

Appendix 1

London Borough of Tower Hamlets

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We Bishops Square S.Á.R.L.

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Kill the Cat 14 Market Street			
Post town	London	Post code	E1 6DT

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£48,500

Part 2 - Applicant Details

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

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital | <input type="checkbox"/> | please complete section (B) |
| ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/> | please complete section (B) |
| h) the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name Bishops Square S.Á.R.L.
Address 6 Route de Treves Senningerberg L-2633 Luxembourg
Registered number (where applicable) B155764
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited company incorporated in Luxembourg
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
A	S	A P

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

Day	Month	Year

A

Please give a general description of the premises (please read guidance note1)

The premises is a ground floor unit within the Spitalfields Estate with an entrance on Market Street. The premises consists of an internal retail and customer space, accessible WC and an external seating area. Customers will have access to toilets within the Spitalfields Estate. Please see drawing number PL14023-01 and the Spitalfields Estate location plan submitted with the application for more details.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

☐

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

☒

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

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

G

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

H

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

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	08:00	23:00			
Tue	08:00	23:00			
Wed	08:00	23:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Thur	08:00	23:00			
Fri	08:00	23:00			
Sat	08:00	23:00	New Year's Eve: from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sun	08:00	22:30			

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

Name Sarah Taylor	
Date of birth [REDACTED]	
Address [REDACTED] [REDACTED] [REDACTED]	
Postcode	[REDACTED]
Personal Licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

K

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

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) New Year's Eve: from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
Mon	08:00	23:30	
Tue	08:00	23:30	
Wed	08:00	23:30	
Thur	08:00	23:30	
Fri	08:00	23:30	
Sat	08:00	23:30	
Sun	08:00	23:00	

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

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

This application seeks a new premises licence for the sale of alcohol on and off the premises only from 08:00 to 23:00 hours, Monday to Saturday and from 08:00 to 22:30 hours, Sunday.

The applicant is aware that the premises is located within the Brick Lane Cumulative Impact Zone (CIZ). The applicant appreciates that the policy is to refuse applications in the CIZ where relevant representations are received, however the applicant considers that the grant of this application does not negatively impact upon the four licensing objectives. Upon the grant of this premises licence as applied for the applicant would surrender premises licence number 138889 in respect of 43 Brushfield Street. Premises licence 138889 is located in the same cumulative impact zone.

This application seeks to restore premises licence number 127633, which was in place for 12 Market Street until the premises licence was surrendered in August 2021 to apply for Premises Licence number 138889 at 43 Brushfield Street (referred to above). 12 Market Street traded for more than 15 years as Bedales. The Premises Licence for Bedales permitted the sale of alcohol on and off the premises from 08:00 hours until 23:00 hours, Monday to Sunday, did not include any conditions under Annex 2 or Annex 3 and was not dependent on alcohol being served ancillary to food. The premises traded without problems and this application seeks to effectively reinstate premises licence 127633 (Bedales) at 14 Market Street with additional conditions detailed in boxes b), d) and e) below.

b) The prevention of crime and disorder

The following premises licence conditions are proposed in the event that the application sought is granted:-

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:
 - a. all crimes reported to the venue;
 - b. all ejections of patrons;
 - c. any complaints received concerning crime and disorder
 - d. any incidents of disorder;
 - e. all seizures of drugs or offensive weapons;
 - f. any faults in the CCTV system, searching equipment or scanning equipment

c) Public safety

Please see box M a) above and the proposed conditions included in boxes M b), d) and e).

d) The prevention of public nuisance

The following premises licence conditions are proposed in the event that the application sought is granted:-

4. Deliveries to the premises shall only take place between 08.00 and 22.00 hours except for deliveries of bread and baked goods which may be delivered between 07.00 and 22.00 hours.
5. Collections of waste or recycling materials from the premises shall only take place between 08.00 and 22.00 hours.
6. There shall be a physical barrier acting as demarcation between the premises outside area and the pavement.
7. No open containers of alcohol shall be allowed to be taken off the premises by customers except for any designated external customer area.
8. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
9. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a nuisance.
10. Loudspeakers shall not be located in the entrance lobby or outside the premise building.

