

Appendix 1



Lic No:

128545

(Milk Float)

Sweet Water Trade Mooring
Hackney Wick
Grid Ref: TQ 37323 84464
London
E9

Licensable Activities authorised by the licence

The sale by retail of alcohol
The provision of regulated entertainment (recorded music only)

See the attached licence for the licence conditions

Signed by

David Tolle 
Head of Environmental Health & Trading Standards

Date: 17th May 2018

Minor Variation 25/6/20



TOWER HAMLETS

LICENSING ACT 2003

Part A - Format of premises licence

Premises licence number

128545

Part 1 - Premises details

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

(Milk Float)

Sweet Water Trade Mooring
Hackney Wick
Grid Ref: TQ 37323 84464

Post town

London

Post code

E9

Telephone number

[REDACTED]

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

The sale by retail of alcohol
The provision of regulated entertainment (recorded music only)

The times the licence authorises the carrying out of licensable activities

The supply of alcohol (on sales only)

- Monday to Sunday, 10:00 hours to 23:00 hours

The provision of regulated entertainment – Indoors and outdoors
(recorded music only)

- Monday to Friday, from 17:00 hours to 23:00 hours
- Saturday, from 12:00 hours to 23:00 hours
- Sunday, from 12:30 hours to 23:00 hours

The opening hours of the premises

- Monday to Sunday, 10:00 hours to 23:00 hours

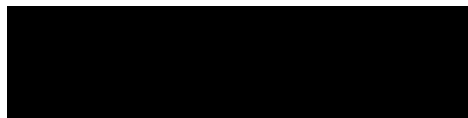
Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

On and off sales. Off sales subject to conditions 15-19

Part 2

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

Moo Canoes LTD
232 Mare Street
Hackney
London
E8 1HE



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

08164231

- (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

Security Industry Authority

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, such individuals must be licensed with the Security Industry Authority. This does not apply to premises within paragraph. 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001, (premises with premises licences authorising plays or films), or in respect of premises in relation to- any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or any occasion within paragraph 8(3)(d) of Schedule 2 (occasions prescribed by regulations under that Act) unless the Licence specifically states otherwise.

Security activity means an activity to which paragraph 2(1)(a) of Schedule 2 of the Private Security Industry Act 2001 of that schedule applies, and Paragraph 8(5) of Schedule 2 (interpreting of references to an occasion) applies as it applies in relation to paragraph 8 of Schedule 2 of the Private Security Industry Act 2001

Annex 2 - Conditions consistent with the operating Schedule

1. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

Environmental Protection conditions

2. No Music or Amplified Sound shall be generated on the premises to give rise to a nuisance to neighbouring residents

3. All windows and external doors shall be kept closed after **22:00 hours**, or at any time when regulated entertainment takes place, except for the immediate access & egress of persons.

Police Conditions:

4. A security plan for the running of the premises will be agreed between the licensee and Tower Hamlets Police Licensing. This will include levels of SIA security staff, stewarding, management of customers.
5. A CCTV system shall be put in place; the cameras are to be of sufficient quality so that people's faces are clearly identifiable from the footage.
 - a. The cameras are to be placed in such a way as they cover areas of the premises specified by the Police.
 - b. The system is to record the footage and to keep it for a minimum of 30 days and a copy off CCTV footage is to be made available to Police or the Local Authority upon request (subject to data protection legislation).
 - c. While the premises are open to the public a member of staff must be on duty who can operate the CCTV system.
6. An Incident Report book is to be kept and used to record all incidents of crime and disorder as well as any incidents of note. This book is to be made available on request to any Police officer or representative of a responsible authority.

Match/Event Day Conditions

7. Match day conditions shall apply when any designated category A, B, C, or C+ football match is played at the London stadium:
8. Drinks shall only be supplied in polypropylene, polycarbonate, or toughened glass vessels and all bottled drinks shall be poured into such drinking vessels before being handed to the customer.
9. Registered door staff shall be employed to control the entry and exits to the premises and to prevent the taking of alcohol off the premises e.g. for consumption on the adjoining foot-way, carriageway, or locality.
 - a. A minimum number of registered SIA door staff agreed with Police shall be employed to control the premises including the entrances and exits.

- b. The timings for the deployment of security officer shall be 2 hours before the advertised kick-off time and 2 hours after the advertised final whistle time (or 30 minutes after the closing time of the premises in line with normal practice - whichever is earlier).
 - c. The premises shall provide each SIA officer on duty with a briefing regarding the Premises stance and conditions in respect of weapons, drugs, and racism. This briefing will be documented and available for inspection on request of a Licensing officer or Police and shall be kept for not less than 31 days. The details, Name and SIA number, of each member of SIA staff on duty for any given shift shall be recorded and retained for the same period.
10. If so instructed by the Police Match day Commander the premises shall be closed if it is considered that violence and/or disorder may take place.

Racism:

11. The premises shall operate a zero tolerance stance toward racism and anti-Semitism, whether football related or otherwise; persons engaging in racist behaviour, including football related chanting or songs, shall be removed and permanently barred with their details recorded in the incident book.
12. Police shall be informed of incidents involving racism, racist singing or chanting, whether football related or not.
13. The premises shall display signage supporting the zero tolerance and barring with regard to racism.
14. The premises will, on match days, prominently display signs, of at least A4 size, at each entrance that state the Anti-racist stance towards racist and anti-Semitic behaviour in place at the premises.
15. Off sales of alcohol will be for delivery or collection and will only apply while the closure of business under the Health Protection (Coronavirus, Business Closure) (England) Regulations 2020 applies to this business, and will be made in compliance with the further below conditions; 16 to 19.
16. All orders for alcohol to be collected must be made in advance by telephone, or online with customers being given a time slot for collection to adhere to Public Health England's guidance on social distancing.
17. On offering of web sales, a standard age verification check shall be undertaken on entering the website. Every third party courier delivery box

shall be labelled with the words “Age Restricted Product”.

