

# Appendix 1



\* required information

**Section 1 of 21**

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?

- Yes  No

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

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Other telephone number

Include country code.

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

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

Registration number

Business name

VAT number

Legal status

If your business is registered, use its registered name.

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

*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

District

City or town

County or administrative area

Country

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**PREMISES DETAILS**

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

**Premises Address**

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

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 21****APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

**Confirm The Following**

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

**Section 4 of 21****NON INDIVIDUAL APPLICANTS**

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

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

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

Continued from previous page...

LIMITED COMPANY

**Address**

Building number or name   
  
District   
City or town   
County or administrative area   
  
Country

**Contact Details**

Telephone number   
Other telephone number   
\* Date of birth  /  /   
dd mm yyyy  
\* Nationality  [Documents that demonstrate entitlement to work in the UK](#)

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**OPERATING SCHEDULE**

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

Provide a general description of the premises

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

CAFE SELLING BEER AND WINES WITHIN A FOOTBALL SHIRT SHOP (ON SALES ONLY) FOR FEWER THAN 50 PATRONS

*Continued from previous page...*

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

### Section 6 of 21

#### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

### Section 7 of 21

#### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

### Section 8 of 21

#### PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

### Section 9 of 21

#### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

### Section 10 of 21

#### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

### Section 11 of 21

#### PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes  No

### Section 12 of 21

#### PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Continued from previous page...

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

[See guidance on regulated entertainment](#)

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

- Yes  No

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**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

- Yes  No

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

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

State any seasonal variations

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

NONE

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

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

N/A

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

**Name**

First name

Family name

Date of birth     
dd      mm      yyyy



Continued from previous page...

**Enter the contact's address**

Building number or name

District

City or town

County or administrative area

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Reference number for consent form (if known)

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

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**ADULT ENTERTAINMENT**

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

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

NO ADULT ENTERTAINMENT WHATSOEVER

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**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

|       |                                    |     |                                    |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="09:00"/> | End | <input type="text" value="23:30"/> |
| Start | <input type="text"/>               | End | <input type="text"/>               |

WEDNESDAY

|       |                                    |     |                                    |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="09:00"/> | End | <input type="text" value="23:30"/> |
| Start | <input type="text"/>               | End | <input type="text"/>               |

THURSDAY

|       |                                    |     |                                    |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="09:00"/> | End | <input type="text" value="23:30"/> |
| Start | <input type="text"/>               | End | <input type="text"/>               |

FRIDAY

|       |                                    |     |                                    |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="09:00"/> | End | <input type="text" value="23:30"/> |
| Start | <input type="text"/>               | End | <input type="text"/>               |

SATURDAY

|       |                                    |     |                                    |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="09:00"/> | End | <input type="text" value="23:30"/> |
| Start | <input type="text"/>               | End | <input type="text"/>               |

SUNDAY

|       |                                    |     |                                    |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="09:00"/> | End | <input type="text" value="23:00"/> |
| Start | <input type="text"/>               | End | <input type="text"/>               |

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 in the column on the left, list below

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

NONE

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**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

*Continued from previous page...*

List here steps you will take to promote all four licensing objectives together.

Our premises lies within the Culmulative Impact Zone and as such this application is subject to Tower Hamlets' cumulative impact (CI) policy.

Section 19 of the policy acknowledges that the CI policy was originally introduced some seven years ago.

The CIZ was reviewed in 2017 and it was decided to keep the CIZ, although paragraph 19.3 acknowledges that there has been a reduction in crime and disorder linked to licensed premises within the CIZ since January 2015.

We would suggest that in the intervening period, particularly in the last year which has been subject to lockdown, crimes linked to licensed premises will have fallen significantly.

It is also likely that a number of licensed premises will not re-open due to the negative financial impact of the pandemic. This will in turn alleviate CI in the area.

It is notable that a number of councils have decided to remove their CIZs, as the parameters have changed.

The Ministry of Justice has sent a letter to all councils asking for a sympathetic view to be taken with regards to licensed premises (This is supported by all major political parties).

Previous to our tenancy in Commercial Street, we were situated in The Old Truman Brewery in the middle Brick Lane (within the CIZ) for past three years. We have vacated that unit and have relocated to 17 Commercial Street.

This premises used to trade as RockIT Steakhouse.

This whole area was a dedicated licensed restaurant for the entire space, which, according to <https://www.feedthelion.co.uk/rockit-steakhouse-whitechapel-london/> had 67 covers. They opened at midday and closed at 10.30pm Monday to Thursday, staying open to 11pm Friday and Saturdays, closing at 10pm on Sundays according to [https://www.tripadvisor.co.uk/Restaurant\\_Review-g186338-d13317743-Reviews-RockIT\\_Steakhouse-London\\_England.html](https://www.tripadvisor.co.uk/Restaurant_Review-g186338-d13317743-Reviews-RockIT_Steakhouse-London_England.html).

This application is for a maximum of 48 patrons, 17 fewer than a previous dedicated restuarant in the same space.

This means that it is highly unlikely that there will be any increase in culmulative impact should this application be granted. Patrons will be expected to be seated while drinking.

Considerable investment has been made into creating this business model. This has been a challenging time for the business.

Many businesses have not survived the pandemic. We have had to adapt and change in order to survive.

It is critical for this application to be successful to ensure our retail operation remains economically viable in this challenging climate.

Paragraph 19.3 of the licensing policy provides a number of factors which are likely to contribute to a given application's claim to an exceptional status further to the CI policy.

Our application meets a number of these examples:

- We are a specialist vintage football shirts retailer (so not alcohol-led). This is a unique space in London and we are delighted to be based in Tower Hamlets.
- We operate within Tower Hamlets' framework hours
- The application is for fewer than 50 patrons
- The previous licence holder for the entire space (we are applying for a smaller space as shown on the plan) was unable to surrender their licence due to the company going into liquidation in 2019.

Based upon the matters detailed above and the robust set of proposed conditions which follow we believe that this application should be an exception to Tower Hamlets' CI policy.

To underpin our commitment to promoting the four licensing objectives, we have employed Andy Newman Consulting Ltd, headed by a former police inspector with 30 years' exemplary service, who is a former Hackney Licensing Sergeant and longstanding chair of all the Hackney licensing enforcement officers, to advise us.

#### b) The prevention of crime and disorder

1 All staff shall be suitably trained for their job function in the premises. The training shall be written into a ongoing programme and under constant review and shall be made available to a relevant responsible authority when called upon.

2 A properly specified and fully operational CCTV system shall be installed, operated and maintained. The system shall incorporate a camera covering the entrance door and be capable of providing an image which is regarded as 'identification standard' of all persons entering and/or leaving the premises. The CCTV system shall be in operation at the premises at all times when the premises are used for the provision

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of licensable activity.

3 The CCTV system shall incorporate a recording facility and all recordings shall be securely stored for a minimum of 31 days. The CCTV system shall be maintained and fully operational throughout the hours that the premises is open for any licensable activity.

4 Signage indicating that a CCTV recording system is in operation shall be displayed prominently in the premises.

5 A premises daily register shall be kept at the premises. This register shall be maintained and kept for a rolling period of 12 months. The register shall record the name of the person responsible for the premises on each given day.

The register shall record all incidents which may have occurred which are relevant to the supply of alcohol and the promotion of the licensing objectives.

Such incidents shall include complaints made to the premises alleging nuisance or anti-social behaviour by persons attending or leaving the premises.

The register shall also record all refusals to sell alcohol. The register shall be readily available for inspection by an authorised person upon reasonable request.

#### c) Public safety

7 No person shall be allowed to leave the premises whilst in the possession of any glass drinking vessel or open glass bottle, whether empty or containing any beverage.

8 The premises licence holder shall ensure that a suitable fire risk assessment and emergency plan is in place at all times.

9 An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.

10 No accumulation of combustible rubbish, dirt, surplus material or stored goods shall be permitted to remain in any part of the licensed premise except in an appropriate place and of such quantities so as not to cause a nuisance, obstruction or other safety hazard.

#### d) The prevention of public nuisance

11 Signage requesting customers to be respectful of others when entering or leaving the premises shall be installed in a prominent position by the premises' exit.

12 The premises' frontage shall be regularly monitored to keep it clean and clear of litter.

#### e) The protection of children from harm

13 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 a Proof of Age card carrying a 'PASS' logo.

14 All occasions when persons have been refused service shall be recorded in the premises daily register.

15 There shall be no children unaccompanied by a responsible adult on the premises after 20:00.

16 All children under the age of 12 years shall be accompanied by an adult whilst on the premises.

## NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

### Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

### Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

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

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

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

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

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If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

### **Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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### **NOTES ON REGULATED ENTERTAINMENT**

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In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.