e) The protection of children from harm

The following premises licence condition is proposed in the event that the application sought is granted:-

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

Please tick yes

- I have made or enclosed payment of the fee or ☒
- I have not made or enclosed payment of the fee because the application has been made in relation to the introduction of the late night levy ☐
- I have enclosed the plan of the premises ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable ☒
- I understand that I must now advertise my application ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

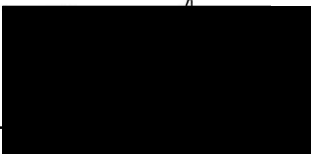
- ***[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships]*** I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15). □

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

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

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I 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, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	2 e ruary
Capacity	Poppleston Allen – Solicitors for and on behalf of the applicant

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

Signature	
Date	

Capacity	
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Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) David Inzani Poppleston Allen Solicitors The Stanley Building 7 Pancras Square			
Post town	London	Post code	N1C 4AG
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) [REDACTED]			

Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- 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:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - 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.
 - 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.
 - 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.
 - 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:
 - 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.
 - 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.
 - 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.
 - 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:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - 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;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please 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.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please 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 or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

15. Right to work / Immigration status

A licence may not be held by an individual or an individual in a partnership which is not a limited liability 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 which an applicant may provide to demonstrate their entitlement to work in the UK (which do not need to be certified) that are published on GOV.UK and in guidance issued under section 182 of the Licensing Act 2003.
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)

Home Office online right to work checking service

As an alternative to providing a copy of original documents, 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 check 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 copies of documents as set out above.

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.