18. Alcohol shall only be delivered to a residential or business address and not to a public place.

19. All off sales to be in sealed containers

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

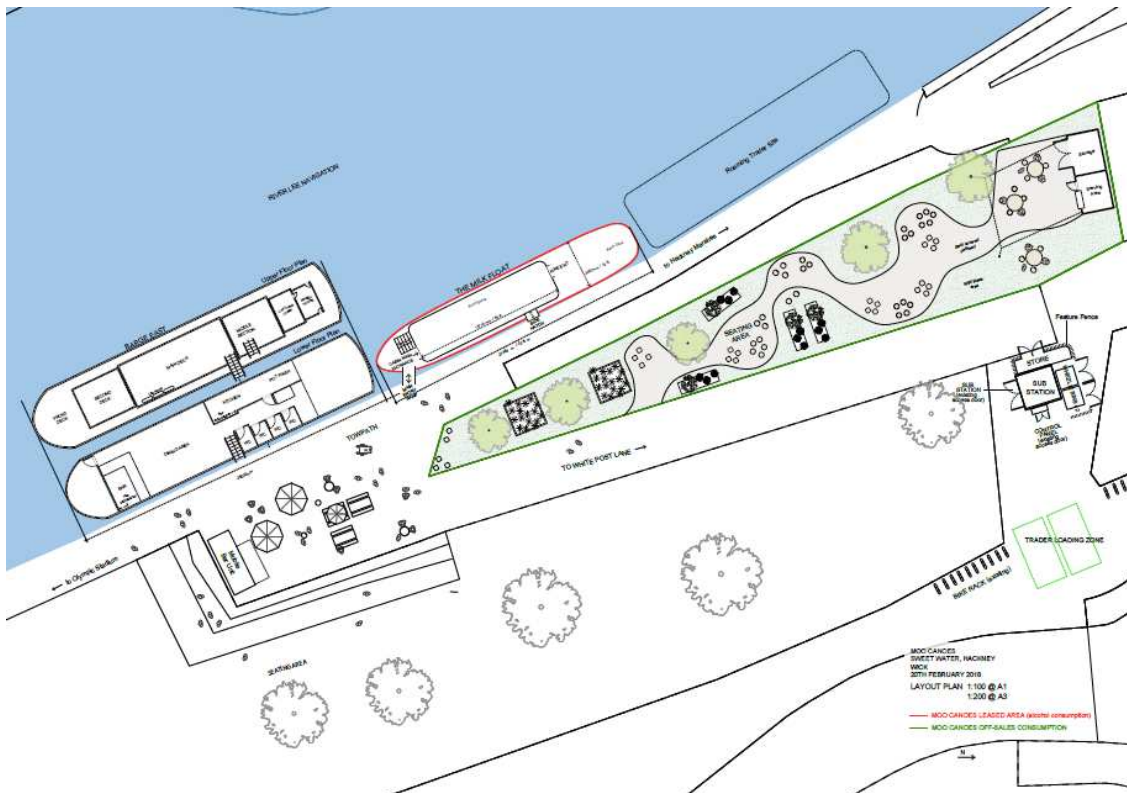
Not applicable

Annex 4 - Plans

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

6th April 2018

- Internal Floor (dated 5th April 2018)
- Upper floor and including outdoor drinking area (also known as area C)





Part B - Premises licence summary

Premises licence number

128545

Premises details

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

(Milk Float)
Sweet Water Trade Mooring
Hackney Wick
Grid Ref: TQ 37323 84464

Post town

[REDACTED]

Post code

E9

Telephone number

None

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

The sale by retail of alcohol
The provision of regulated entertainment (recorded music only)

The times the licence authorises the carrying out of licensable activities

The supply of alcohol (on sales only)

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The opening hours of the premises

- Monday to Sunday, 10:00 hours to 23:00 hours

Name, (registered) address of holder of premises licence

Moo Canoes LTD
232 Mare Street
Hackney
London
E8 1HE

Where the licence authorises supplies of alcohol

On and off sales. Off sales subject to conditions 15-19

Registered company number

08164231

Name of designated premises supervisor

[REDACTED]

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

Not restricted

Appendix 2



* required information

Section 1 of 18

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 you would prefer not to be contacted by telephone

Are you:

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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

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

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

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

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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

- Address OS map reference Description

Address Description

The premises in question is the The Milk Float barge on the Sweet Water Trade Mooring in Hackney Wick, Tower Hamlets.

The mooring has no postcode but can be found at the grid reference: 37323 84464

Premises Contact Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 18

VARIATION

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

Continued from previous page...

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where 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.

This is an application to have off-sales permanently added to our license.

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Continued from previous page...

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes No

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 11 of 18

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

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Section 14 of 18

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.

Provide 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.

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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...

State any seasonal variations.

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

None

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

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

We will remain open on NYE until 1am on the 1st January.

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

None

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

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

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.

We will continue to operate in line with our current standard practices which have given us three years of successful trade without serious incident. Having consulted Mark Perry at the Met. Police in relation to this variation, we will suspend alcohol off-sales for a period of one hour either side of any sporting events at the London Stadium. All takeaway drinks will be served in closed containers. All shifts are supervised by at least one member of staff with a personal license.

b) The prevention of crime and disorder

We will continue to operate to our agreed procedures with vigilance and with support from SIA security on match days and for any events that we deem to be higher risk. Internal CCTV covers all angles within our premises.

Continued from previous page...

c) Public safety

Our premises has been designed with public safety as a priority. All outdoor stairs and terraces are protected with handrails. Fire extinguishers are located at all exits and risk areas. We have a comprehensive Covid-19 strategy with socially-distanced seating and service protocols.

d) The prevention of public nuisance

For off-sales, all service staff are trained to make customers aware that there is no consumption permitted in the immediate vicinity of the takeaway hatch. We have already installed low-level signage on the only viable external seating platform informing customers that there is no alcohol consumption in this area. Takeaway alcohol will be served in lidded containers. We run litter sweeps before and after trade each day to ensure that there is no rubbish left in our immediate surroundings.

e) The protection of children from harm

We operate a Challenge 25 policy. All staff are trained in this capacity.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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.

Continued from previous page...

- 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.

Section 18 of 18

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.

Variation 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 £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 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 - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise 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>

* Fee amount (£)

100.00

DECLARATION

Continued from previous page...

I/WE UNDERSTAND THAT 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.

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

* Capacity

* Date / /
dd mm yyyy

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/change-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

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OFFICE USE ONLY

Applicant reference number	<input type="text"/>
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 3

Map and photos of local vicinity

Map of local area



Image 1



Image 2



Image 3



Appendix 4

Premises Nearby

The Milk Float Sweet Water Trade Mooring Hackney Wick London E9

Premises	Licensable Activity Hours	Opening Times
<p>Barge East) Sweet Water Trade Mooring Hackney Wick (Grid coordinates are: 51.542393, - 0.021200)</p>	<p><u>The supply of alcohol (on sales only)</u></p> <ul style="list-style-type: none"> • Monday to Thursday, from 09:00 hours to 23.15 hours • Friday and Saturday, from 09:00 hours to 00:30 hours the following day • Sunday, from 09:00 hours to 22:30 hours <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> • Bank holiday Sundays, from 09:00 hours to 23:00 • New Year's Eve, from 09:00 hours to 01:00 the following day <p>Currently on and off sales(off sales will only apply while the closure of business under the Health Protection (Coronavirus, Business Closure) (England) Regulations 2020</p>	<ul style="list-style-type: none"> • Monday to Thursday, from 09:00 hours to 23.30 hours • Friday and Saturday, from 09:00 hours to 00:45 hours the following day • Sunday, from 09:00 hours to 22:45 hours
<p>Farmdrop Ltd Kitchen 2, Unit 3, Hamlets Industrial Estate 96 White Post Lane London E9 5EN</p>	<p><u>The sale by retail of alcohol</u></p> <p>Monday – Sunday 07:00 hours – 23:00 hours</p> <p>(off sales only)</p>	<p>Not open to the public</p>
<p>Greenhouse) Unit 1 Hamlet Industrial Estate 96 White Post Lane London E9 5EN</p>	<p>Regulated Entertainment in the form of live music (indoors)</p> <ul style="list-style-type: none"> •From Monday to Saturday from 18:00hrs to 23:00hrs •Sunday from 08:00hrs to 23:00hrs <p>Regulated Entertainment in the form of recorded music (indoors)</p> <ul style="list-style-type: none"> •From Monday to Sunday from 18:00hrs to 23:00hrs <p>The Supply of alcohol (both on and off premises)</p> <ul style="list-style-type: none"> •From Monday to Sunday from 08:00hrs to 23:00hrs <p>On and off sales</p>	<p>Monday to Sunday from 07:00hrs to 23:30hrs</p>