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- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

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**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4,300 = £100.00

Band B - £4,301 to £33,000 = £190.00

Band C - £33,001 to £8700 = 315.00

Band D - £87001 to £12500 = £450.00\*

Band E - £125001 and over = 635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £7001 to £12500 = £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment only where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 = £1,000.00

Capacity 10000 -14999 = £2,000.00

Capacity 15000-19999 = £4,000.00

Capacity 20000-29999 = £8,000.00

Capacity 30000-39000 = £16,000.00

Capacity 40000-49999 = £24,000.00

Capacity 50000-59999 = £32,000.00

Capacity 60000-69999 = £40,000.00

Capacity 70000-79999 = £48,000.00

Capacity 80000-89999 = £56,000.00

Capacity 90000 and over = £64,000.00

NOTE: From 1st January 2018 Licences if you are granted a Licence to permit the sale/supply of alcohol between midnight and 6am (00:00 and 06:00 hours) on any day you will be liable to pay the Late Night Levy charge. The charge must be paid 14 days after the grant of your Licence, unless you fall within one of the exemption categories. Non-payment of the levy can result in suspension of your licence, as per sections 55A and 92A of the Licensing Act 2003, as amended and section 229(6) of the Police and Social Responsibility Act 2011. For more information below visit <https://www.towerhamlets.gov.uk/latenightlevy>

Continued from previous page...

\* Fee amount (£)

635.00

## DECLARATION

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

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

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

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

\* Full name

Ciaran David Eugene Gold

\* Capacity

Head of Retail

\* Date

27 / 08 / 2021  
dd mm yyyy

Add another signatory

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

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

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

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

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

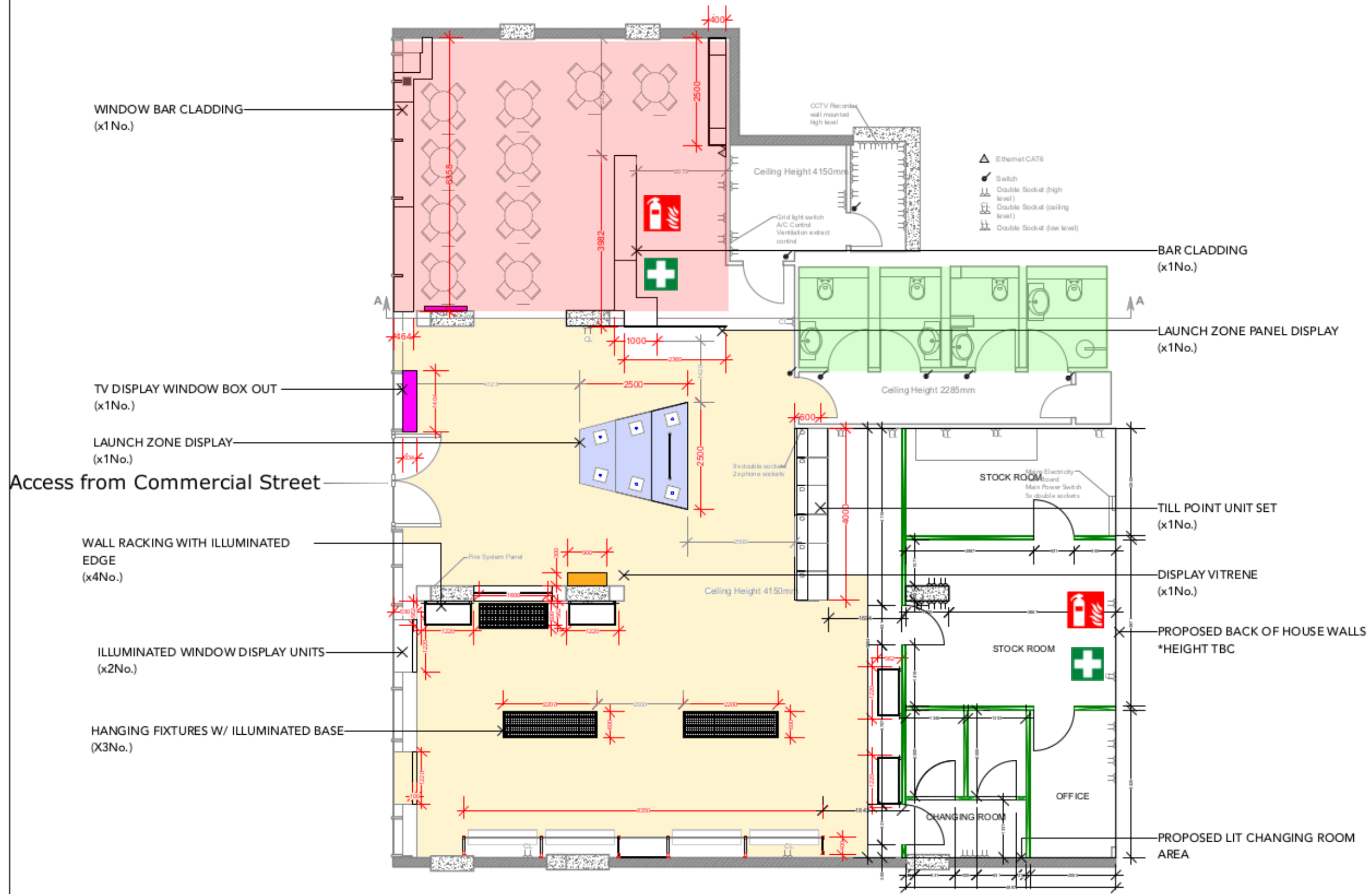
**OFFICE USE ONLY**

|                            |                          |
|----------------------------|--------------------------|
| Applicant reference number | <input type="text"/>     |
| Fee paid                   | <input type="text"/>     |
| Payment provider reference | <input type="text"/>     |
| ELMS Payment Reference     | <input type="text"/>     |
| Payment status             | <input type="text"/>     |
| Payment authorisation code | <input type="text"/>     |
| Payment authorisation date | <input type="text"/>     |
| Date and time submitted    | <input type="text"/>     |
| Approval deadline          | <input type="text"/>     |
| Error message              | <input type="text"/>     |
| Is Digitally signed        | <input type="checkbox"/> |

# Appendix 2

NOTES:

- Proposed bar area
- Toilets
- Retail shop area
- Raised platform
- Fire extinguisher + blanket
- First aid box