Appendix 2

KEY

CP

FIRE ALARM CALL POINT

OPTICAL DETECTOR/SOUNDER BASE

OPTICAL DETECTOR/SOUNDER BEACON BASE

FIRE EXTINGUISHER - WATER

FIRE EXTINGUISHER - CARBON DIOXIDE

FIRE EXIT SIGN

FIP

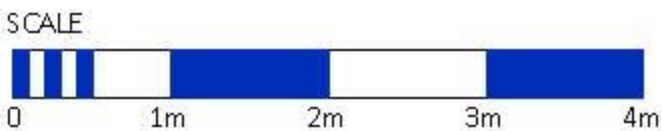
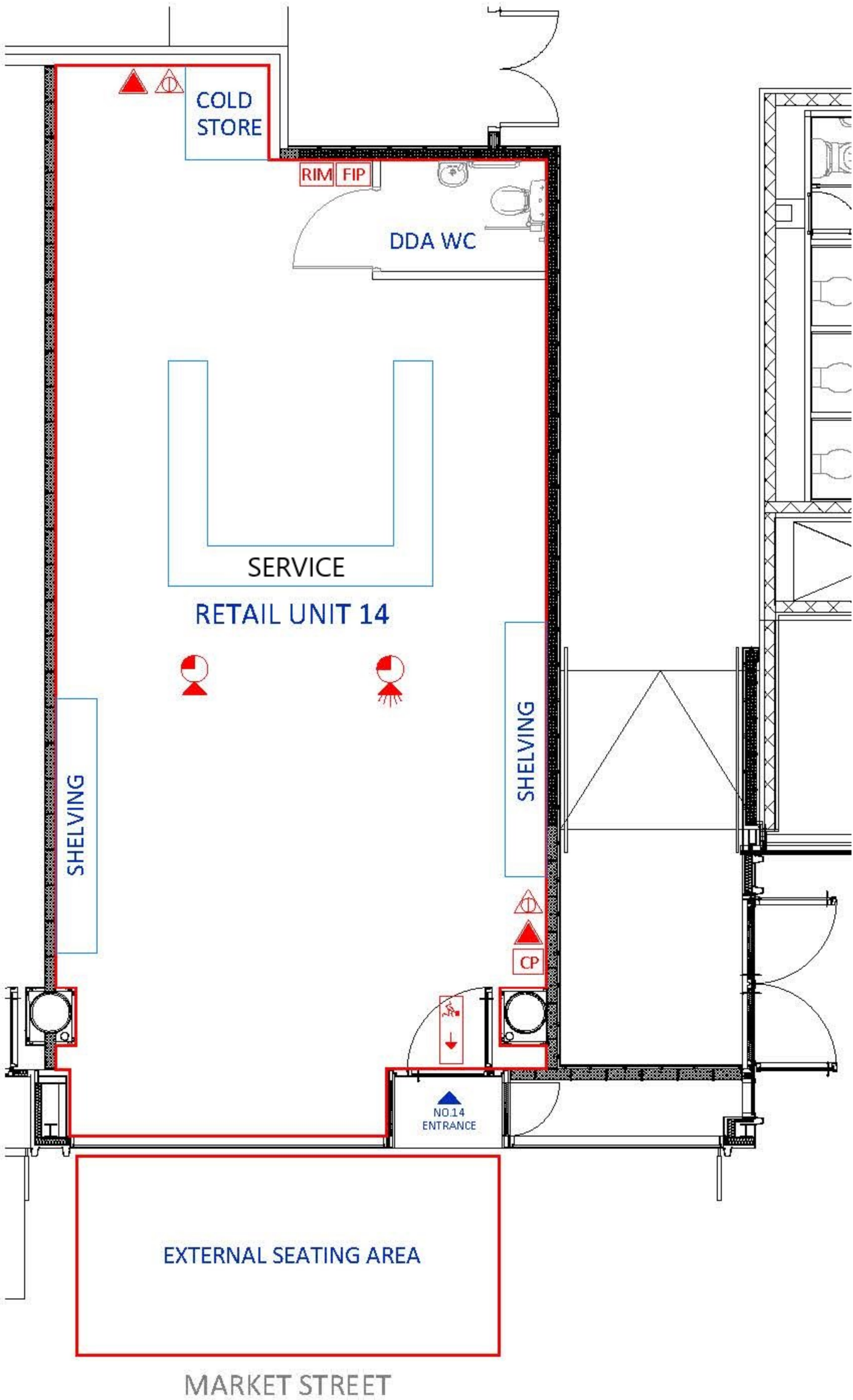
FIRE INDICATOR PANEL

RIM

LANDLORD FIRE ALARM INTERFACE


AREA WHERE LICENSABLE ACTIVITIES WILL TAKE PLACE

THE LOCATION AND TYPE OF FIRE SAFETY AND ANY OTHER SAFETY EQUIPMENT IS SHOWN AS AT PRESENT. THIS MAY BE VARIED FROM TIME TO TIME WITH THE AGREEMENT OF THE FIRE OFFICER OR AFTER A FIRE RISK ASSESSMENT