<p>Run the Booze Unit 3-4, Hamlet Industrial Estate 96 White Post Lane London E9 5EN</p>	<p>The sale of alcohol Monday – Thursday 12:00 hours – 00:00 hours (midnight) Friday - Saturday 12:00 hours – 02:00 hours Sunday 12:00 hours – 23:00 hours</p> <p>Provision of Late Night Refreshments (indoors & outdoors) Monday – Thursday 23:00 hours – 00:00 hrs (midnight) Friday – Saturday 23:00 hours – 02:00 hours</p> <p>(off sales)</p>	<p>No public access</p>
<p>(Whitepost Cafe) Schwartz Wharf 92 White Post Lane Hackney Wick London E9 5EN</p>	<p>The times the licence authorises the carrying out of licensable activities</p> <p><i>The sale by retail of alcohol - <u>on sales</u></i></p> <ul style="list-style-type: none"> • Monday to Thursday from 11:00hrs to 23:00hrs • Friday from 11:00hrs to 00:00hrs (midnight) • Saturday from 11:00hrs to 01:00hrs (the following day) • Sunday from 11:00hrs to 22:00hrs <p><i>The sale by retail of alcohol - <u>off sales</u></i></p> <ul style="list-style-type: none"> • Monday to Sunday from 11:00hrs to 21:00hrs <p>The Provision of Late Night Refreshment (indoors):</p> <ul style="list-style-type: none"> • Friday from 23:00hrs to 00:00hrs (midnight) • Saturday from 23:00hrs to 00:00hrs (midnight) <p>The Provision of Regulated Entertainment in the form of Recorded Music indoors):</p> <ul style="list-style-type: none"> • Monday to Thursday from 11:00hrs to 23:00hrs • Friday from 11:00hrs to 00:00hrs (midnight) 	<ul style="list-style-type: none"> • Monday to Thursday from 11:00hrs to 23:30hrs • Friday from 11:00hrs to 00:30hrs (the following day) • Saturday from 11:00hrs to 01:30hrs (the following day) • Sunday from 11:00hrs to 22:30hrs <p>Non-standard times:</p> <ul style="list-style-type: none"> • Sundays before Bank Holidays 11:00hrs to 01:00hrs (the following day) • New Year's Eve 11:00hrs to 09:00hrs (the following day) • Morning British Standard Time commences

	<ul style="list-style-type: none"> • Saturday from 11:00hrs to 01:00hrs (the following day) <p>On and off sales</p> <ul style="list-style-type: none"> • Sunday from 11:00hrs to 22:00hrs <p>Non-standard times:</p> <ul style="list-style-type: none"> • Sundays before Bank Holidays 11:00hrs to 01:00hrs (the following day) • New Year's Eve 11:00hrs to 09:00hrs (the following day) • Morning British Standard Time commences to allow clock going back on hour 	<p>to allow clock going back on hour</p>
<p>(Lord Napier) 25 White Post Lane London E9 5EN</p>	<p>The provision of recorded music:</p> <ul style="list-style-type: none"> • Sunday to Thursday from 10:00 hours to 00:00 hours (Midnight) • Friday and Saturday from 10:00 hours to 01:30 hours <p>Late night refreshment:</p> <ul style="list-style-type: none"> • Sunday to Thursday from 23:00 hours to 00:00 hours (Midnight) • Friday and Saturday from 23:00 hours to 23:00 hours to 01:30 hours <p>The sale by retail of alcohol – (on and off sales):</p> <ul style="list-style-type: none"> • Sunday to Thursday from 10:00 hours to 00:00 hours (Midnight) <p>Friday to Saturday 10:00 hours to 01:30 hours</p> <p>On and off sales</p>	<p>The opening hours of the premises:</p> <ul style="list-style-type: none"> • Sunday to Thursday from 10:00 hours to 00:30 hours • Friday and Saturday from 10:00 hour to 02:00 hours <p>Non Standard Timings: Until 02:00 on Bank Holiday Sundays and Easter Thursday. Until 04:30 on New Years Eve and 02:00 on New Year's Day.</p>
<p>(Hurk Limited) Unit 8 29 White Post Lane London E9 5EN</p>	<p><u>Supply of alcohol (Indoors & Outdoors)</u> Monday to Thursday from 11:30 hours to 23:30 hours Friday to Saturday from 11:30 hours to 00:00 hours Sunday from 11:30 hours to 22:30 hours</p> <p><u>Non-standard timings</u> Until 01:30 on the evening preceding a Bank Holiday. Until 4am on New Years Eve, until 01:30 on New Year's Day.</p>	<p><u>Hours premises are open to the public</u></p> <p>Monday to Thursday from 11:30 hours to 23:00 hours Friday to Saturday from 11:30 to 23:30 hours Sunday from 11:30 to 22:00 hours</p> <p><u>Non-standard timings</u></p>

	<p><u>Regulated Entertainment Plays & Recorded Music (Indoors & Outdoors)</u> Monday to Thursday from 11:30 hours to 23:30 hours Friday to Saturday from 11:30 hours to 00:00 hours Sunday from 11:30 hours to 22:30 hours</p> <p><u>Non-standard timings</u></p> <p>Until 01:30 on the evening preceding a Bank Holiday. Until 4am on New Years Eve, until 01:30 on New Year's Day.</p> <p>On and off sales</p>	<p>Until 01:30 on the evening preceding a Bank Holiday. Until 4am on New Year's Eve, until 01:30 on New Year's Day.</p>
<p>(Alfred Leroy) Crate Brewery The White Building Unit 7 Queens Yard White Post Lane London E9 5EN</p>	<p>The on sale of alcohol, Monday to Thursday, 07.00am to 23.00pm. Friday and Saturday, 07.00am to midnight. Sunday, 07.00am to 22.30pm.</p> <p>Late night refreshment, Friday and Saturday, 23.00pm to 00.30am the next day.</p> <p>The exhibition of films, Monday to Sunday, 12noon to 22.00pm.</p> <p>On sales only</p>	<p>Monday to Thursday, 07.00am to 23.30pm. Friday and Saturday, 07.00am to 00.30am the next day. Sunday, 07.00am to 23.00pm.</p>
<p>(Electric Matchbox) 92 White Post Lane London E9 5EN.</p>	<p><u>Regulated entertainment.</u> Recorded music. Sunday to Thursday 09:00 hours – 23:00 hours. Friday & Saturday 09:00 hours – midnight.</p> <p>Films and live music. Sunday to Thursday 18:00 hours – 23:00 hours. Friday & Saturday 18:00 hours – midnight.</p> <p><u>Late Night Refreshment.</u> Friday & Saturday 23:00 hours – midnight.</p> <p><u>Sale of alcohol by retail.</u></p>	<p>Sunday to Thursday 09:00 hours – 23:00 hours. Friday & Saturday 09:00 hours – midnight.</p>

	<p>Sunday to Thursday 17:00 hours – 22:30 hours. Friday & Saturday 17:00 hours – 23:30.</p> <p>On and off sales</p>	
<p>(The Lea Tavern) 90 White Post Lane London E9 5EN</p>	<p>Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means:</p> <p>a. On weekdays, other than Christmas Day, Good Friday or New Year’s Eve, 11 a.m. to 11 p.m. b. On Sundays, other than Christmas Day or New Year’s Eve, 12 noon to 10.30 p.m. c. On Good Friday, 12 noon to 10.30 p.m. d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m. e. On New Year’s Eve, except on a Sunday, 11 a.m. to 11 p.m. f. On New Year’s Eve on a Sunday, 12 noon to 10.30 p.m. g. On New Year’s Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p> <p>For conditions re. “drinking up time” see Annex 1 Mandatory Conditions</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p> <p>On and off sales</p>	<p>There are no restrictions on the hours during which this premises is open to the public</p>
<p>(Colour Factory) Unit 8a, Queens Yard White Post Lane London E9 5EN</p>	<p>The times the licence authorises the carrying out of licensable activities</p> <p>The sale by retail of alcohol (on & off sales)</p> <ul style="list-style-type: none"> Monday to Thursday 09:00 hours to 23:00 hours 	<p>Monday to Thursday 09:00 hours to 23:30 hours Friday & Saturday 09:00 hours to 04:00 hours (the following day) Sunday, from 09:00 hours to 00:00 hours (midnight)</p>

