining, or public collection will be allowed.

b) The prevention of crime and disorder

Training will be provided to all staff to ensure a good knowledge and awareness of the prevention of crime and disorder. CCTV will be installed and the recorded materials shall be retained and stored in a suitable/secure manner for a minimum of 31 days. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with relevant legislation. CCTV will be operational during opening hours. Recordings and images will be available on request for the police and other responsible authorities.

c) Public safety

Compliance with Health & Safety Law.

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

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

d) The prevention of public nuisance

No children will be allowed to gather around the premises. We will keep outside of the premises tidy; all spillages will be cleaned. I.e. Bottles, glass, litter, etc. No drinks, bottled drinks, or food will be allowed to be consumed in front of the shop.

We will take ZERO TOLERANCE on drunk and drug matters. If any drunken person intends to purchase drinks he/she will be refused to be served politely and asked to leave quietly. If we cannot control them as a last resort, we will call the police and request assistance.

No early morning or late delivery will take place.

e) The protection of children from harm

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

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

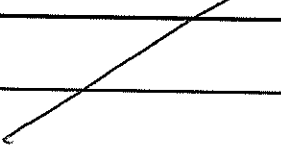
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)


Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	HAQUE) [REDACTED]	(MR AT MAZHARUL
Date	14.06.2021	
Capacity	Owner	

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	

Capacity	
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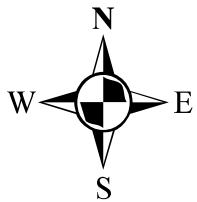
Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15) 
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Post town		Post code	
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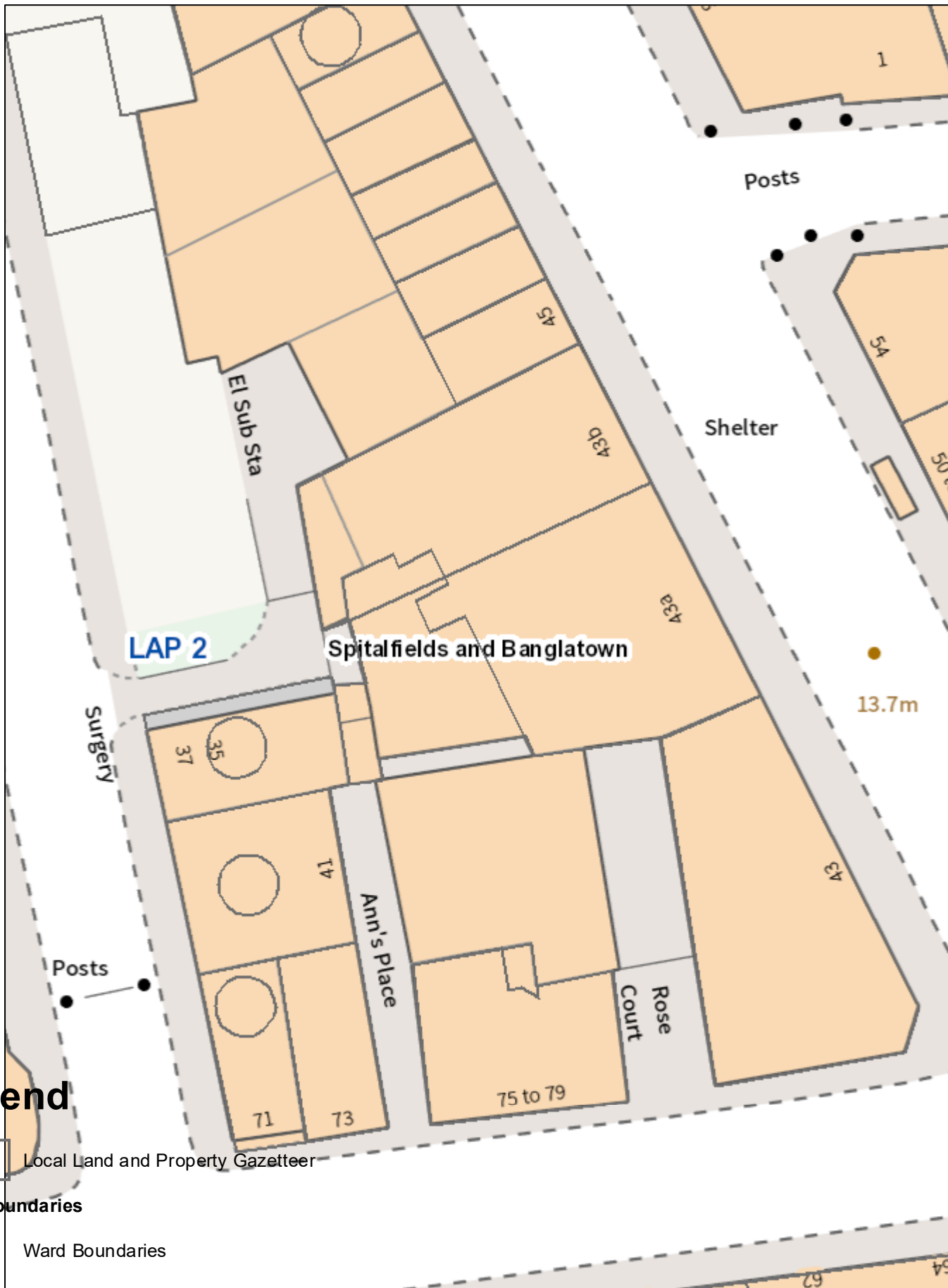
Telephone number (if any)	
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)