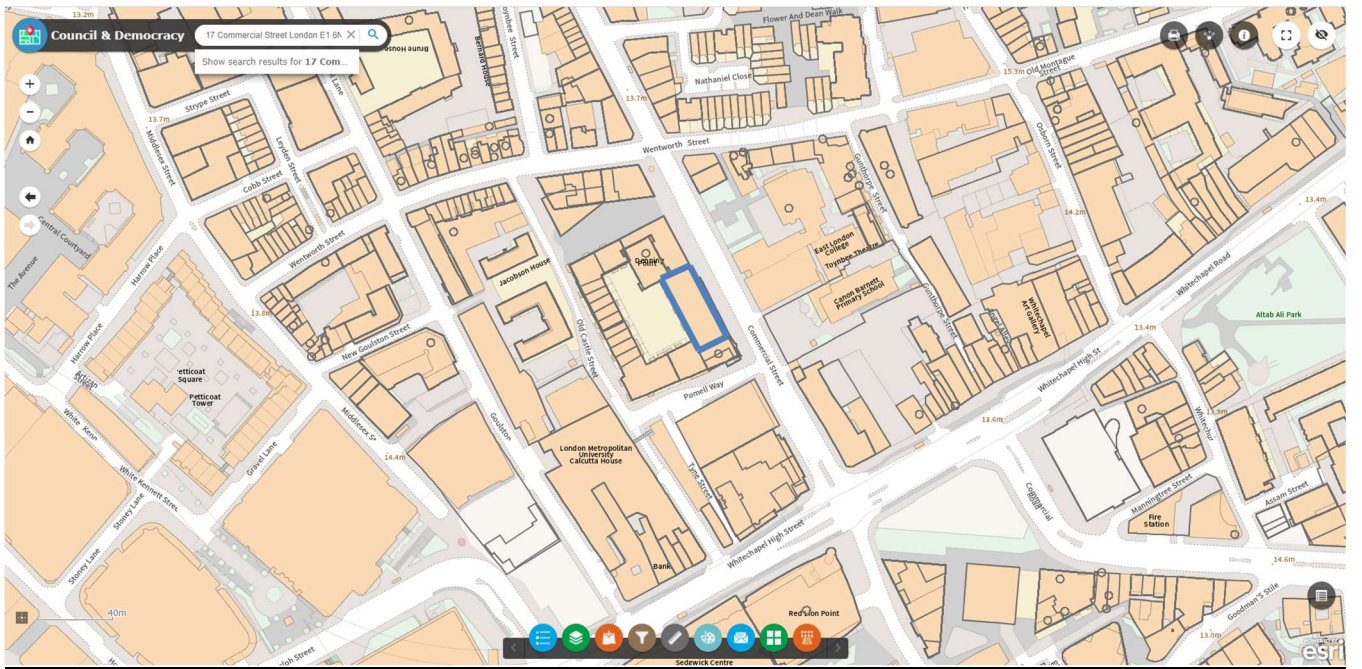
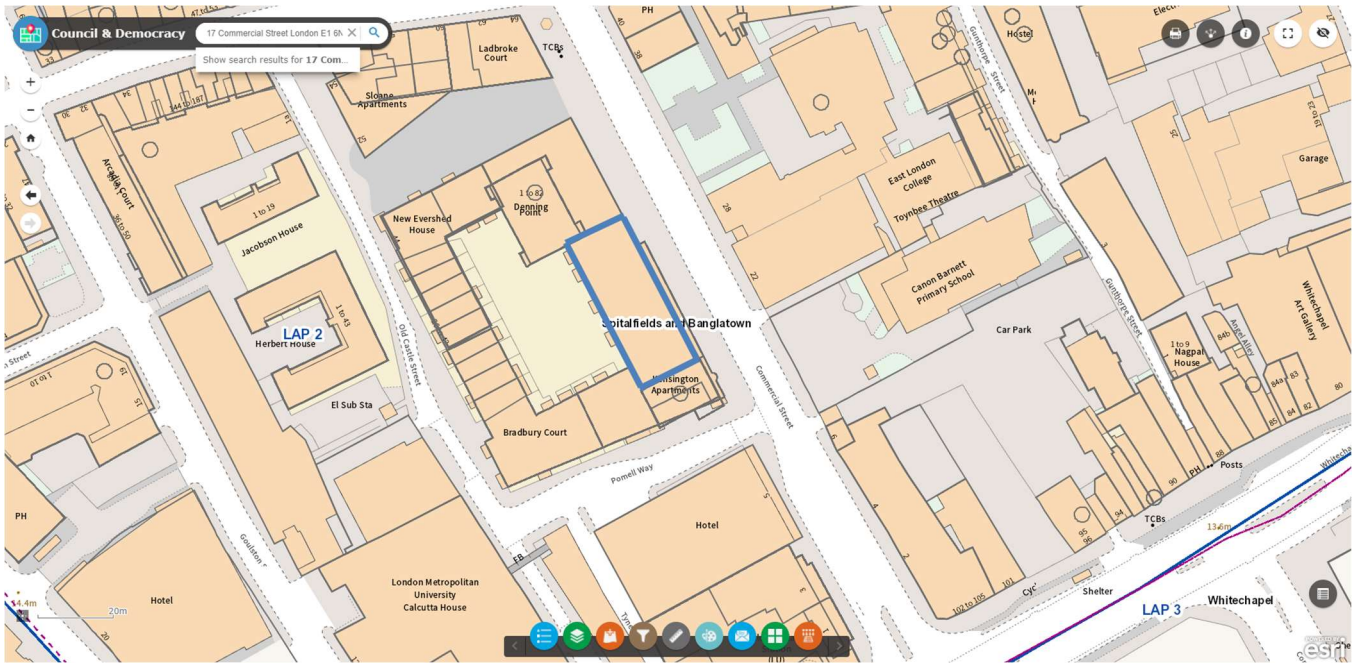


1 Proposed Placement Plan  
Scale: 1:100

|                                       |              |           |             |
|---------------------------------------|--------------|-----------|-------------|
| SITE:                                 |              |           |             |
| TITLE:<br>PROPOSED UNIT LOCATION PLAN |              |           |             |
| SCALE:                                | DATE:        | DRAWN BY: | CHECKED BY: |
| PROJECT No.:                          | DRAWING No.: | REVISION: |             |

# Appendix 3

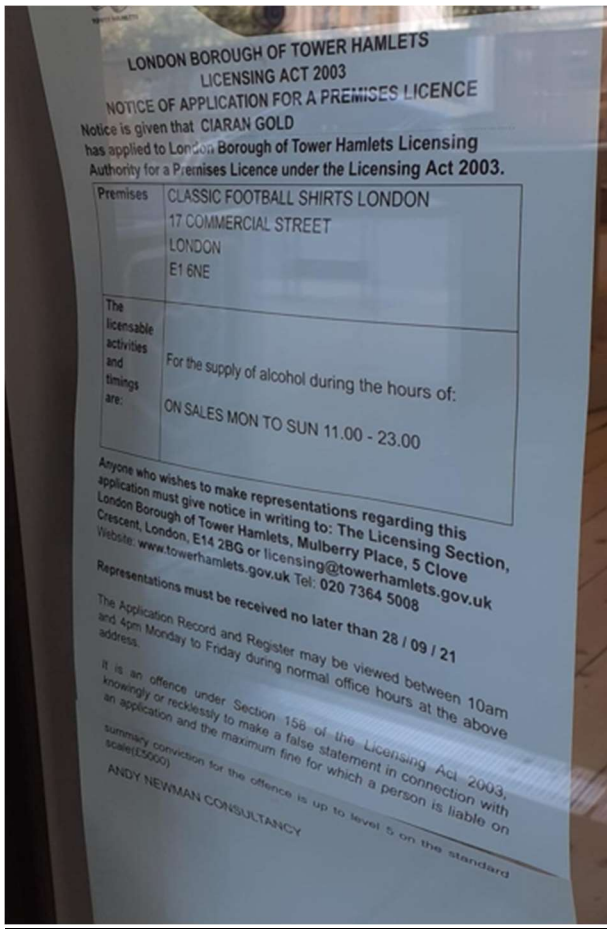
# MAPS – 17 COMMERCIAL STREET



# Appendix 4



## Photos – 17 Commercial Street







# Appendix 5

## 17 Commercial Street - Nearest licences

| Name and address  | Licensable activities and hours  | Opening hours  |
|---|--|--|
| <b>(Tesco Metro)</b><br>3 Commercial Street                   | <b><u>The sale by retail of alcohol (off sales)</u></b><br>Monday to Sunday from 06:00hrs to 00:00hrs (midnight)   | <ul style="list-style-type: none"> <li>Monday to Sunday from 06:00hrs to 00:00hrs (midnight)</li> </ul>  |
| <b>(Taesan Ltd)</b><br>4 Commercial Street                    | <b><u>The sale by retail of alcohol (on sales)</u></b><br>Monday to Sunday, 11.00am to 23.00pm   | <ul style="list-style-type: none"> <li>Monday to Sunday, 07.30am to 23.00pm</li> </ul>   |
| <b>(Ibis London City Hotel)</b><br>5 Commercial Street        | <p><b><u>The sale of alcohol (on &amp; off sales)</u></b></p> <ul style="list-style-type: none"> <li>On Monday to Sunday, 09:00 hrs to 01:00 hrs</li> </ul> <p><u>Non-standard timings</u><br/>Thursday to Monday of all Bank Holiday weekends until 02:00 hours the morning following each of those days. Christmas Eve, Christmas Day, Boxing Day and New Year's Day until 02:00 hours the morning following and New Year's Eve until 03:00 hours the morning following.</p> <p>For hotel residents and private friends of hotel residents the sale (and supply) of alcohol will not be restricted i.e. 24 hours on each day of the year.</p> <p><b>Late night refreshment</b></p> <ul style="list-style-type: none"> <li>On Monday to Sunday, 23:00 hrs to 05:00 hrs</li> </ul> | <ul style="list-style-type: none"> <li>On Monday to Sunday, 00:00 hrs to 24:00 hrs (24 hours)</li> </ul>   |
| <b>(Artsadmin)</b><br>Toynbee Studios<br>28 Commercial Street | <p><b>Sale of alcohol (on sales)</b></p> <ul style="list-style-type: none"> <li>Monday to Sunday, from 11:30 hours to 12midnight</li> </ul> <p><b>Regulated entertainment</b><br/>(Plays and films. Live music, recorded music, performance of dance and anything of a similar description. Provision of facilities for making music and provision of facilities for dancing)</p> <ul style="list-style-type: none"> <li>Monday to Sunday, from 10:00 hours to 12midnight</li> </ul>   | <ul style="list-style-type: none"> <li>Monday to Sunday, from 08:30 hours to 00:00 (midnight)comm</li> </ul>                                       |
| <b>(YUU Kitchen Ltd)</b><br>29 Commercial Street              | <b><u>The supply by retail of alcohol (on &amp; off sales)</u></b>   | <ul style="list-style-type: none"> <li>Monday - Thursday 12:00 hours - 23:30 hours</li> <li>Friday – Saturday 12:00 hours - 00:00 hours</li> </ul> |