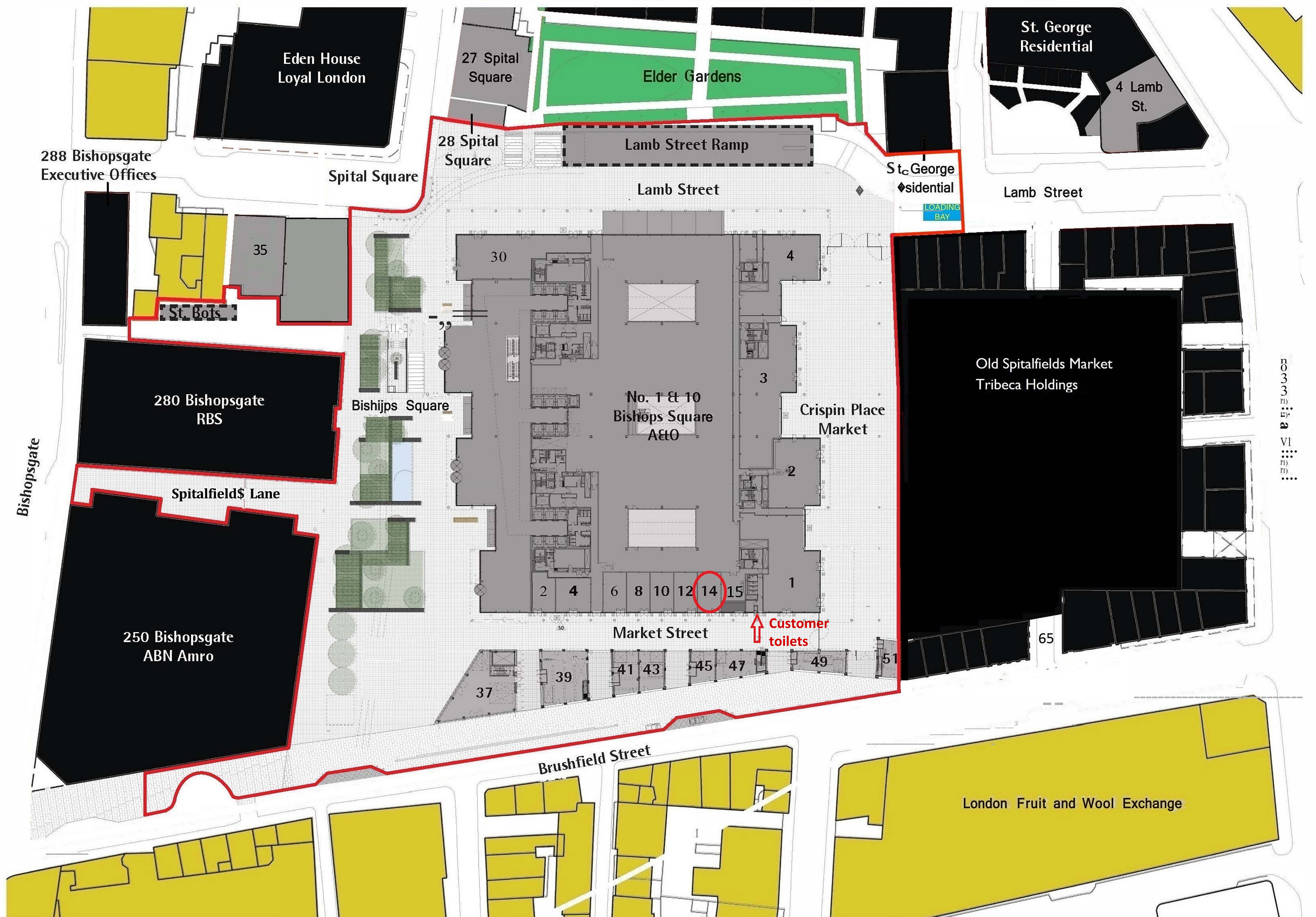


PLEASE NOTE - A4 PLANS TO BE PRINTED "AS IN DOCUMENT" NOT ENLARGED OR SHRUNK TO FIT PAGE

PLAN LONDON LTD © COPYRIGHT PROTECTED 2022.

client	address 14 MARKET STREET LONDON E1 6AA	location GROUND FLOOR PREMISES LICENSE PLAN	date 14.01.2022	scale 1:100	sheet A4	 <div>Plan London Ltd 15 Dawkins Road London SE22 3EP T 020 9699 1129 E surveys@plan-london.co.uk W plan-london.co.uk</div>
			dwg no. PL14023-01	revision	drawn EJ	checked AA