Appendix 3



ArcGIS Web Map



Legend

 Local Land and Property Gazetteer


Ward Boundaries

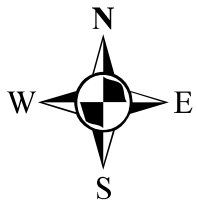
 Ward Boundaries

LAP Boundaries

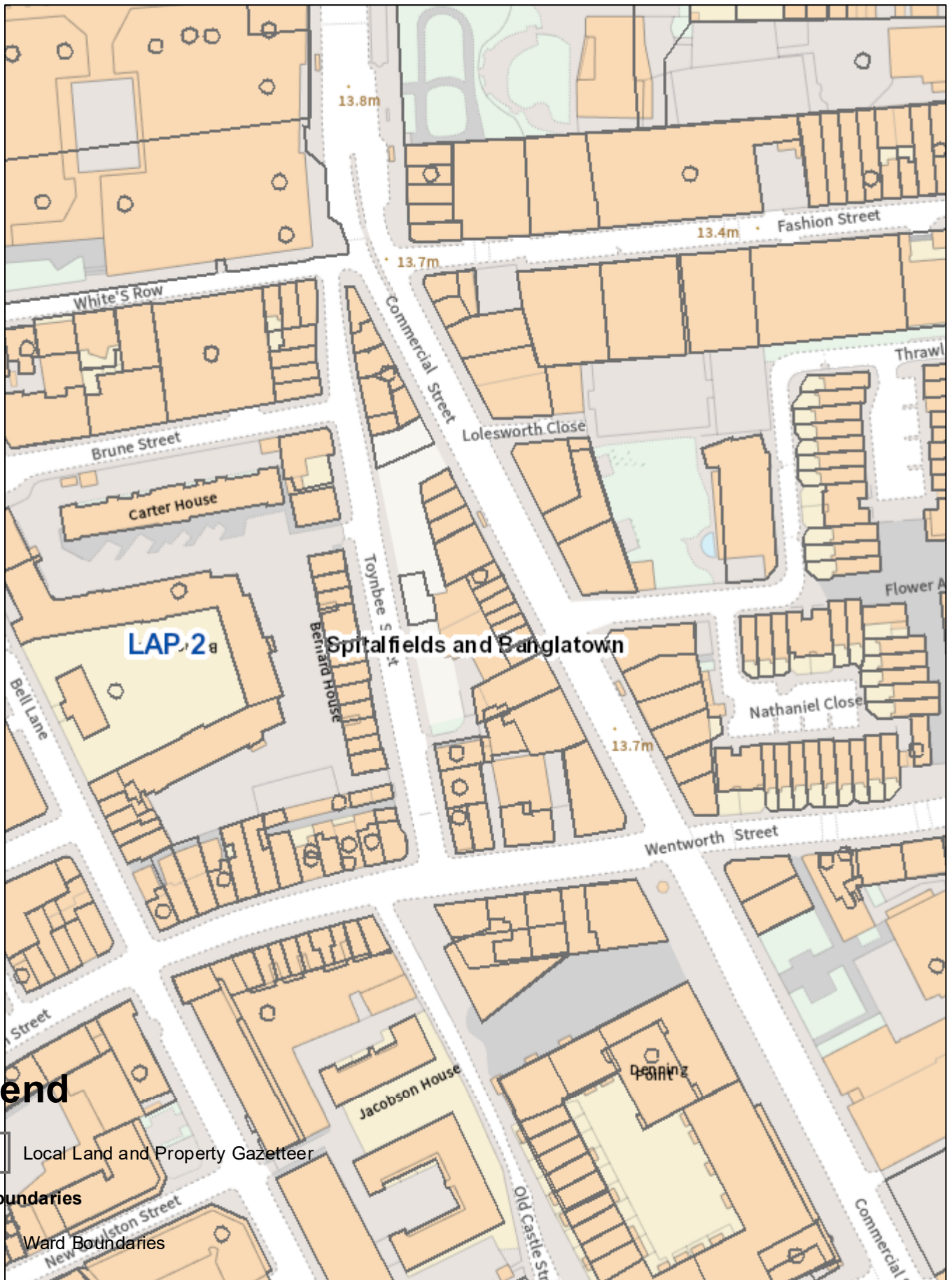
 LAP Boundaries

0.00375 0.0075 0.015 0.0225 0.03 km





ArcGIS Web Map



Legend

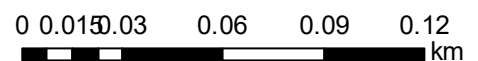
Local Land and Property Gazetteer

Ward Boundaries

Ward Boundaries

LAP Boundaries

LAP Boundaries



Appendix 4

La Luna, 43a Commercial Street



La Luna, 43a Commercial Street



Appendix 5

La Luna - Nearest licences

Name and address	Licensable activities and hours	Opening hours
<p>(Mambow Ltd) 75 Commercial Street London E1 6BD</p>	<p>The sale by retail of alcohol (On Sale Only)</p> <ul style="list-style-type: none"> Monday to Sunday 12:00 – 22:30 	<p>Monday to Sunday 11:30 to 23:00</p>
<p>(Hotbox) 46 - 48 Commercial Street London E1 6LT</p>	<p>Sale by retail of alcohol (On sales only)</p> <ul style="list-style-type: none"> Monday to Wednesday, from 11:00 hours to 23:30 hours Thursday to Saturday, from 11:00 hours to 00:30 hours Sunday, from 11:00 hours to 22:30 hours <p>The provision of late night refreshment - Indoors</p> <ul style="list-style-type: none"> Monday to Wednesday, from 23:00 hours to 23:30 hours Thursday to Saturday, from 23:00 hours to 00:30 hours <p>The provision of regulated entertainment - Indoors <u>(Live Music)</u></p> <ul style="list-style-type: none"> Monday to Wednesday, from 23:00 hours to 23:30 hours Thursday to Saturday, from 23:00 hours to 00:30 hours <p><u>(Recorded Music)</u></p> <ul style="list-style-type: none"> Monday to Wednesday, from 11:00 hours to 23:30 hours Thursday to Saturday, from 11:00 hours to 00:30 hours Sunday, from 11:00 hours to 22:30 hours <p><u>Provision of anything of a similar description to Live Music , Recorded Music or Performance of Dance</u></p> <ul style="list-style-type: none"> Monday to Wednesday, from 11:00 hours to 23:30 hours Thursday to Saturday, from 11:00 hours to 00:30 hours Sunday, from 11:00 hours to 22:30 hours <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> To extend the times for all the licensable activities from the end of the permitted 	<ul style="list-style-type: none"> Monday to Wednesday, from 11:00 hours to 00:00 hours Thursday to Saturday, from 11:00 hours to 01:00 hours Sunday, from 11:00 hours to 23:00 hours <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> To extend the times for all the licensable activities from the end of the permitted hours on New Years' Eve to 03:30 hours on New Year's Day.