	<ul style="list-style-type: none"> • Friday & Saturday 09:00 hours to 03:30 hours the following day • Sunday 09:00 hours to 00:00 hours (midnight) <p>The provision of late night refreshment – Indoors and outdoors</p> <ul style="list-style-type: none"> • Friday and Saturday, from 23:00 hours to 02:00 hours the following day <p>The provision of regulated entertainment (<u>Plays, Performances of Dance</u>) – <u>indoors</u></p> <ul style="list-style-type: none"> • Monday to Thursday 09:00 hours to 23:30 hours • Friday & Saturday 09:00 hours to 04:00 hours (the following day) • Sunday, from 09:00 hours to 00:00 hours (midnight) <p><u>(Films) - indoors</u></p> <ul style="list-style-type: none"> • Monday to Thursday 09:00 hours to 23:30 hours • Friday & Saturday, from 09:00 hours to 04:00 hours the following day • Sunday 09:00 hours to 00:00 hours (midnight) <p><u>(Indoor Sporting Event)</u></p> <ul style="list-style-type: none"> • Monday to Thursday, from 09:00 hours to 23:30 hours • Friday & Saturday 09:00 hours to 04:00 hours (the following day) • Sunday, from 09:00 hours to 00:00 hours (midnight) <p><u>Live Music & Recorded Music (indoors & outdoors) – Live music cease 23:00 hours outside)</u></p> <ul style="list-style-type: none"> • Monday to Thursday 09:00 hours to 23:30 hours 	<p><u>Non-standard timings:</u> For the 20 occasions per year for Live music, recorded Music, later night refreshment until 02:30 am, closing at 03:00 am, including the New Year’s Eve closing at 04:00 am that the Police and Environmental Health are informed of each of these events at least 10 working days before they occur, so that they may consider each event, and if there is any reason to believe that the Licensing Objectives will not be met, have the right to refuse an event</p>
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	<ul style="list-style-type: none"> • Friday & Saturday 09:00 hours to 04:00 hours (the following day) • Sunday 09:00 hours to 00:00 hours (midnight) <p><u>Anything of a similar description to Live Music, Recorded Music or Performance of Dance – indoors and outdoors</u></p> <ul style="list-style-type: none"> • Monday to Thursday 09:00 hours to 23:30 hours • Friday & Saturday 09:00 hours to 04:00 hours (the following day) • Sunday, from 09:00 hours to 00:00 hours (midnight) <p><u>Non-standard timings:</u></p> <ul style="list-style-type: none"> • For the 20 occasions per year for <u>Live music, recorded Music, late night refreshment</u> until 02:30 hours the following day, closing at 03:00 hours the following day, including the New Year’s Eve closing at 04:00 hours the following day that the Police and Environmental Health are informed of each of these events at least 10 working days before they occur, so that they may consider each event, and if there is any reason to believe that the Licensing Objectives will not be met, have the right to refuse an event. <p>On and off sales</p>	
<p>(The Brewshed) Unit 14A Queens Yard 43 White Post Lane London E9 5EN</p>	<p>The Supply of Alcohol (both on and off premises)</p> <ul style="list-style-type: none"> • Sunday to Thursday from 09:00hrs to 23:30hrs • Friday to Saturday from 09:00hrs to 00:30hrs (the following day) <p>Late Night Refreshment (indoors)</p>	<p>Sunday to Thursday from 09:00hrs to 00:00hrs (midnight) Friday to Saturday from 09:00hrs to 01:00hrs (the following day)</p>

	<ul style="list-style-type: none"> • Sunday to Thursday from 23:00hrs to 23:30hrs • Friday to Saturday from 23:00hrs to 00:30hrs (the following day) <p>Regulated Entertainment in the form of Plays (indoors) the Provision of Films (indoors), the Provision of Indoor Sporting Events (indoors) the Provision of Live Music (indoors), the Provision of Recorded Music (indoors) and Provisions of Performance of Dance</p> <ul style="list-style-type: none"> • Sunday to Thursday from 09:00hrs to 23:00hrs • Friday to Saturday from 09:00hrs to 00:00hrs (midnight) <p>Non-Standard Timings</p> <ul style="list-style-type: none"> • The premises can have 25 non-standard timings a year. These timings will extend the licensed hours to 02:00 <p>On and off sales</p>	
<p>(The Yard Theatre) Unit 2a Queens Yard White Post Lane London E9 5EN</p>	<p>The times the licence authorises the carrying out of licensable activities</p> <p><u>The supply of alcohol (on sales only)</u></p> <ul style="list-style-type: none"> • Sunday to Wednesday from 12:00hrs (midday) to 00:00hrs (midnight) • Thursday from 12:00hrs (midday) 02:00hrs (the following day) • Friday to Saturday from 12:00hrs (midday) to 03:00hrs (the following day) <p><u>The provision of regulated entertainment in the form of plays (indoors), films (indoors), performances of dance (indoors)</u></p> <ul style="list-style-type: none"> • Monday to Sunday from 12:00hrs (midday) to 23:00hrs <p><u>The provision of regulated entertainment in the form of live music (indoors), recorded music (indoors)</u></p>	<p>Sunday to Wednesday from 12:00hrs (midday) to 00:00hrs (midnight) Thursday from 12:00hrs (midday) to 02:00hrs (the following day) Friday to Saturday from 18:00hrs to 03:00hrs (the following day)</p> <p><u>Non-Standard Times</u> 40 nights per year opening times and licensable activities extended until 6am</p>

	<ul style="list-style-type: none"> • Sunday to Wednesday from 18:00hrs to 00:00hrs (midnight) • Thursday from 18:00hrs to 02:00hrs (the following day) • Friday to Saturday from 18:00hrs to 03:00hrs (the following day) <p><u>The provision of late night refreshment</u></p> <ul style="list-style-type: none"> • Sunday to Wednesday from 23:00hrs to 00:00hrs (midnight) • Thursday from 23:00hrs to 02:00hrs (the following day) • Friday to Saturday from 23:00hrs to 03:00hrs (the following day) <p><u>Non-Standard Times (supply of alcohol, late night refreshment and recorded music only)</u></p> <ul style="list-style-type: none"> • 40 nights per year opening times and licensable activities extended until 6am <p>On sales only</p>	
O'Donnell Moonshine Ltd) Unit 9C (I) 2 nd Floor Queens Yard 43 Whitepost Lane London E9 5EN	Monday to Friday from 10:00 hours to 19:00 hours Off sales only	The premises are closed to the public
O'Donnell Moonshine Ltd) Unit 9C (F) Queens Yard White Post Lane London E9 5EN	Sale by retail of alcohol (off sales) Monday to Friday, from 10:00 to 18:30 Off sales only	There is no public access to the premises
Howling Hops Unit 9 Queens Yard White Post Lane London E9 5EN	<u>The Supply of Alcohol (both on and off premises)</u> <ul style="list-style-type: none"> • Sunday to Thursday from 12:00hrs (midday) to 23:00hrs • Friday to Saturday from 12:00hrs Midday) to 01:30hrs <p><u>Provision of Regulated Entertainment: Plays, Films, Indoor Sporting Events, Live Music (indoors), Recorded Music</u></p>	Sunday to Thursday from 12:00hrs to 23:30hrs Friday to Saturday from 12:00hrs to 02:00hrs (the following day)

	<p><u>(indoors), Performance of Dance, Anything of a similar Description</u></p> <ul style="list-style-type: none">• Sunday to Thursday from 12:00hrs (midday) to 23:00hrs• Friday and Saturday from 12:00hrs (midday) to 01:30hrs <p><u>The Provision of Late Night Refreshments</u></p> <ul style="list-style-type: none">• Friday and Saturday 23:00hrs – 0200hrs <p>On and off sales</p>	
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Appendix 5

From: [REDACTED] on behalf of Licensing
Sent: 14 January 2021 14:19
To: Lavine Miller-Johnson
Subject: FW: Objection: Off sales application for Milk Float

Objections

From: Rachel Blake [REDACTED]
Sent: 13 January 2021 20:57
To: Licensing <Licensin@towerhamlets.ov.uk>
Cc: Marc Francis [REDACTED] Amina Ali
[REDACTED]
Subject: Objection: Off sales application for Milk Float

I am writing to object to the application for off sales at the Milk Float.

I do not believe that this application supports the Licensing Objective for Public Safety as drafted.