SPITALFIELDS ESTATE



3033
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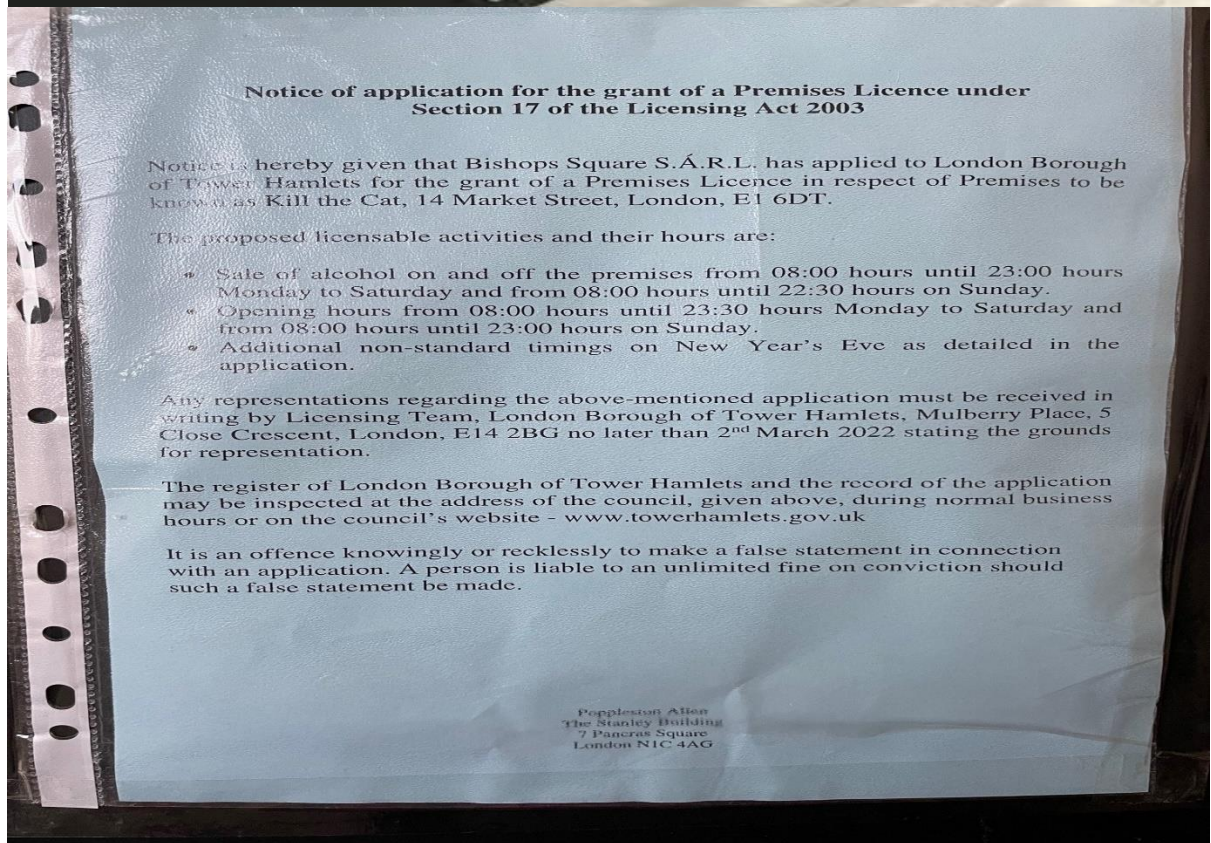
Appendix 3