La Luna - Nearest licences

	hours on New Years' Eve to 03:00 hours on New Year's Day.	
(Absurd Bird) 54 Commercial Street London E1 6LT	<p><u>The sale by retail of alcohol (on sales only):</u></p> <ul style="list-style-type: none"> • Sunday to Wednesday from 11:00hrs to 23:00hrs • Thursday to Saturday from 11:00hrs to 00:00hrs (midnight) <p><u>The provision of late night refreshment (both indoors and outdoors):</u></p> <ul style="list-style-type: none"> • Thursday to Saturday from 23:00hrs to 00:00hrs (midnight) 	<ul style="list-style-type: none"> • Sunday to Wednesday from 09:00hrs to 23:30hrs • Thursday to Saturday from 09:00hrs to 00:30hrs (the following day)
(Gul & Sepoy Ltd) 65 Commercial Street London E1 6BD	<p>The sale by retail of alcohol (on sales only)</p> <ul style="list-style-type: none"> • Monday to Saturday, from 11:00 hours to 23:00 hours • Sunday, from 11:00 to 22:30 hours 	<ul style="list-style-type: none"> • Monday to Saturday, from 08:00 hours to 23:30 hours • Sunday, from 08:00 to 23:00 hours
(Agah Turkish Restaurant) 43 Commercial Street London E1 6BD	<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 <p><u>(Anything of a Similar Description to Live Music, Record Music or Performances of Dance)</u></p>	<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

La Luna - Nearest licences

	<ul style="list-style-type: none"> Friday to Sunday from 12:00hrs (midday) to 22:00hrs 	
<p>(The Space Spitalfields) 44 Commercial Street London E1 6LT</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 <p>Provision of regulated Entertainment - Indoor <u>Live music, recorded music, performance of dance and anything of a similar description.</u> <u>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 	<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
<p>Trade Commercial Street 47 Commercial Street London E1 6BD</p>	<p><u>Sale of Alcohol (on sales only)</u></p> <p>Monday to Saturday from 09:00 hours to 23:30 hours Sunday from 09:00 hours to 21:00 hours</p>	<p>Monday to Saturday from 07:00 hours to 23:30 hours Sunday from 09:00 hours to 21:00 hours</p>
<p>(Som Saa) 43a Commercial Street London E1 6BD</p>	<p>The sale by retail of alcohol (On and off sales)</p> <ul style="list-style-type: none"> Monday to Thursday, from 10:00 hours to 23:30 hours Friday and Saturday, from 10:00 hours to midnight Sunday, from 12:00 hours to 22:30 hours <p>The provision of late night refreshment (Indoors only)</p> <ul style="list-style-type: none"> Monday to Thursday until 23:30 hours Friday and Saturday until midnight 	<ul style="list-style-type: none"> Monday to Thursday, from 10:00 hours to 23:30 hours Friday and Saturday, from 10:00 hours to midnight Sunday, from 12:00 hours to 22:30 hours

Appendix 6

**Place Directorate
Public Realm**

Licensing Section
Mulberry Place
5 Clove Crescent
London
E14 2BG

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

Licensing Section
Mulberry Place
5 Clove Crescent
London E14 2BG

My reference: P/EHTS/LIC/138848

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

Date 13th July 2021

Email: [REDACTED]

www.towerhamlets.gov.uk

Dear Sir/Madam,

Licensing Act 2003

**Variation- Licence application for La Luna Italian Pizza & Deli Unit E 43a
Commercial Street London E1 6BD**

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

- ***the 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

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

The Provision of Late Night Refreshment

- **Monday- Sunday from 23:00 hours to 02:00 hours (for deliveries only between 23:00 hours – 02:00 hours)**

Opening Hours to the Public

Monday to Sunday from 07:00 hours to 23:00 hours

On a balance of probability, this Authority is concerned by the addition of another premise providing extended hours for “licensable activities”, potentially adding to the existing anti-social issues in the area.

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."*

The applicant has provided no information in the Operating Schedule to address the CIZ particularly the impact that these additional late hours will have within the CIZ.

Great consideration has been given to the fact that the premise is in the Brick Lane Cumulative Impact Zone and although the applicant has offered a few conditions in the application, there is no supporting evidence as to how the licensing objectives will be upheld with 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, I feel it does not uphold the following licensing objective of 'prevention of public nuisance' therefore the Licensing Authority feels that the application should be rejected.