The location of Milk Float is next to open space next to unfenced canal tow path which has become a popular area. Additional off sales into this area does not meet the licensing objective for public safety. The application has not set out how they would mitigate the impact of this cumulative effect. There is no feasible way for this premises to manage the noise from this public space and providing off sales would clearly contribute to this.

If the licensing committee was minded to approve this license I suggest:

1. Milk Float commits to regular meetings with LLDC parks team about the safe management of this area.
2. The off sales application is time limited in order to allow for a review of the public safety implications.

Councillor Rachel Blake
Councillor for Bow East Ward
Deputy Mayor and Cabinet Member for Adults, Health and Wellbeing

[REDACTED]

Appendix 6

Response to Objection from Cllr. Rachel Blake

Cllr. Rachel Blake has submitted an objection which comprises the following three claims:

1. The Milk Float is moored on an unfenced section of canal.
2. Off sales into this area will present an issue of public safety which we have failed to mitigate. Cllr. Blake does not indicate any specific areas where our application is lacking in this regard.
3. Off sales will create noise in this area that we will be unable to control.

We would like to address these points in turn:

1. The Milk Float barge is 70ft long and tightly moored to the towpath, leaving a gap of less than six inches between the towpath and the side of the vessel. The barge itself acts as a fence, making it physically impossible to fall into the canal whilst on the towpath in the vicinity of the premises. We also line out a double-stacked row of empty beer kegs whenever we are trading (see image **Fig.1** below) to form a soft visual barrier and to facilitate social distancing within our takeaway queue.

The towpath in this location is much wider, less constricted and thus less crowded than most other parts of the London canal network. We have experienced a very healthy takeaway trade in coffee, ice cream and soft drinks at this mooring since 2015 - this represents tens of thousands of takeaway transactions. In all this time we have never had a single issue arising due the lack of a fence.

2. We traded takeaway alcohol at this location from June 2020 until the start of the current lockdown under the temporary minor variation afforded by the Government's Covid-19 strategy for hospitality. We shall continue to do so under the same temporary minor variation as soon as the current lockdown is lifted. This alcohol takeaway service has been very popular amongst our regular customers from the local community.

In line with Police advice, all alcohol has been served in closed, biodegradable containers for consumption outside of the immediate vicinity. These containers are also branded for traceability and to assist us in the continual assessment of our environmental impact. This is exactly the same service system we have proposed going forwards in our full license variation application.

We have placed signage on the only viable informal seating area directly outside our premises to indicate that no alcohol is to be consumed there. This message is

reinforced by our staff team and we also have rapid recourse to SIA security support should it ever be required to enforce this. However, this has not been an issue to date.

Having consulted Mark Perry at the Met. Police prior to submitting this application, we have also specified that we will not serve takeaway alcohol for one hour either side of or during sporting events at the London Stadium. This license variation application has already received official approval from both the Met. Police and Tower Hamlets Environmental Health.

3. Our takeaway queue has not been the source of a single noise complaint in the five years that we have been trading from this site. In any case, we have front of house staff acting as queue marshals at busy times to keep things in check. This complaint-free track record held true over Summer 2020 when we traded takeaway alcohol under the temporary minor variation. It was the exceptionally smooth operation of this service that prompted us to apply for this full variation.

We hope the committee will take these points into account when assessing Rachel Blake's objection. Our business model is rooted in our local community and we have always made the greatest efforts to ensure that we act to further the interests of the residents and neighbouring businesses that surround us.

In partnership with The Canal and River Trust (CRT) and other stakeholders, we have officially adopted the whole Limehouse Cut Canal and the Regents Canal from Limehouse Basin up to Ben Johnson Lock. Our company Directors have donated hundreds of hours of their time, tens of thousands of pounds in staff hours and countless canoes, kayaks, paddle boards and other resources to the incredibly popular free monthly canal clean-up events we have been running for the last eight years through our parent company, Moo Canoes LTD. The Milk Float is the launch base for these events on alternate months.

In addition to this, we also support a great number of CRT's volunteer litter picks and deliver our own corporate social responsibility clean-up days. This ongoing effort has seen many thousands of bags of litter removed from the canals over the years. When a large oil spill caused a huge fish and invertebrate death and threatened the future health of the waterway back in 2018, our fleet of canoes was first on the scene, heading up the volunteer rescue effort. We also hosted the subsequent environmental taskforce meetings on The Milk Float free of charge.

Our clientele at this premises is incredibly varied, from families and couples grabbing ice creams and coffees through to corporate away days, touring the canal in our fleet of canoes and kayaks and stopping off on the boat afterwards for dinner and drinks. Alcohol has been a balanced part of our offering since we first obtained our license in 2018. We believe that takeaway alcohol is perfectly suited to this area and will be a welcome service enjoyed by many, ultimately enriching the unique atmosphere of Hackney Wick.

We have a long-standing relationship with our landlords LLDC and the Canal and River Trust and we maintain open lines of communication with them to diagnose and address any issues associated with our service from this mooring. We have delivered paddle sport activities in the Olympic Park for LLDC as part of its free summer programme for the last four years in a row. LLDC recently consulted us to assess the safety of Carpenters Rd. Lock for the passage of unpowered vessels. In light of our positive relationship with them, we provided this service free of charge.

We are members of both Newham and Tower Hamlets 'Pubwatch' groups, not to mention several local community forums. We also routinely defer to our contacts in the Police when making amendments to our operating procedures or to help us stay abreast of any emerging issues in the area.

We note Cllr. Blake's suggestion of a time-limited probationary period but we feel that we have already proven ourselves as a responsible and competent operator over the last five years of running a busy takeaway service from this site. Having successfully managed this fully licensed premises for over three years and traded takeaway alcohol under the minor variation for the last eight months, we feel more than prepared to seamlessly run this proposed takeaway service without the requirement for a probationary period. However, we defer to the board and its decision in this regard.

Fig.1 (indicating our vessel, keg barrier and takeaway hatch)



Appendix 7

Lavine Miller-Johnson

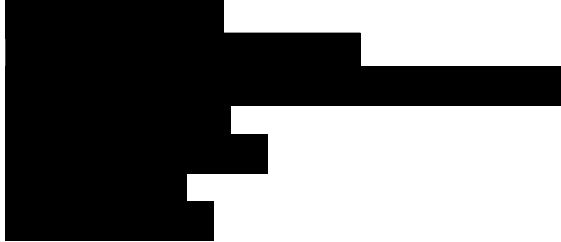
From: Lavine Miller-Johnson
Sent: 05 March 2021 09:38
To: Rachel Blake
Cc: The Milk Float
Subject: RE: Variation Application for Milk Float Barge, The Milk Float, Sweet Water Trading Mooring Whit Post Lane Hackney Wick E9 5EN M/A 135383

Dear Cllr Blake,

Thank you for your email below in response to Alfred's submissions. There have been no other objections/representations against the application.




Kind Regards

Lavine Miller-Johnson



www.towerhamlets.gov.uk  licensing@towerhamlets.gov.uk

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From: Rachel Blake 
Sent: 04 March 2021 16:45
To: Lavine Miller-Johnson 
Cc: The Milk Float 
Subject: RE: Variation Application for Milk Float Barge, The Milk Float, Sweet Water Trading Mooring Whit Post Lane Hackney Wick E9 5EN M/A 135383




Thanks Lavine.

I recognise the work from Milk Float. I don't think there are enough mitigations to address the impact just south of the venue.

If the LLDC can/has commented on whether they can manage that area with a takeaway option so that it doesn't create a public nuisance then that might mitigate the impact.

I don't know whether the LLDC has responded to the licensing consultation.

Rachel

From: Lavine Miller-Johnson < >
Sent: 04 March 2021 14:34
To: Rachel Blake 
Cc: The Milk Float < >
Subject: FW: Variation Application for Milk Float Barge, The Milk Float, Sweet Water Trading Mooring Whit Post Lane Hackney Wick E9 5EN M/A 135383

Dear Cllr Blake,

Please find attached the applicants response to your objection to their variation application. I have copied in Alfred who is the applicant as you may wish to discuss point raise directly with him.