## 17 Commercial Street - Nearest licences

|   |  |   |
|---|--|---|
|   | <p>Monday – Thursday 12:00 hours – 23:00 hours<br/>         Friday – Saturday 12:00 hours – 23:30 hours<br/>         Sunday 12:00 hours - 22:30 hours<br/>         Supply of Alcohol in external areas and off sales until 21:30 hours only.</p> <p><b><u>The provision of late night refreshment (indoors)</u></b></p> <p>Friday – Saturday 23:00 hours - 23:30 hours</p> <p><b><u>Non- Standard Hours:</u></b><br/>         Christmas Eve – Supply of alcohol and provision of late night refreshment to 00:00 hours (midnight)<br/>         On New Year’s Eve supply by retail of alcohol and provision of late night refreshment to 01:30 hours</p>  | <ul style="list-style-type: none"> <li>• Sunday 12:00 hours - 23:00 hours</li> <li>• Christmas Eve 12:00 hours - 00:00 hours</li> <li>• New Year’s Eve 12:00 hours - 02:00 hours</li> </ul>   |
| <p><b>Culpeper</b><br/>         40-42<br/>         Commercial<br/>         Street</p> | <p><b>Supply of Alcohol and Regulated Entertainment (plays, films, indoor sporting events, recorded music, performance of dance, provision of facilities for making music and provision of facilities for dancing)</b></p> <ul style="list-style-type: none"> <li>▪ Monday to Wednesday, from 07:00hrs to 00:00hrs (midnight)</li> <li>▪ Thursday to Saturday, from 07:00hrs to 03:00hrs</li> <li>▪ Sunday, from 10:00hrs to 23:00hrs</li> </ul> <p><b>Live music</b></p> <ul style="list-style-type: none"> <li>▪ Monday to Saturday, from 07:00hrs to 23:30hrs</li> <li>▪ Sunday, from 10:00hrs to 23:00hrs</li> </ul> <p><b>Late Night Refreshment</b></p> <ul style="list-style-type: none"> <li>▪ Monday to Wednesday, from 23:00hrs to 00:30hrs</li> <li>▪ Thursday to Saturday, from 23:00hrs to 04:00hrs</li> <li>▪ Sunday, from 23:00hrs to 23:30hrs</li> </ul> | <p><b>The opening hours of the premises</b></p> <ul style="list-style-type: none"> <li>▪ Monday to Wednesday, from 07:00hrs to 00:30hrs</li> <li>▪ Thursday to Saturday, from 07:00hrs to 04:00hrs</li> </ul> <p>Sunday, from 10:00 hours to 23:30hrs</p> |

# Appendix 6

## **Section 182 Advice by the Home Office Updated on April 2018**

### Relevant, vexatious and frivolous representations

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

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

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

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

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



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

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

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

# Appendix 7

## Corinne Holland

---

**From:** Licensing  
**Sent:** 28 September 2021 16:57  
**To:** Corinne Holland  
**Subject:** FW: 141132 MAU REPRESENTATION New premise license application for Classic Football Shirts 17 Commercial Street, London

---

**From:** Nicola Cadzow <[REDACTED]>  
**Sent:** 28 September 2021 13:59  
**To:** Licensing <[REDACTED]>; Mohshin Ali <[REDACTED]>  
**Cc:** MARK.J.Perry [REDACTED] Barry.D.Leban [REDACTED] CIARAN [REDACTED]  
**Subject:** 141132 MAU REPRESENTATION New premise license application for Classic Football Shirts 17 Commercial Street, London

Dear Licensing,

Having considered the premises license application for Classic Football Shirts 17 Commercial Street, London i have to consider the impact of the licensing objectives, particular for Environmental Protection the prevention of public nuisance and the prevention of noise generated from within the premises or outside to be causing disturbance to people in the vicinity. Consideration also has to be given to the fact that the premises is within Brick Lane Cumulative Impact Zone.

There is insufficient information in the operating schedule of the licence application to show how the applicant will promote the licensing objective for the prevention of public nuisance. There is no consideration of an impact on public nuisance from increase footfall from persons accessing and egressing the premises, patrons outside the premise leaving to smoke etc, particularly when considering the premises is in Brick Lane Cumulative Impact Zone.

**Noise Sensitive premises:** residential premises in close proximity.

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

- Noise breakout from the venue affecting neighbouring residents,
- Access & egress to and from the venue including patrons outside the premises to smoke, whilst the premises is in operation

### **CONCLUSION**

Environmental Protection **does not** support the application for Classic Football Shirts 17 Commercial Street, London for the following reasons:

- (1) There is great likelihood of disturbance to residential premises from the impact of additional footfall

- (2) The applicant have not provided sufficient information to show how they will promote the licensing objective for the prevention of public nuisance
- (3) The premises is in Brick Lane Cumulative Impact Zone.

If the committee are minded to grant this application I would ask that the following conditions be considered:

- 1 Loudspeakers shall not be located in the entrance lobby or outside the premise building.
2. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 5 persons at any one time.
3. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a public nuisance.

Kind regards

**Nicola Cadzow**

Environmental Health Officer  
Environmental Protection Team  
Place Directorate  
London Borough of Tower Hamlets  
Mulberry Place Town Hall  
5 Clove Crescent  
London E14 2BG



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# Appendix 8

Licensing Authority :

[Corinne.Holland](#) [REDACTED]

PLACE Directorate  
Public Realm

CC: Applicant – CIARAN GOLD

[CIARAN](#) [REDACTED]

Environmental Health & Trading Standards  
Licensing & Safety Team  
Mulberry Place  
5 Clove Crescent  
London E14 2BG

28<sup>th</sup> September 2021

Tel: 020 7364 5498  
Fax: 020 7364 0863  
Email: [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

Your reference

My reference: LIC/141132/MA

[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

Dear Licensing Authority,

### **Licensing Act 2003**

New premises licence application: Classic Football Shirts, 17 Commercial Street, London E1 6NE

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

- *the prevention of crime and disorder and*
- *the prevention of public nuisance*

### Cumulative Impact Policy

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

The Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the Brick Lane area is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone within the area. The Brick Lane CIZ aims to manage the negative cumulative impact of the concentration of licensed premises in the area and the stresses that the saturation of licensed premises has had on local amenity, environmental degradation and emergency and regulatory services in managing this impact.

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

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

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

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

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

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

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

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

- *small premises with a capacity of fifty persons or less who only intend to operate during Framework Hours,*

- *premises which are not alcohol led and operate only within Framework Hours, such as coffee shops,*
- *instances where the applicant has recently surrendered a licence for another premises of a similar size and providing similar licensable activities in the same Special Policy Area.*

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

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

The previous licence holder (MEATCLEAVER LTD) referred to by the applicant went into liquidation on 24<sup>th</sup> August 2019 and therefore lapsed. It is also not clear which premises licence the applicant had operated within the Old Truman Brewery and whether that licence was surrendered by the applicant.

#### Licensable activities and times

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

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

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

*a) The location of the premises and the general character of the area in which the premises are situated. (i.e. does the area include residential or business premises likely to be adversely affected).*

*b) The proposed hours during which licensable activities will be take place and the proposed hours during which customers will be permitted to remain on the premises.*

*c) The adequacy of the applicant's proposals to address the issues of the prevention of crime and disorder **and** the prevention of public nuisance.*

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

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



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

The applicant has applied for times within the “framework hours” for the basement and ground floor. However, *the end times set out in the policy are not (and should not be regarded as) the ‘usual’ or ‘normal’ terminal hour for licensable activities in the Borough. Instead, the ‘framework hours’ serve to identify cases where the Licensing Authority will pay particular regard to the likely effect on the local neighbourhood of carrying out the proposed licensable activities during the hours applied for. Applications for hours up to the end of the Framework Hours will not automatically be granted. This policy will be applied only where relevant representations are made. Each case will be considered on its merits.*

### The Home Office guidance

under Section 182 of the Licensing Act 2003 (8.42) says:

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

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

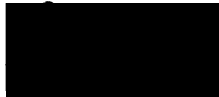
On a balance of probability, this Authority is concerned by the addition of another premises selling alcohol, potentially adding to the existing anti-social issues in the area, particularly through access and egress. The addition of alcohol to the existing premises could change the dynamic of customers in high spirits and therefore potentially undermining the licensing objectives.