Yours faithfully,



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

Appendix 7

Mohshin Ali

From: Licensing
Sent: 07 July 2021 12:31
To: Mohshin Ali
Subject: FW: 138848 Variation of License application for La Luna Italian Pizza & Deli Unit E 43a Commercial Street London

From: Nicola Cadzow [REDACTED]
Sent: 07 July 2021 08:12
To: Licensing <Licensing@towerhamlets.gov.uk>
Cc: [REDACTED]; [REDACTED]@lalunapizza [REDACTED]
Subject: 138848 Variation of License application for La Luna Italian Pizza & Deli Unit E 43a Commercial Street London

Dear Licensing,

Having considered the variation application for La Luna Italian Pizza & Deli Unit E 43a Commercial Street London I have to consider 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, consideration has to be given to the fact the premise is in the Brick Lane Cumulative Impact Zone.

The applicant is proposing to extend the hours for licensable activities (late night refreshment) on existing license as follows :-

Monday to Thursdays from 23.30 hours until 02:00 hours (an extension of two and a half hours)
Fridays and Saturdays from Midnight until 02:00 hours (an extension of two hours)
Sundays at present no late night refreshment (LNR) as close at 22:30, but to include LNR until 02:00 hours (being from 23:00 hours an increase of three hours + extension of half hour on existing hours from 22.30 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. Whilst the applicant has included a *condition "no early morning or late night deliveries will take place"* there is no information with regards to mitigating public nuisance from delivery vehicles arriving and leaving the premises at noise sensitive times of night sought, particularly when consideration has to be given to the fact that the premises is in Brick Lane Cumulative Impact Zone (CIZ)

Noise Sensitive premises: residential premises in close proximity 43a Commercial 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 delivery vehicles; and
- The hours of operation (inclusive of proposals)

CONCLUSION

Environmental Protection **does not** support the application for La Luna Italian Pizza & Deli Unit E 43a Commercial Street London, as there is great likelihood of disturbance to residential premises at the noise sensitive hours sought,

from delivery vehicles coming and going from the premises at the late hours applied for and particularly as 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
Mulberry Place Town Hall
5 Clove Crescent
London E14 2BG



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Appendix 8

Mohshin Ali

From: Mohshin Ali on behalf of Licensing
Sent: 29 June 2021 12:23
To: Mohshin Ali
Subject: FW: La Luna, 43 Commercial Street - licensing application

Follow Up Flag: Follow up
Flag Status: Flagged

From: Alex Gordon Shute <[REDACTED]>
Sent: 28 June 2021 20:10
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: La Luna, 43 Commercial Street - licensing application

Dear Licensing Team

I write to object to the off-sales licence extension from 11pm to 2am which this takeaway has applied for. The premises are in the CIZ and so the 'one in, one out' rule should apply – we should not be granting any more licences for more alcohol to be sold in such an alcohol-saturated area. The area already has too much ASB and small crime, aggravated by alcohol consumption. Off sales also increases public nuisance, because inebriated individuals are in the street, rather than in a restaurant – so it would prevent more public nuisance if off sales extended hours were not granted. The area does not need more off sales (there's plenty already, including at this time of night). Please refuse this application.

Best wishes

Alex Gordon Shute
[REDACTED]

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Appendix 9

Mohshin Ali

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 07 July 2021 09:41
To: Mohshin Ali
Subject: FW: Licencing application for La Luna Pizza & Deli, Unit E, 43a Commercial Street, London, E1 6BD

From: John and Sandy Critchley [REDACTED]
Sent: 06 July 2021 18:56
To: Licensing <Licensing@towerhamlets.gov.uk>
Cc: 'Critchley' [REDACTED]
Subject: RE: Licencing application for La Luna Pizza & Deli, Unit E, 43a Commercial Street, London, E1 6BD

Dear Licensing Department,

We wish to object to this new licensing application on the grounds of its potential public nuisance – there are significant numbers of residents in the surrounding buildings who will be disturbed by the constant arrival and departure of delivery drivers.

We feel that allowing alcohol to be served, they claim as part of their pizza delivery service, until 2am seven days a week flies against the aims of the CIZ. We can only think that the majority of deliveries of food and particularly alcohol so late at night, rather than being to families and small groups, will be to noisy parties and will exacerbate their disturbance of neighbours.