If you have a discussion and come to any agreements, please can you inform me as soon as possible.



Kind Regards

Lavine Miller-Johnson
Licensing Officer
Licensin and Safet Team



www.towerhamlets.gov.uk  licensing@towerhamlets.gov.uk

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From: The Milk Float 
Sent: 28 February 2021 23:38
To: Lavine Miller-Johnson 
Subject: Re: Variation Application for Milk Float Barge, The Milk Float, Sweet Water Trading Mooring Whit Post Lane Hackney Wick E9 5EN M/A 135383

Hi Lavine,

I've attached our response to Cllr. Rachel Blake's objection.

Please let us know once you have set a date for the hearing.

Kind regards,

Alfie

Appendix 8

Lavine Miller-Johnson

From: Lavine Miller-Johnson
Sent: 21 April 2021 13:52
To: David Shaw
Subject: Variation Application for Milk Float Barge, The Milk Float, Sweet Water Trading Mooring Whit Post Lane

Importance: High

Dear David,

I am wondering if you can assist me with my query. It has been noted that **LLDC** may have not been informed about a licensing application. Please can you clarify whether this application was forwarded onto them by the Planning Authority (Acting as Responsible Authority)?

Name of premises: The Milk Float, Sweet Water Trading Mooring Whit Post Lane
Consultation end date: 7th Feb 2021

Kind Regards

Lavine Miller-Johnson
Licensing Officer

www.towerhamlets.gov.uk | licensing@towerhamlets.gov.uk

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Lavine Miller-Johnson

From: Lavine Miller-Johnson
Sent: 22 April 2021 15:27
To: 'MarkCamley' [REDACTED]
Cc: Tom Lewis
Subject: Variation Application for Milk Float Barge, The Milk Float, Sweet Water Trading Mooring Whit Post Lane
Attachments: SweetWaterMoor.plan.pdf; SweetWaterMoor.app.pdf
Importance: High

Dear Mark,

I understand that you have been made aware of applications for a premises licence within your remit not being forwarded onto you team for consultation. The milk float application was due to be heard at the Licensing Sub-Committee on Tuesday 27th April 2021.

As the LLDC was not consulted on this application, the case has now been adjourned to give time for your team to object or make representation.

An email was sent this morning to LLDC inbox requesting whether you would agree to a shorter period for consultation or whether a full 28 days was required. If possible can you confirm what time frame is required?

I noted from your email to Cllr Rachel Blake on 21st April 2021 that you may have some concerns over the off sales, ASB and lack of facilities for customers.

If you would like to make your concerns official so that they are considered at the hearing, Please can you write your letter of objections, including the licensing objectives that you considered to be undermined along with your address (work business address).

I have attached the application to this email for your ease.

If you require any further assistance, please do not hesitate to contact me.

Kind Regards

Lavine Miller-Johnson
Licensing Officer

[REDACTED]

[REDACTED]

www.towerhamlets.gov.uk  licensing@towerhamlets.gov.uk

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Appendix 9



Sent by email

Licensing and Safety Team
Environmental Health & Trading Standards
Place Directorate
London Borough of Tower Hamlets
John Onslow House
1 Ewart Place
London E3 5EQ

28 April 2021

To whom it may concern,

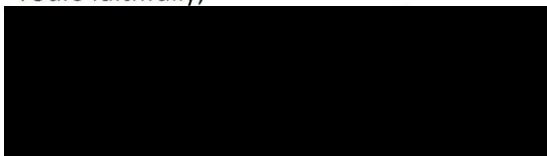
Variation Application for Milk Float Barge

Thank you for making me aware of the application by the Milk Float Barge to vary their license to allow the sale of off-sale alcohol.

As the custodian of Queen Elizabeth Olympic Park, London Legacy Development Corporation objects to the application on the following grounds. The eastern bank of the canal, to which the Milk Float Barge is moored, has seen a significant increase in litter, anti-social behaviour (including public urination), illegal parking and infringement of government guidance on distancing over the last year. I note the applicant suggests that they have been cleansing/litter picking in the immediate vicinity of the vessel, but despite this there has been a significant increase in litter, including glass, being left in this area for the grounds maintenance team to clear.

We are working on a plan to improve this area, including the provision of temporary toilets. However, this plan is aimed at curtailing the extent of casual drinking taking place and is not intended to support an increase in this activity. Providing a licence for off-sales would negatively impact our plans for making the area safer for visitors and more pleasant for residents that overlook this area.

Yours faithfully,



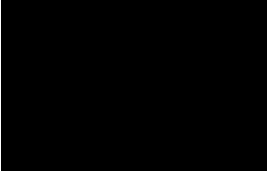
Mark Camley
Executive Director, Park Operations and Venues
London Legacy Development Corporation

Appendix 10



Moo Canoes - The Milk Float
232 Mare Street
Hackney
E8 1HE
www.moocanoes.com

Mark Camley
Park Operations and Venues



2nd May 2021

Dear Mark,

We are writing in response to your objection to our application for a permanent takeaway license, dated 28th April 2021.

We welcome LLDC's drive as primary custodian to make the area safer and more pleasant for all. As an established local business with a long history of trading successfully from this site, we share your vision of a safe and welcoming destination and feel we are well placed to assist you in delivering this objective.

We are acutely aware of the antisocial behaviour which has occurred this last eighteen months, with the fluctuating restrictions on hospitality and the closure of Victoria Park causing an inevitable overspill of people into this public space. Issues with litter, public urination, and flaunting of government guidelines have been widely reported across London and the whole country, and as such are indicative of larger issues at play. During most of the first lockdown, we were unable to open at all whilst these issues prevailed locally. Since we have been allowed to partially reopen, we have had a daily presence and have seen a marked decrease in these behaviours.

Whilst we fully understand the concerns raised, it is worth noting that most of the effects you highlight have emerged as a result of the pandemic and the Government's response to it, not as a result of our operation at this site. We'd like you to consider our substantial work as a business in this area since 2012. We feel it is punitive to base any decisions which will impact us as a small business for many years to come solely on the unprecedented and unforeseen circumstances of the last year and a half.

Immediately prior to the pandemic we were running a large volunteer clean-up event on average once a week at The Milk Float. Twenty one of these events in 2019 were corporate events for clients including Apple, Google, Red Bull, Evian, Deloitte, Greenpeace and Kier Group, bringing positive focus and footfall to the area. Two of them were eighty-person events for the local community volunteer group we helped establish. We have always disposed of this collected waste at our own cost or in partnership with the Canal and River Trust. The area we regularly clean extends from Hackney Marshes to Limehouse Basin and we've run events since 2013 with no support from any of the four boroughs this covers.



Covid restrictions on gatherings have forced us to cease all of our community, corporate and volunteer events for more than a year. A significant part of the huge increase in litter you've described at Sweetwater will be the direct result of our activities being cancelled. We perform a local site sweep every morning before trade and every night after close. Our small bins outside our takeaway hatch receive heavy use all summer, from both customers and passers-by. Almost daily, we also have to remove the litter dumped around the overflowing Canal & River Trust bin. We ultimately dispose of a lot of litter that derives from sources other than our business, always at our own expense. We are a big part of the solution to litter at this site going forwards, and we already have several corporate clean-up events booked in for after restrictions are due to ease.

We began running litter picking events several years prior to opening our bar and cafe, so from the outset we have made very conscious decisions to source things locally and serve in biodegradable or compostable vessels. We have never served takeaway drinks in glass or non-bio plastic, and we brand all our coffee cups for traceability. These environmental choices come at significant real cost to us as a small business.