If the applicant is unable to prove to the Licensing Sub-Committee, through the implementation of appropriate conditions within the Operating Schedule, that the granting of the application will not undermine the licensing objectives; then the application should be rejected. However, if the Sub-Committee is minded to grant a licence then I would ask that the following additional conditions are attached:

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

2. *The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.*
3. *There shall be no “vertical drinking” of alcohol at the premises*
4. *Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.*

Yours faithfully



Mohshin Ali

**Senior Licensin Officer**

[Mohshin.Ali](mailto:Mohshin.Ali)



# Appendix 9

## Corinne Holland

---

**From:** Licensing  
**Sent:** 15 October 2021 11:39  
**To:** Corinne Holland  
**Subject:** FW: Representation reply Classic Football Shirts 17 Commercial Street London

---

**From:** Andy Newman <[REDACTED]>  
**Sent:** 15 October 2021 09:56  
**To:** Nicola Cadzow <[REDACTED]>  
**Cc:** Ciaran Gold <[REDACTED]>; Licensing <[REDACTED]>  
**Subject:** Representation reply Classic Football Shirts 17 Commercial Street London

Dear Nicola, thank you for your Representation. Have left messages to discuss further, appreciate that you are very busy.

Firstly, we do not believe that there will be an increase in footfall in terms of Licensing as this very site was occupied by a larger restaurant with at least 67 covers. The fact that this is a smaller Licensed Area with fewer patrons proves this. Thus, there is no increase in the CIZ rather a reduction. Therefore, I would suggest that it would be manifestly unfair to suggest otherwise. (The previous licence holder (MEATCLEAVER LTD) referred to by the applicant

went into liquidation on 24th August 2019 and therefore lapsed). That said, we do understand that as a caring professional officer you are trying to ensure that the right balance is maintained.

To reassure you further:

This is a decent responsible Operator who will do the right thing. Existing sound measures

The facilities manager assures us that there are minimal sound insulation pads on the ceiling

Measures we are willing to take:

Written Policy including:

Periodically walking around, the boundary of the property while entertainment is taking place and reducing the volume if you can hear music with doors closed.

Providing notices on exit doors asking customers to keep the noise down and vacate quickly and quietly

Providing details of reliable taxi operators

Closing the doors to the venue from a particular time (9pm onwards)

Instructing taxi operators not to sound their horns when they arrive

Putting up external sign informing customers they are in a residential area and to keep the noise down

Discouraging customers from taking drinks into smoking areas to help stop them lingering there. It will be made clear that they will not be allowed re-entry if they fail to comply.

My Client is willing to accept the following Conditions to help allay your concerns:

1. Loudspeakers shall not be located in the entrance lobby or outside the premise building.

2. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 5 persons at any one time.

3. Notices shall be prominently displayed at any area used for smoking, requesting patrons to respect the needs of local residents and use the area quietly.

Concerning your suggested 3 any noise break out giving rise to Public Nuisance would be an offence that could lead to Review of the Licence. Law shouldn't be duplicated with Conditions according to the Sec 182 Guidance

Please do contact me to discuss this matter further as per Best Practice. Trust that this should be sufficient to allay your concerns. Willing to further discuss.

Kind Regards,

Andy

Andy Newman Consultancy Ltd.

██████████

Dear Licensing,

Having considered the premises license application for Classic Football Shirts 17 Commercial Street, London I have to consider the impact of the licensing objectives, particular for Environmental Protection the prevention of public nuisance and the prevention of noise generated from within the premises or outside to be causing

disturbance to people in the vicinity. Consideration also has to be given to the fact that the premises is within Brick Lane Cumulative Impact Zone.

There is insufficient information in the operating schedule of the licence application to show how the applicant will promote the licensing objective for the prevention of public nuisance. There is no consideration of an impact on public nuisance from increase footfall from persons accessing and egressing the premises, patrons outside the premise leaving to smoke etc, particularly when considering the premises is in Brick Lane Cumulative Impact Zone.

Noise Sensitive premises: residential premises in close proximity.

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

Noise breakout from the venue affecting neighbouring residents,

- Access & egress to and from the venue including patrons outside the premises to smoke, whilst the premises is in operation

## CONCLUSION

Environmental Protection does not support the application for Classic Football Shirts 17 Commercial Street, London for the following reasons:

1. There is great likelihood of disturbance to residential premises from the impact of additional footfall
2. The applicant have not provided sufficient information to show how they will promote the licensing objective for the prevention of public nuisance
3. The premises is in Brick Lane Cumulative Impact Zone.

If the committee are minded to grant this application I would ask that the following conditions be considered:

- 1 Loudspeakers shall not be located in the entrance lobby or outside the premise building.
2. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 5 persons at any one time.

3. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of

the premises which gives rise to a public nuisance.

Kind regards

Nicola Cadzow

Environmental Health Officer

# Appendix 10



## Corinne Holland

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**From:** Mohshin Ali  
**Sent:** 20 October 2021 12:56  
**To:** Andy Newman  
**Cc:** Ciaran Gold; Corinne Holland  
**Subject:** RE: Classic Football Shirts 17 Commercial Street

Dear Andy,

Thank you for your email. To confirm, the application will now be heard by the Licensing-subcommittee and I have copied in the case officer who is dealing with your application.

Kind regards,

### Mohshin Ali

Senior Licensing Officer  
Licensing and Safety Team  
Environmental Health & Trading Standards  
Place Directorate  
Mulberry Place  
5 Clove Crescent  
London E14 2BG

020 7364 5008

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**From:** Andy Newman [redacted]  
**Sent:** 15 October 2021 11:22  
**To:** Mohshin Ali <[redacted]>  
**Cc:** Ciaran Gold [redacted]; Licensing [redacted]  
**Subject:** Classic Football Shirts 17 Commercial Street

Dear Moshin,

Thank you for your Representation and especially having a somewhat constructive conversation on the phone.

As discussed and helpfully outlined in your Reps, this entire site was previously occupied by a restaurant with at least a 67 patrons cover. This restaurant would have been considered as part of your revision of your Licensing Policy including the CIZ. The CIZ was based on a detailed consultation and evidence gathering process.

We respectfully submit that contrasting this Application with that restaurant there will be a clear reduction in the number of people in the Licensed Premise. This clearly means as far as Licensing is concerned there is a decrease in capacity. Therefore, to draw any conclusion that this Application adds to the CIZ would simply be wrong. The fact that this has been an empty building in between does not change this fact. The rebuttable presumption perhaps should not apply in this case or if you prefer should be rebutted. The advantage of this Operator running this space is that he is a man of good character who has operated as a Licensee in Shoreditch without issue and successfully run a business in Tower Hamlets without issue. Far better for this Operator to be there than people with no regard for the law to take control of this building which could well have an adverse effect on the residents, other businesses etc.

The Police are the recognised lead for Crime & Disorder but have not made a Representation against this Application, so would respectfully question the first strand of your Representation that of Crime & disorder.

This is a genuine exceptional circumstance in that classic Football Shirts (previously a retail only business & nothing to do with L.A 2003) in Brick Lane within the Truman Brewery site is a unique concept that will add a new option to residents, those working or visiting Tower Hamlets.

This concept relates to special high end football merchandise with a proposed relatively small licensed Premises alongside. Many of the larger shops such as Selfridges, and John Lewis do this with varying scales. This is the only shop of its kind in Tower Hamlets and is unique and innovative as per your Policy and the Sec 182 Guidance. As discussed and agreed the Tower Hamlets Policy has been considered. The capacity is for less than 50 patrons. The hours are within the framework hours.

My client and I are familiar with Tower Hamlets. We both feel that should the Licence be granted this will be a benefit to the local area. You will have noticed that we have offered further Conditions and the basis of a Policy to Environmental Health this morning.

We are also happy to accept the following Conditions:

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

Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

We feel that the very small capacity should help allay any concerns of capacity.

Hope this helps to allay your concern.

Please do consider this response would be good to have a conversation should there be any remaining concerns.

Kind regards

Andy

Andy Newman Consultancy Ltd

[REDACTED]

Licensing Authority:

[Corinne.Holland@\[REDACTED\]](mailto:Corinne.Holland@[REDACTED])

CC: Applicant – CIARAN GOLD

[CIARAN](#) [REDACTED]

28th September 2021

Your reference My reference: LIC/141132/MA

Dear Licensing Authority,

Licensing Act 2003

New premises licence application: Classic Football Shirts, 17 Commercial Street,  
London E1 6NE

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

- the prevention of crime and disorder and
  - the prevention of public nuisance
- Cumulative Impact Policy
- On 1st November 2013, Tower Hamlets Council adopted a Cumulative Impact Policy in the Brick Lane Area. The Council Cumulative Impact Zone (CIZ) was revised alongside this Statement of Licensing Policy on the 1st November 2018. Local crime mapping showed that although there had been a reduction in crime and disorder linked to licensed premises within the CIZ since January 2015, the same crime mapping showed that the area of the CIZ is still higher than average in regards to crimes and disorder linked to licensed premises compared to the rest of the borough (19.3). The Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the Brick Lane area is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone within the area. The Brick Lane CIZ aims to manage the negative cumulative impact of the concentration of licensed premises in the area and the stresses that the saturation of licensed premises has had on local amenity, environmental degradation and emergency and regulatory services in managing this impact.