We ask you to refuse this application.

Yours sincerely,

John and Sandy Critchley

(Mr & Mrs H J Critchley)

[REDACTED]

Appendix 10

Noise while the premise is in use

General Advice

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

The hours of operation also need to be considered (see below).

If Members believe that there is a substantial problem of noise while the premises are in use and it cannot be proportionately address by licensing conditions they should refuse the application.

Licensing Policy

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

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

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

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

Licence conditions should not duplicate other legislation (1.16).

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

Other Legislation

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

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

Appendix 11

Access and Egress Problems

Such as:

- Disturbance from patrons arriving/leaving the premises on foot
- Disturbance from patrons arriving/leaving the premises by car
- Lack of adequate car parking facilities
- Close proximity to residential properties

Comment

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

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

General Advice

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

The hours of operation also need to be considered.

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

Licensing Policy

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

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

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

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

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

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

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

Licence conditions should not duplicate other legislation (1.16).

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

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

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

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

Appendix 12

Anti-Social Behaviour on the Premises

Licensing Policy

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

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

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

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

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

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

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

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

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices.

Other Legislation

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

Appendix 13

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

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

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

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

Licensing Policy

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

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

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

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

Cumulative Impact

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

Police Powers

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

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

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

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

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

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

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

Other Legislation

Crime and Disorder Act 1998

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

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

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

Appendix 14

Planning

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

Appendix 15

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 14.8 of the Licensing Policy)

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

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

(See 14.9 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates

Appendix 16

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

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

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

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

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

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

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

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

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

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

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

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

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

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

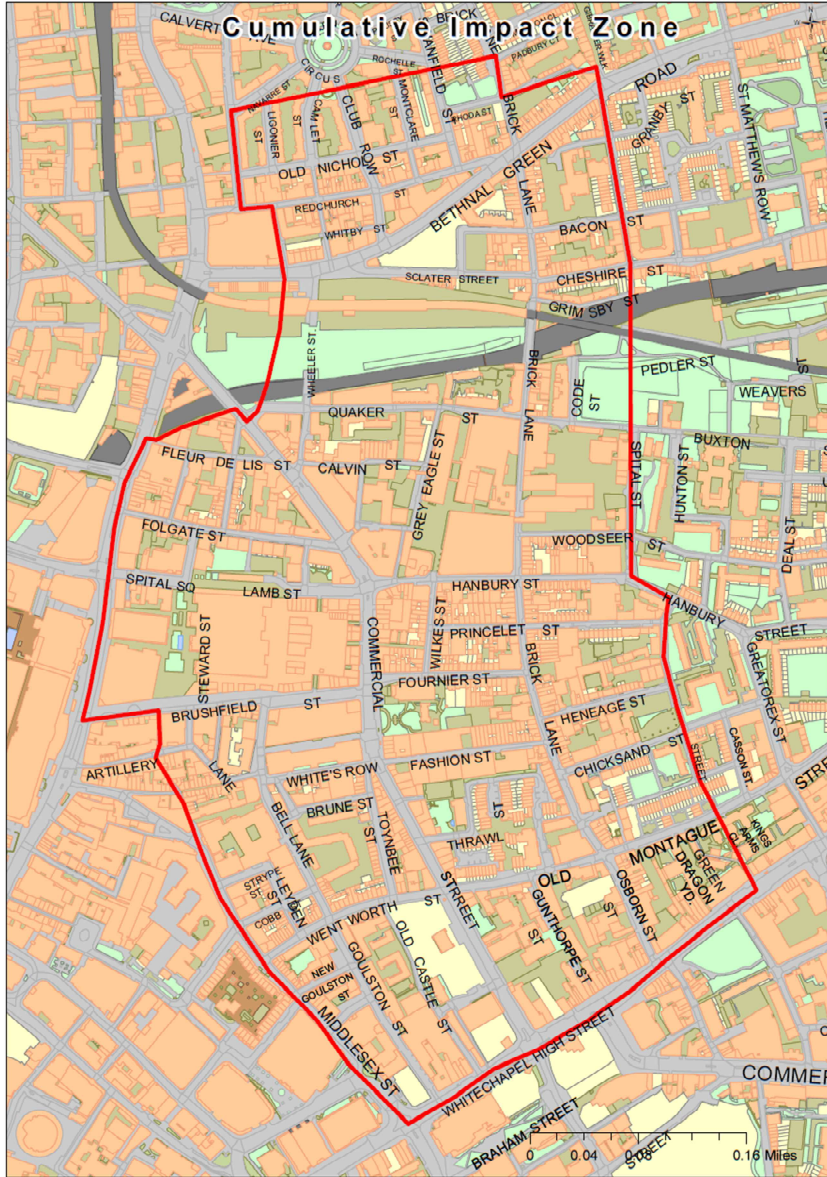
- that the premises will be well managed and run,
- that the premises will be constructed to a high standard,
- that the applicant operates similar premises elsewhere without complaint.