14 Market Street - Maps of the surrounding area



Appendix 4

14 Market Street - Images of the premise



Appendix 5

14 Market Street - Nearby licensed premises

Name and address of premises	Licensable activities and hours	Opening hours
(Market Coffee House) 50-52 Brushfield Street	<p><u>Sale of alcohol (On sales only)</u> Monday to Saturday 08:00 hours – 22:30 hours Sunday 10:00 hours – 18:30 hours</p> <p><u>Regulated entertainment</u> Live music: Monday to Sunday 15:00 hours – 22:00 hours Recorded music: Monday to Sunday 08:00 hours – 22:30 hours</p>	<p>Monday to Saturday 08:00 hours – 23:00 hours</p> <p>Sunday 09:00 hours – 19:00 hours</p>
Bottles & Battles 67 Brushfield Street	<p><u>The sale by retail of alcohol (both on and off premises)</u></p> <ul style="list-style-type: none"> Monday to Saturday from 10:00hrs to 23:00hrs Sunday from 10:00hrs to 22:00hrs <p><u>The provision of late night refreshment</u> (both indoors and outdoors)</p> <ul style="list-style-type: none"> Monday to Saturday from 23:00hrs to 23:30hrs 	<p>Monday to Saturday from 08:00hrs to 23:30hrs</p> <p>Sunday from 08:00hrs to 22:30hrs</p>
(Blixen) 65a Brushfield Street	<p><u>Alcohol shall not be sold or supplied except during permitted hours. (On and off sales)</u> In this condition, permitted hours means:</p> <ol style="list-style-type: none"> On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00hrs to 23:00hrs On Sundays, other than Christmas Day or New Year's Eve, 12:00hrs to 22:30hrs On Good Friday, 12:00hrs to 22:30hrs. On Christmas Day, 12:00hrs to 15:00hrs and 19:00hrs to 22:30hrs On New Year's Eve, except on a Sunday, 11:00hrs to 23:00hrs On New Year's Eve on a Sunday, 12:00hrs to 22:30hrs On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00:00hrs (midnight) on 31st December). <p>Supper Hours Certificate Alcohol may be sold or supplied (for one hour following the hours set out above and) to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises s an</p>	<p>There are no restrictions on the hours during which this premises is open to the public</p> <p>For conditions re. "drinking up time" see Annex 1 Mandatory Conditions</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 23:00hrs on New Years Eve and 11:00hrs on New Years Day.</p>

14 Market Street - Nearby licensed premises

	<p>ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.</p> <p>In addition on Christmas Day for the purposes set out under Supper Hours Certificate the permitted hours shall extend between the first and second parts of the general licensing hours</p> <p><u>Late Night Refreshment</u> Hot drinks and hot food can be served up to 30minutes after the last permitted sale of alcohol. Thus Monday to Saturday until 00:30hrs (the following day) Sunday 00:00hrs (midnight)</p>	
<p>(Rapha Racing Cycle Club, Cafe & Store) Spitalfields Market 61-63 Brushfield Street</p>	<p><u>Sale by retail of alcohol (On sales only)</u></p> <ul style="list-style-type: none"> Monday to Sunday, from 11:00 hours to 21:00 hours <p><u>The provision of regulated entertainment – Indoors</u> <u>Films</u></p> <ul style="list-style-type: none"> Monday to Sunday, from 08:00 hours to 21:00 hours 	<p>Monday to Sunday, from 08:00 hours to 21:30 hours</p>
<p>(Barber Barber) 51 Brushfield Street</p>	<p><u>Sale by retail of alcohol (on sales only)</u></p> <ul style="list-style-type: none"> Monday to Saturday, from 09:00 hours to 21:00 hours Sunday, from 09:00 hours to 19:00 hours 	<p>Monday to Saturday, from 09:00 hours to 21:30 hours</p> <p>Sunday, from 09:00 hours to 19:30 hours</p>
<p>(Pho) 48 Brushfield Street</p>	<p><u>The sale by retail of alcohol (On sales only)</u> Monday to Saturday – 10:00 to 00:00 (midnight) Sunday 12:00 – 23:30</p> <p><u>The provision of late night refreshment</u> Monday to Saturday – 23:00 – 00:30 the following day Sunday 23:00 – 00:00 (midnight)</p> <p><u>The provision of regulated entertainment (in the form of recorded music)</u> Monday to Saturday – 10:00 to 00:00 (midnight) Sunday 12:00 – 23:30</p>	<p>Monday to Saturday – 23:00 – 01:00 the following day Sunday 23:00 – 00:30 the following day</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.</p>