PLACE Directorate Public Realm

Environmental Health & Trading Standards Licensing & Safety Team Mulberry Place 5 Clove Crescent

London E14 2BG

Tel: [REDACTED] Fax: 020 7364 0863 [Email: licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk) [REDACTED]

[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

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

- New Premises Licences applications,
- New Club Premises Certificates applications

- Provisional Statements,
- Variation of Premises Licenses and Club Premises Certificate applications (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity). The Licensing Authority expects such applications to have regard for and make reference to the CIZ (19.5). The Special Cumulative Impact policy creates a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons against applications within the CIZ zones the application will be refused (19.6). Where representations have been received in respect to applications within the CIZ zones the onus is on applicants to adequately rebut the presumption. Applicants will need to demonstrate in their applications why the granting of their application will not negatively add to the cumulative already experience within the CIZ Zones. Applicants may wish to address the following in their applications:

- Genuinely exceptional circumstances,
- Relevant good practices they employ (for example, this could include details of membership of local Pubwatch/other trade groups,
- Accreditation of Award Schemes (as applicable), and any participation in Police/Council initiatives),
- Other good operational/practice arrangements in respect of any outside drinking and smoking to control potential impact in the area,
- Measures used to promote the licensing objectives (for example, any relevant conditions to control noise, dispersal, litter and other anti-social issues (19.7) This Policy will be strictly applied and where relevant representations are received it is the view of the Council that the application will be refused. Applicants will need to demonstrate that there are exceptional circumstances and that granting their application will not negatively add to the cumulative effect on the Licensing Objectives within the Brick Lane and Bethnal Green CIZ if they wish to rebut this presumption. Examples of factors the Licensing Authority may consider as exceptional may include, though are not limited to:

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

- instances where the applicant has recently surrendered a licence for another premises of a similar size and providing similar licensable activities in the same Special Policy Area. Examples of factors the Licensing Authority will not consider as exceptional include:

- that the premises will be well managed and run,

- that the premises will be constructed to a high standard,

- that the applicant operates similar premises elsewhere without complaint (19.8). The previous licence holder (MEATCLEAVER LTD) referred to by the applicant went into liquidation on 24th August 2019 and therefore lapsed. It is also not clear which premises licence the applicant had operated within the Old Truman Brewery and whether that licence was surrendered by the applicant. Licensable activities and times All applications have to be considered on their own merits and the Council has however adopted a set of framework hours (14.8) as follows:

- Monday to Thursday, until 23:30 hours

- Friday and Saturday, until 00:00 hours (midnight)

- Sunday, until 22:30 hours Applications in respect of premises licences and club premises certificates to authorise licensable activities outside the framework hours, and in respect of which relevant representations are made, will be decided on their own merits and with particular regard to the following.

- a) The location of the premises and the general character of the area in which the premises are situated. (i.e. does the area include residential or business premises likely to be adversely affected).
- b) The proposed hours during which licensable activities will be take place and the proposed hours during which customers will be permitted to remain on the premises.
- c) The adequacy of the applicant's proposals to address the issues of the prevention of crime and disorder and the prevention of public nuisance.
- d) Where the premises have been previously licensed, the past operation of the premises.
- e) Whether customers have access to public transport when arriving at or leaving the premises at night time and in the early hours of the morning.

f) The proximity of the premises to other licensed premises in the vicinity and the hours of those other premises. The applicant has applied for times within the "framework hours" for the basement and ground floor. However, the end times set out in the policy are not (and should not be regarded as) the 'usual' or 'normal' terminal hour for licensable activities in the Borough. Instead, the 'framework hours'

serve to identify cases where the Licensing Authority will pay particular regard to the likely effect on the local neighbourhood of carrying out the proposed licensable activities during the hours applied for. Applications for hours up to the end of the Framework Hours will not automatically be granted. This policy will be applied only where relevant representations are made. Each case will be considered on its merits.

The Home Office guidance

under Section 182 of the Licensing Act 2003 (8.42) says:

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

- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;
- any risk posed to the local area by the applicants’ proposed licensable activities; and
- any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.” On a balance of probability, this Authority is concerned by the addition of another premises selling alcohol, potentially adding to the existing anti-social issues in the area, particularly through access and egress. The addition of alcohol to the existing premises could change the dynamic of customers in high spirits and therefore potentially undermining the licensing objectives. If the applicant is unable to prove to the Licensing Sub-Committee, through the implementation of appropriate conditions within the Operating Schedule, that the granting of the application will not undermine the licensing objectives; then the application should be rejected. However, if the Sub-Committee is minded to grant a licence then I would ask that the following additional conditions are attached:

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

2. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
3. There shall be no “vertical drinking” of alcohol at the premises
4. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

Yours faithfully

Mohshin Ali

Senior Licensing Officer

[Mohshin.Ali](#) 



# Appendix 11

## Prevention of Public Nuisance

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

# Appendix 12

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

Updated April 2018

## Public nuisance

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

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

# Appendix 13

## Licensing Policy, updated November 2018

### Crime and Disorder

- 7.1 Licensed premises, especially those offering late night / early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems and to store prescribed information.
- 7.2 When addressing crime and disorder the applicant should initially identify any particular issues (having regard to their particular type of premises and / or activities) which are likely to adversely affect the promotion of the crime and disorder licensing objective. Such steps as are required to deal with these identified issues should be included within the applications operating schedule. Where the Metropolitan Police, acting as a responsible authority, makes recommendations in respect of an application relating to the licensing objectives the Licensing Authority would expect the applicant to incorporate these into their operating schedule.
- 7.3 Applicants are recommended to seek advice from Council Officers and the Police as well as taking into account, as appropriate, local planning and transport policies, with tourism, cultural and crime prevention strategies, when preparing their plans and Schedules.
- 7.4 In addition to the requirements for the Licensing Authority to promote the licensing objectives, it also has duties under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough and to share prescribed information.
- 7.5 The Licensing Authority, if its discretion is engaged, will consider attaching Conditions to licences and permissions to deter and prevent crime and disorder both inside and immediately outside the premises and these may include Conditions drawn from the Model Pool of Conditions relating to Crime and Disorder given in the Secretary of State's Guidance.
- 7.6 **CCTV** - The Licensing Authority, if its discretion is engaged, will attach conditions to licences, as appropriate where the conditions reflect local crime prevention strategies, for example the provision of closed circuit television cameras.

7.7 **Touting** – This is soliciting for custom. There has been a historic problem with Touting in the borough, mainly in relation to restaurants, and as such in 2006 the Council introduced a byelaw under Section 235 of the Local Government Act 1972 for the good rule and government of the London Borough of Tower Hamlets and for the prevention and suppression of nuisances.

As a result, in relation to premises where there is intelligence that touting is, or has been carried out, the Licensing Authority, where its discretion is engaged will insert a standard condition that prohibits 'touting' as follows:-

- 1) No person shall be employed to solicit for custom or be permitted to solicit for custom for business for the premises in any public place within a 500 meters radius of the premises as shown edged red on the attached plan.( marked as Appendix -)
- 2) Clear Signage to be placed in the restaurant windows stating that the premises supports the Council's 'No Touting' policy.

7.8 **Responsible Drinking** - The Licensing Authority expects alcohol to be promoted in a responsible way in the Borough. This should incorporate relevant industry standards, such as the Portman Group Code of Practice. Where appropriate and proportionate, if its discretion is engaged, the Licensing Authority will apply conditions to ensure responsible drinking. The Licensing Authority also recognises the positive contribution to best practice that "Pubwatch" and other similar schemes can make in promoting the licensing objectives and is committed to working with them.

Model Pool Conditions can be found in the Secretary of State's Guidance.

7.9 **Criminal Activity** - There is certain criminal activity that may arise in connection with licensed premises which the Licensing Authority will treat particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;



- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for employing a person who is disqualified from that work by reason of their immigration status in the UK;
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

The Secretary State's Guidance states that it is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and this Licensing Authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence, even in the first instance, should be seriously considered.

7.10 In particular the Licensing Authority is mindful of the Secretary of State's Guidance "Reviews arising in connection with crime".

7.11 From 1 April 2017, businesses which sell alcohol (for example, retailers of alcohol and trade buyers) will need to ensure that the UK wholesalers that they buy alcohol from have been approved by HMRC under the Alcohol Wholesaler Registration Scheme (AWRS). They will need to check their wholesalers Unique Registration Number (URN) against the HMRC online database which will be available from April 2017. This is an ongoing obligation and if a business is found to have bought alcohol from an unapproved wholesaler, they may be liable to a penalty or could even face criminal prosecution and their alcohol stock may be seized. Any trader who buys alcohol from a wholesaler for onward sale to the general public (known as a 'trade buyer') does not need to register unless they sell alcohol to other businesses. Examples of trade buyers would be pubs, clubs, restaurants, cafes, retailers and hotels. However, they will need to check that the wholesaler they purchase alcohol from is registered with HMRC. Further information may be found at: <https://www.gov.uk/guidance/the-alcohol-wholesaler-registration-scheme-awrs>.