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

The Cumulative Impact Zones:

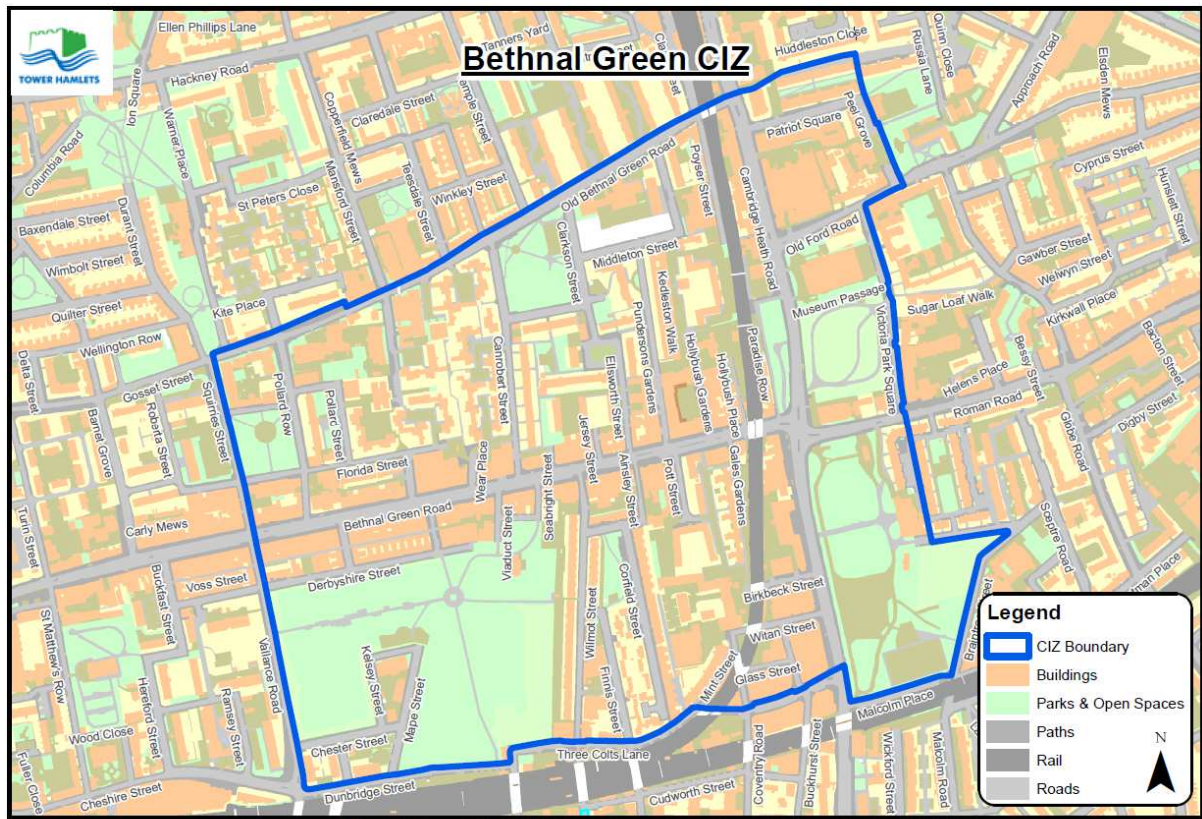
Figure One

Brick Lane area:



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Figure Two:
Bethnal Green Area



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Cumulative Impact Zone