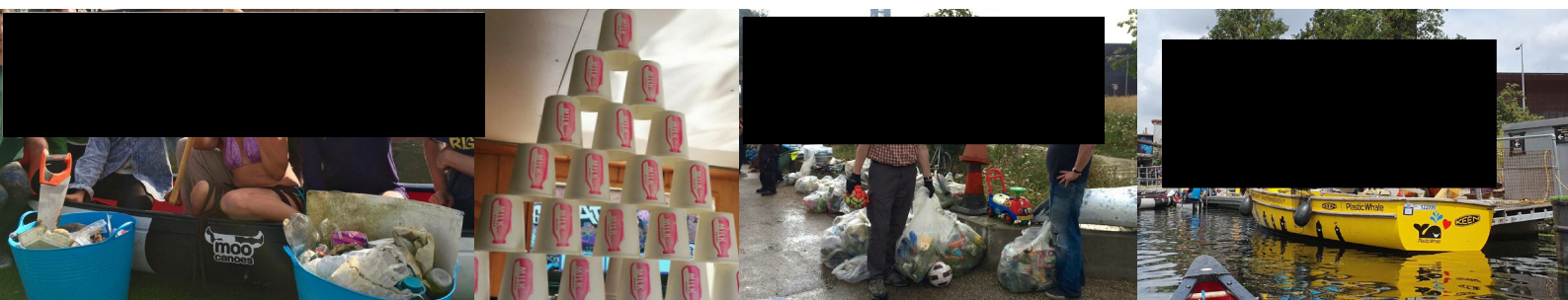
During the last year, whilst we've been forced to close and cancel our clean-up events, a Sainsbury's Local has opened a short walk from the grassy bank opposite our trading premises. Alcohol, mixers and snacks are available here (and at two other very local off-licenses) at low prices, typically contained in glass, plastic and cans. The vast majority of those out "casually drinking" on the grassy bank are doing so with products purchased from these outlets, and a quick look at the brands and packaging left by casual drinkers will confirm this.

These off-licenses are removed from the area in which these products are being consumed and thus have absolutely no oversight of the situation. These establishments contribute nothing to the security of the area and they offer no direct amenity to it beyond providing unsustainably packaged alcohol for consumption on it. Realistically, while these local outlets are serving cheap takeaway alcohol in this manner, any restrictions on our takeaway service will have very little impact on the levels of casual drinking in this area. It will just push much-needed business away from the agents of change and hospitality who have a real vested interest in the space.

With other businesses in the area already serving takeaway drinks, the absence of this license for us would mean we suffered the full impact of all the issues you describe, whilst operating at a significant commercial disadvantage to larger businesses and with no involvement or incentive to assist LLDC in addressing these issues.

We are currently a visible and responsive presence on site every day of the week from 9am until 11pm. We provide much-needed toilet facilities and we actively police behaviour in the area through our security firm, A Polite Solution LTD., who serve us directly with SIA support every Friday, Saturday and Sunday and indirectly via VHF radio contact whenever we are open and trading. We would be more than happy to extend this oversight to you with a direct line to Olympic Park Security.

With no public toilets in this area, our WC has essentially served as a public amenity ever since we opened. As we have often been forced to close or restrict access over the last year, part of the impact you describe will be a direct result of us not being able to allow the public on board. Many of those using our toilets are not our customers – they are members of the public with no other options.



Since reopening, we have been actively engaged with our neighbours, Barge East, in efforts to alleviate the pressure on both our premises' toilet facilities. We are currently in talks with them to share costs and expand the number of recently installed porta-loos at the top of the grassy bank as a temporary stopgap whilst we work together on developing a longer term solution. We would be happy to work directly with yourselves to help improve these public facilities on a more permanent basis going forwards.

As a local business we have a proven track record of maintaining our neighbourhood and improving public access to the water space and surrounding land. We've been awarded a community Green Flag for our work on the canal at Limehouse, installed numerous floating reedbeds and adopted two stretches of canal with other key stakeholders.

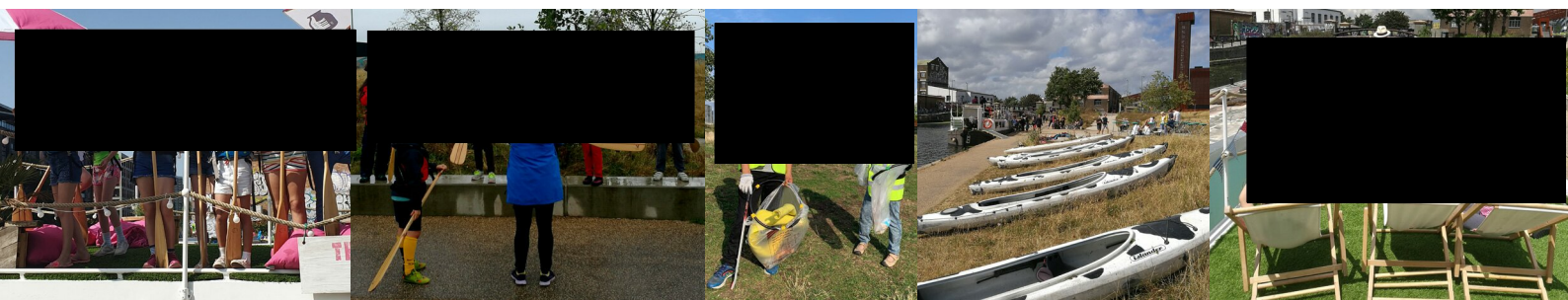
In the 18 months prior to the pandemic, we attracted 3,732 canoe hire customers directly to the Sweetwater site to participate in the Olympic sport of canoeing, in addition to bringing a further 5,686 clients to the area by kayak on one-way trips from Limehouse. In contrast to the industry and sport in general, 55.3% of our paddlesport customers are female, showing the game-changing impact our offering is having on access and uptake in sporting activity. These statistics don't include the delivery figures within QEOP for Active August programmes.

We have previously partnered with the Copper Box, the Aquatics Centre, Here East and the Mayor of London to deliver events in and around the Olympic Park over the last few years, successfully and safely activating spaces for the benefit of LLDC and event partners. Our balanced offering as an attraction at Sweetwater serves families, local residents and corporate groups, and is directly contributing to the Olympic Park's stated objectives in relation to health, fitness and active lifestyle. This sets us apart from any of the other licensed premises in the area and demonstrates our value as stakeholders in the future vision for this site.

We are more than accustomed to working in partnership with other local organisations in this location, not to mention the extensive community and stakeholder relationships we manage across our other two East London sites. We have always maintained a healthy dialogue with the local residents groups who overlook Sweetwater (specifically Omega Works) and are responsive and proactive in resolving issues. As a result, we have developed a trusting relationship with them with remarkably little friction over the years given our close proximity. Many of our most regular and loyal customers are also our closest neighbours overlooking us.

We fully support the recent addition of concrete blocks to restrict illegal parking in this location as a short term solution. We'd very much like to be involved in creating a longer-term and more aesthetically sensitive way to manage this issue, perhaps including more secure bicycle points and planters. The increase in traffic on Bassett Lane, coupled with the positioning of the concrete blocks and Barge East's significant recent expansion, is drastically impeding the logistics and delivery of our one-way kayaking trips which have been taking place two or three times a week since 2013, so we'd very much like to be included in these place-making conversations going forwards.

Our booking process details (and recommends) how to access the site by public transport, as well as legal parking options in the neighbouring Hackney streets where this is permitted. The increase in illegal parking during lockdowns has occurred predominantly whilst we were unable to trade, and there is little, if any, overlap between our service users and these visitors.



We feel strongly that it is in everyone's best interests to allow licensed operators like ourselves with a proven track record of responsible service to gain a stake in the upkeep of the grassy bank, which has been created as a natural holding area for people and will serve as a vibrant focal point for the new emerging communities in the area.