## **Smuggled goods**

7.12 The Licensing Authority will exercise its discretion to add a standard condition as follows:-

- 1) The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers other than from established traders who provide full receipts at the time of delivery to provide traceability.
- 2) The premises licence holder shall ensure that all receipts for goods bought include the following details:
  - i. Seller's name and address
  - ii. Seller's company details, if applicable
  - iii. Seller's VAT details, if applicable
  - iv. Vehicle registration detail, if applicable
- 3) Legible copies of the documents referred to in 2) shall be retained on the premises and made available to officers on request.
- 4) The trader shall obtain and use a UV detection device to verify that duty stamps are valid.
- 5) Where the trader becomes aware that any alcohol may be not duty paid they shall inform the Police of this immediately.

## **Olympic Park – Football Ground**

7.13 Premises where Police intelligence shows that football supporters congregate within the borough should consider in their application form the following conditions:

- 1) On Match Days for premises licensed for the supply of alcohol for consumption on the premises:
  - a) Drinks shall only be supplied in polypropylene or similar plastic and all bottled drinks shall be poured into such drinking vessels before being handed to the customer. These should be made of recyclable materials.
  - b) Registered door staff shall be employed to control the entry and exits to the premises and to manage any licensed outside area(s).

# Appendix 14

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

Updated April 2018

## Crime and disorder

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).
- 2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority (“SIA”) as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.
- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.
- 2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.

- 2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.
- 2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.

# Appendix 15

## **Noise while the premise is in use**

### General Advice

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

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

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

### Licensing Policy

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

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

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

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

## Police Powers

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

## Guidance Issued under Section 182 of the Licensing Act 2003

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

Licence conditions should not duplicate other legislation (1.16).

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

## Other Legislation

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

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



# Appendix 16

## Licensing Policy - Appendix 5

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

1. The Licensing Authority has adopted a special policy relating to cumulative impact in areas of:
  - Brick Lane
  - Bethnal Green

**This special policy creates a rebuttable presumption that applications for the grant or variation of premises licences or club premises certificates which are likely to add to the existing cumulative impact will normally be refused following the receipt of representations, unless the applicant can demonstrate in the operation schedule that there will be no negative cumulative impacts with one or more of the licensing objectives.**

2. The Council reviewed the Special Cumulative Impact Policy in 2021 and, following consultation, decided it was still of the opinion that the concentration of licensed premises within Brick Lane area was having a cumulative impact on the licensing objectives of crime and disorder and prevention of public nuisance. As part of the review in 2021, the Council also decided that the concentration of licensed premises within the Bethnal Green area was also having a cumulative impact on the licensing objectives of crime and disorder and prevention of public nuisance.

#### Review of Cumulative Impact Assessment - Supporting Evidence

3. In determining the Councils CIAs for the area of Brick Lane and Bethnal Green (Figures One and Two Below) the Council considered the following evidence:
  - Hot spot maps of incidents of crime and disorder and ASB linked to Licence premises in the defined areas for 2017 to 2020.
  - Complaint data from Environmental Health and Trading Standards relating to Noise and Licensing.
  - Licence Application data for the defined areas for 2017 to 2020
  - Results of the Consultation, that included Survey data and comments and written responses.

This evidence is published on our website:

<http://democracy.towerhamlets.gov.uk/ieListDocuments.aspx?CId=309&MId=12361>.

## Cumulative Impact Assessments (Brick Lane and Bethnal Green)

4. The Licensing Authority is of the view that the number, type and density of premises selling/supplying alcohol for consumption on and off the premises and/or the provision of late night refreshment in the Brick Lane and Bethnal Green Areas (highlighted in Figures One and Two below) is having a cumulative impact on the licensing objectives. Therefore, it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives. Thus, it has declared a cumulative impact assessment within these areas.
5. The Brick Lane and Bethnal Green CIAs aim to manage the negative cumulative impact of the concentration of licensed premises in these areas and the stresses that the saturation of licensed premises has had on the local amenity, environmental degradation and emergency and regulatory services in managing this impact.
6. The effect of this Special Cumulative Assessment Policy will apply to the following types of applications:
  - New Premises Licences applications,
  - New Club Premises Certificates applications
  - Provisional Statements,
  - Variation of Premises Licences and Club Premises Certificate applications (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity).

However, it will only apply where the application seeks to permit the Licensable activities of:

- the sale or supply of alcohol for consumption on or off the premises, and/or,
- the provision of late night refreshment.

7. **This Policy will be strictly applied and where relevant representations are received and it is the view of the Council that the application will be refused. Applicants will need to demonstrate that there are exceptional circumstances and that granting their application will not negatively add to the cumulative effect on the Licensing Objectives within the Brick Lane and Bethnal Green CIAs if they wish to rebut this presumption.**
8. The Special Cumulative Impact policy creates a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons against applications (Councillors, Members of the Public) within the CIA zones the application will be refused.
9. Where representations have been received in respect to applications within the CIA zones the onus is on the applicant to adequately rebut the presumption.

10. It must be stressed that the presumption created by this special policy does not relieve responsible authorities or other persons of the need to make a representation. If there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted in line with their delegated authority.
  
11. This special policy is not absolute and the Licensing Authority recognises that it has to balance the needs of businesses with local residents. The circumstances of each application will be considered on its merits and the Licensing Authority shall grant applications, when representations are not received. The applicant should demonstrate that the operation of the premises will not add to the cumulative impact on one or more of the following licensing objectives:
  - Prevention of Crime and Disorder;
  - Prevention of Public Nuisance.

Therefore, applicants will be expected to comprehensively demonstrate why a new or varied licence will not add to the cumulative impact. They are strongly advised to give consideration to mitigating potential cumulative impact issues when setting out steps they will take to promote the licensing objectives in their operating schedule.

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

### **Possible exceptions to the Brick Lane and Bethnal Green Cumulative Impact Assessments**

- Applications for licences for small premises with a capacity of fifty persons or less who only intend to operate within framework hours, and that;
  - Only have consumption of food (late night refreshment) and drink (alcohol) on the premises only,
  - Only provide Off sales of food (late night refreshment) and drink (alcohol) for delivery (i.e. not for take away),and,
  - Have arrangements to prevent vertical drinking, for example fully seated venues;
  
- Applications for licences that are not alcohol led (e.g. Hairdressers wanting to provide alcohol to clients during their hair cut/treatments), .
  
- Applications for licences where the applicant has recently surrendered a licence for another premises of a similar size and providing similar licensable activities in the same CIA Area.

Licensing Authority will **not** consider the following as possible exceptions:

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

### The Cumulative Impact Assessment Areas for the Brick Lane and Bethnal Green

13. The Cumulative Impact Assessment Areas are detailed in the maps below.

Figure One

#### Brick Lane area:

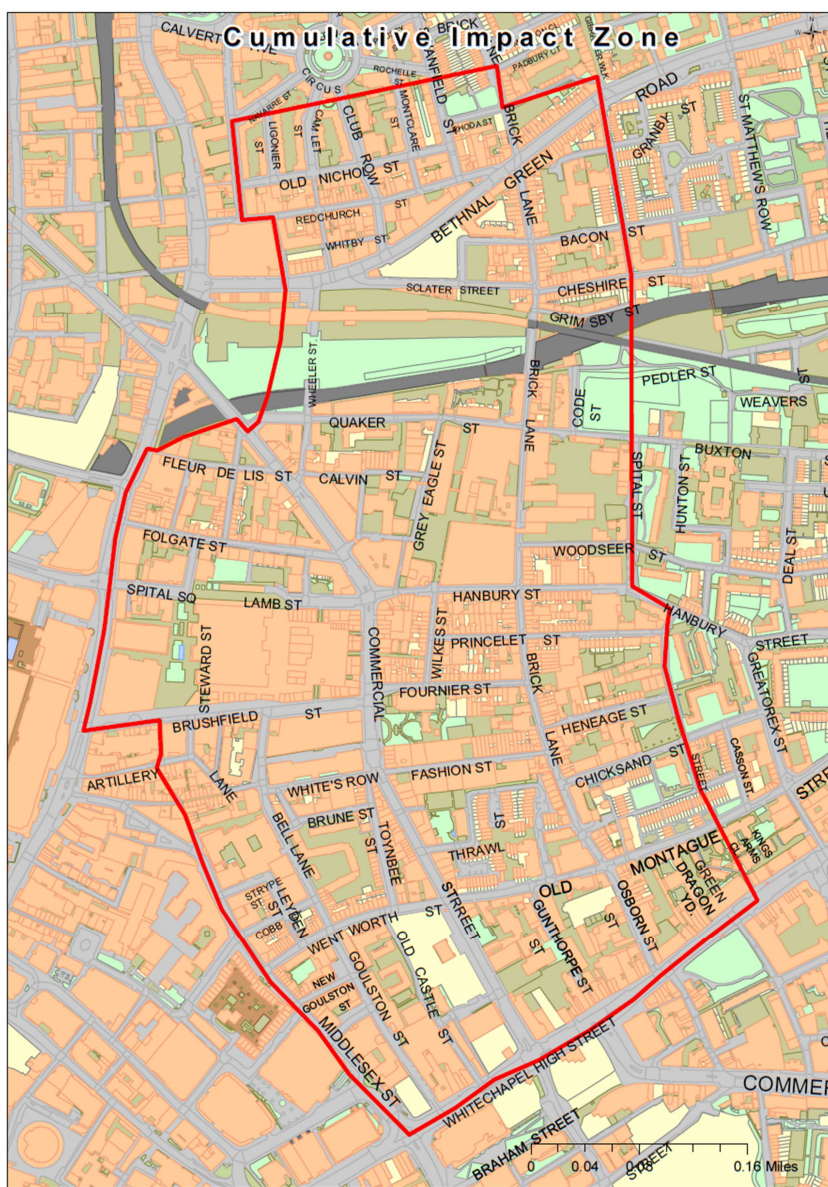
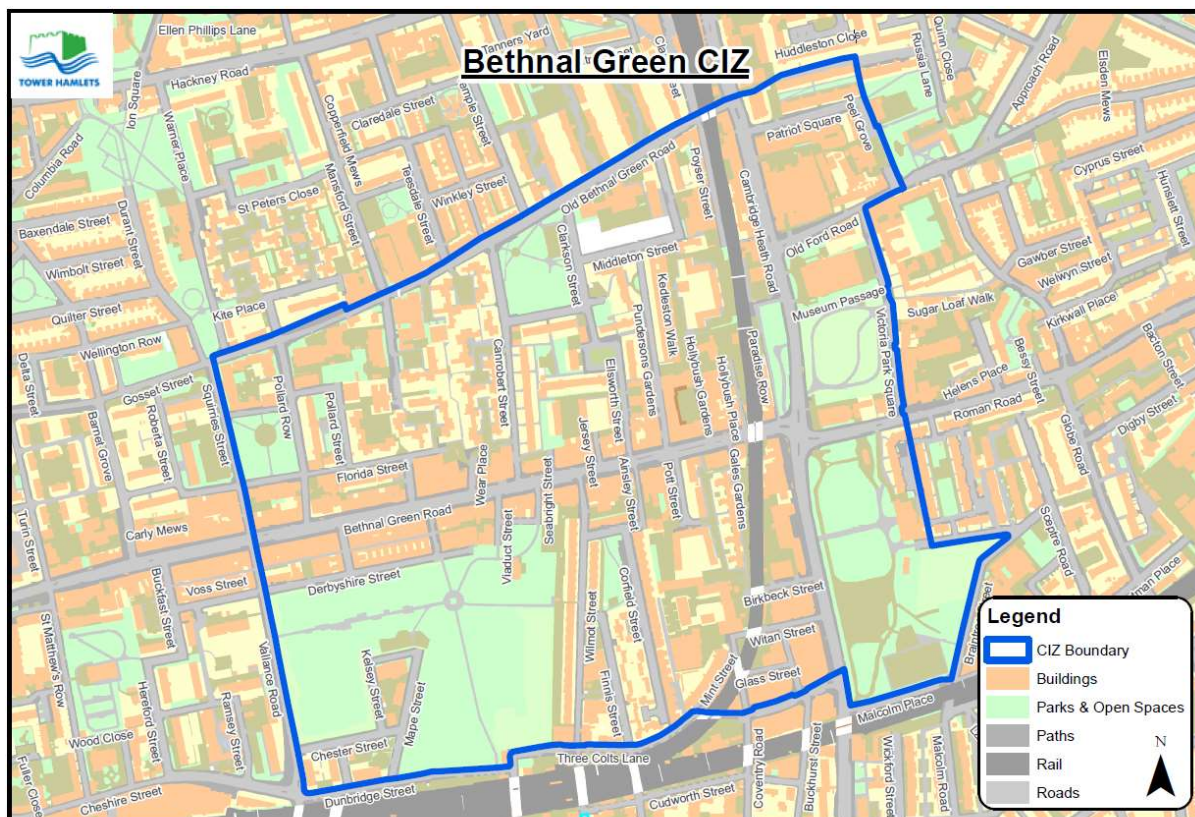
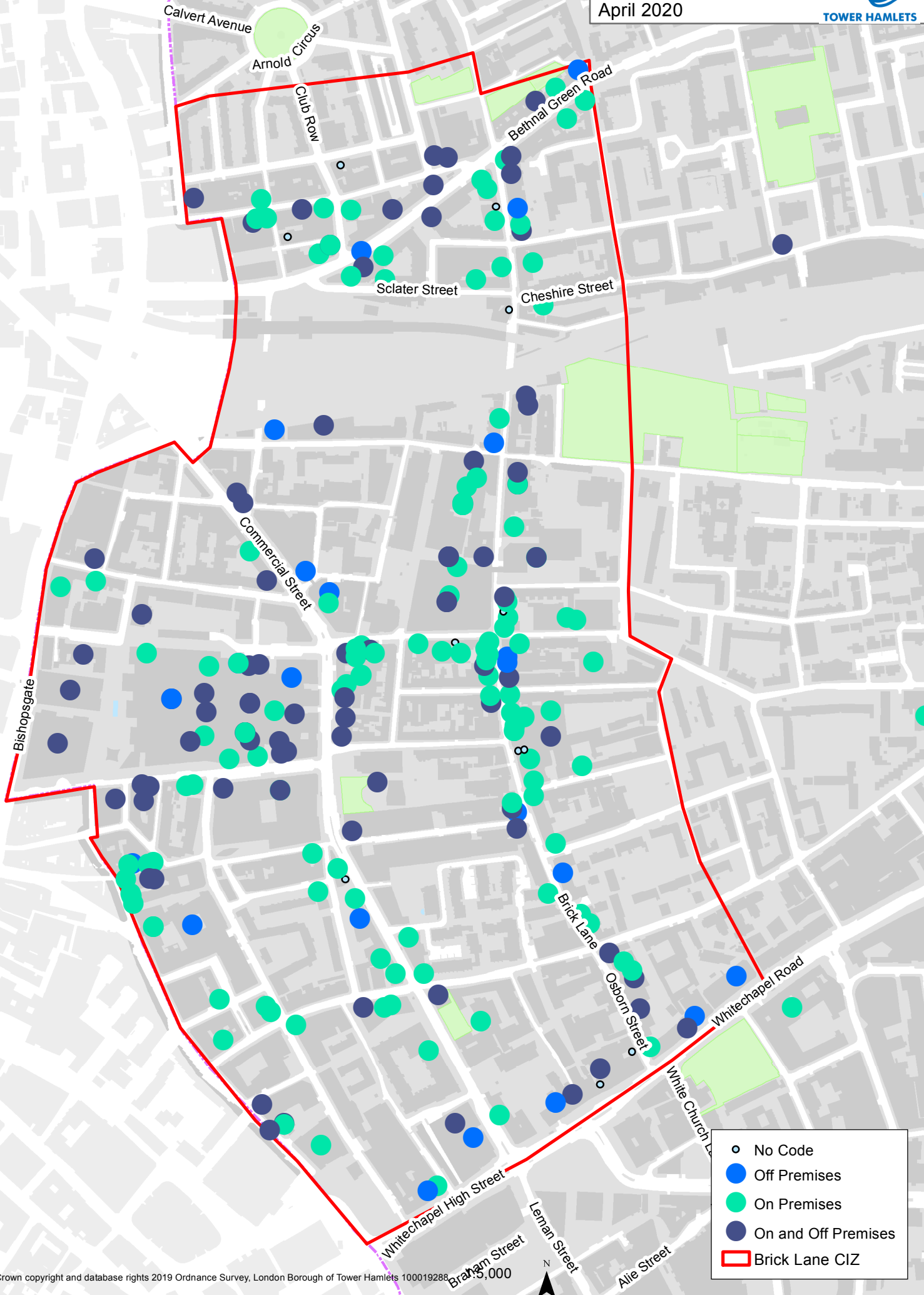


Figure Two:

# Bethnal Green Area





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

# Appendix 17



## **Licensing Policy Relating to Hours of Trading**

All applications have to be considered on their own merits.

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

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

(see 14.8 of the Licensing Policy)

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

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

(See 14.9 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates

# Appendix 18

## **Planning**

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