If LLDC would consider engaging with us as stakeholders and identifying ways in which the shared vision of a welcoming destination can be achieved in partnership, alongside a responsibly managed takeaway offering including any measures you'd like to see put in place, we believe this will produce a much better long-term solution for this site.

We have gone to great lengths, often at significant cost and with limited resources, to positively activate this space and create a destination with mass appeal to all ages and walks of life. During our first five trading years as a business, appalled at the state of our local environment, we spent more on delivering volunteer clean-up events than on directors' salaries. We continue to allocate a higher percentage of our resources to direct environmental action than any other organisation we are aware of. With this in mind and a broader appreciation of our activity and track-record as a business, we ask that you reconsider your stance toward our application.

We would be very happy to work with you to contribute resources and finances to any scheme aimed at improving the situation for public recycling and rubbish disposal at this site. This would be a major boost to the area and is completely in-keeping with our demonstrable ethos as a business.

We would welcome the opportunity to meet with you in person to take this forward in a positive way.

Kind regards,

Alfie Hatt & Katy Hogarth

Founding Directors,
Moo Canoes Ltd.

Further information on our community work, partnerships, and activation projects can be found here:

<https://fb.watch/5ePheRZEhY/>

<https://www.facebook.com/lowerregentscoalition/>

<https://www.wellone.co.uk/stories/6881/>

<https://www.eastlondonadvertiser.co.uk/news/limehouse-cut-adopted-by-groups-in-bid-to-revive-and-3532256>

<http://www.londonboaters.org/moo-canoes-splashout>

https://republic.london/clipper_magazine/a-view-from-the-water/



Appendix 11

Notification of developments to The Milk Float's takeaway queue system

In anticipation of the increased levels of custom immediately following the relaxation of lockdown on the 12th April, 2021, we introduced a new queuing system to ensure that the towpath remained clear for other users. Having successfully employed this system for over a fortnight and witnessed its benefits first-hand, we are now incorporating this as a permanent feature of our service from this premises going forwards.

Building on the soft visual barrier we had in place previously, this new system (pictured below, **fig. 1-3**) creates a physical barrier which shields the queue from the main flow of pedestrian traffic on the towpath. The effects of this are two-fold:

- 1) Takeaway customers have a prescribed route along which to queue for the takeaway hatch, removing any possible confusion about the existence of the queue and the direction from which it starts.
- 2) The queue is completely segregated from the main flow of towpath traffic, ensuring that there is no customer spill-over from the queue causing an obstruction to other towpath users.

Whilst we have rarely had any issues with our queue management during normal Summer trade, it can be a demanding job for our door staff to manage on especially busy days. Over the last week, with record numbers out enjoying the sunshine in Hackney Wick, this queue really improved our ability to control takeaway customers and keep the towpath clear.

We have also added signage to the keg-stacks within the queue cordon to direct the flow of custom and assist our takeaway customers in their efforts to remain socially distant as things start to open-up again.

We are sharing this now in advance of the Committee Meeting on the 27th April, 2021 as we feel it broadly relates to the Licensing Objective of **Public Safety**, which we understand to be the grounds upon which Cllr. Blake has raised her objection against our application.

We hope that this will be considered alongside the rest of our application as further evidence of our continual efforts to meet all licensing objectives in our trade from this site.

Fig.1

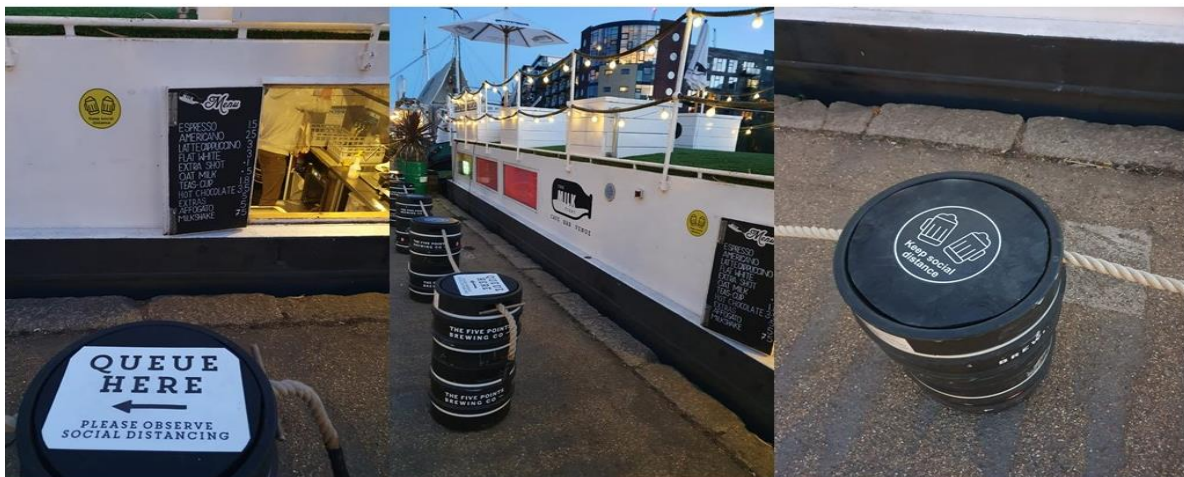


Fig. 2



Fig. 3



Appendix 12

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 13

Public Safety

- 8.1 The 2003 Act covers a wide range of premises that require a licence, and so such premises present a mixture of risks to users and should be constructed or adapted and operated so as to acknowledge and safeguard occupants against these risks.
- 8.2 The Licensing Authority will expect Operating Schedules to satisfactorily address these issues and applicants are advised to seek advice from the Council's Environmental Health (Health & Safety) Officers and the London Fire Brigade before preparing their plans and Schedules.
- 8.3 Where an applicant identifies an issue in regard to public safety (including fire safety) which is not covered by existing legislation, the applicant should identify in their operating schedule the steps that will be taken to ensure public safety. This needs to take into account any unique characteristics that arise in connection with the licensable activity, any requirements that are specific to the premises.
- 8.4 One of the Council's Community Safety Partnership Priorities is tackling violence against women and girls. As a result the Licensing Authority expects Licence holders to take a proactive approach to customer safety including the following:
- Making provisions to ensure that customers safely leave their premises, for example providing information on licensed taxi companies, adequate lighting outside the premises,
 - Training of staff in spotting signs of harassment, and how to intervene where safe and appropriate to do so, and/or reporting such harassment to management/emergency services.

The Licensing Authority may be able to sign post Licence Holders in regards to local/national safeguarding schemes which may assist with the above.

- 8.5 The Licensing Authority, where its discretion is engaged, will consider attaching proportionate and appropriate Conditions to licences and permissions to promote safety, and these may include Conditions drawn from a the Model Pool of Conditions found in the Secretary of States Guidance.
- 8.6 The Licensing Authority will impose conditions that relate to its licensing objectives, and in a way that is proportionate to the individual circumstances of the premises seeking a licence.

Appendix 14

Public safety

- 2.7 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.
- 2.8 A number of matters should be considered in relation to public safety. These may include:
- Fire safety;
 - Ensuring appropriate access for emergency services such as ambulances;
 - Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);
 - Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
 - Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
 - Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
 - Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and
 - Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).
- 2.9 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38-8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

Ensuring safe departure of those using the premises

- 2.10 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist 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.

Maintenance and repair

- 2.11 Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be inappropriate for a licensing condition to require possession of such a certificate. However, it would be permissible to require as a condition of a licence or certificate, if appropriate, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the premises licence holder or club provided this does not duplicate or gold-plate a requirement in other legislation. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or any other persons, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make their expectations clear in this respect to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules.

Safe capacities

- 2.12 “Safe capacities” should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.
- 2.13 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act¹, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of

¹ S 177 of the 2003 Act now only applies to performances of dance.

those premises should be.

- 2.14 Public safety may include the safety of performers appearing at any premises, but does not extend to the prevention of injury from participation in a boxing or wrestling entertainment.