14 Market Street - Nearby licensed premises

(A.Gold) 42 Brushfield Street	<u>Alcohol shall not be sold or supplied except during permitted hours. (Off sales only)</u> In this condition, permitted hours means: a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m. b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m. c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m. d. On Good Friday, 8 a.m. to 10.30 p.m. See Mandatory conditions for drinking up time	There are no restrictions on the hours during which this premises is open to the public
(Hotel Chocolat) 27-33 Brushfield Street	<u>The supply of Alcohol (both on and off sales)</u> <ul style="list-style-type: none"> Monday to Saturday from 09:00hrs to 23:00hrs Sunday from 09:00hrs to 22:30hrs 	Monday to Saturday from 09:00hrs to 23:00hrs Sunday from 09:00hrs to 22:30hrs
(Rola Wala) 36 Brushfield Street	<u>The sale by retail of alcohol (On and off sales)</u> Monday to Saturday 12:00 hours to 22:00 hours Sunday from 12:00 hours to 20:00 hours	Monday to Friday from 11:00 hours to 22:00 hours Saturday from 12:00 to 22:00 hours Sunday from 12:00 hours to 20:00 hours
(Anthropologie) 18-28 Brushfield Street	<u>The sale by retail of alcohol (off sales)</u> Monday to Saturday 08:00 hours – 21:00 hours Sunday 10:00 hours – 21:00 hours	Monday to Saturday 08:00 hours – 21:00 hours Sunday 10:00 hours – 21:00 hours
(Pilpel Spitalfields) 38 Brushfield Street	<u>The sale by retail of alcohol</u> (On and off sales) Monday to Sunday, from 10:00 hours to 21:00 hours	Monday to Sunday, from 10:00 hours to 21:00 hours
(Spianata & Co) 41 Brushfield Street	<u>Sale of Alcohol (on sales only)</u> <ul style="list-style-type: none"> Monday to Sunday from 11:00hrs to 21:30hrs 	Monday to Friday from 07:30hrs to 22:00hrs Saturday & Sunday from 11:00hrs to 22:00hrs
(Chilango) 32 Brushfield Street	<u>The sale by retail of alcohol (on and off sales)</u> Monday to Sunday from 11:00hrs to 21:00hrs	Monday to Sunday from 11:00hrs to 21:30hrs
(The Gun) 54 Brushfield Street	<u>The sale by retail of alcohol (on and off sales)</u> Monday to Thursday 11.00 hours to 23.00 hours Friday and Saturday 11.00 hours to 23.30 hours Sunday 12:00 hours to 22.30 hours	Monday to Thursday 11.00 hours to 23.30 hours Friday and Saturday 11.00 hours to 00:00 hours (midnight) Sunday 12:00 hours to 23.00 hours

14 Market Street - Nearby licensed premises

(The Grocer) Unit 4 Crispin Square Crispin Place London E1 6DW	<p>The sale by retail of alcohol (On sales only)</p> <p>Monday to Saturday, 10.00am to 22.30pm.</p> <p>Sunday, 10.00am to 21.30pm.</p>	<p>Monday to Saturday, 10.00am to 23.00pm.</p> <p>Sunday, 10.00am to 22.00pm.</p>
(Leon) 3 Crispin Place London E1 6DW	<p>The sale by retail of alcohol: (On and off sales)</p> <p>Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 10:00 hours to midnight</p> <p>Late Night refreshment: Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday until midnight</p>	<p>Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 07:00 hours to 00:30 hours the following day.</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open between the end of permitted hours on New Years Eve until the beginning of the permitted hours on the New Years Day.</p>
(Leon) 3 Crispin Place London E1 6DW	<p>The sale by retail of alcohol: (On and off sales)</p> <p>Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 10:00 hours to midnight</p> <p>Late Night refreshment: Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday until midnight</p>	<p>Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 07:00 hours to 00:30 hours the following day.</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open between the end of permitted hours on New Years Eve until the beginning of the permitted hours on the New Years Day.</p>

14 Market Street - Nearby licensed premises

2 Crispin Place London E1 6DW	<p>The sale by retail of alcohol: (On and off sales) Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 08:00 hours to 23:30 hours.</p> <p>Late Night Refreshment: Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday until 23:30 hours.</p> <p>The external seating area shall not be used for licensable activities after 22:00 hours on Sunday, Monday, Tuesday, Wednesday and Thursday and no later than 23:00 hours on Friday and Saturday.</p>	<p>Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday from 08:00 hours to midnight.</p> <p>Note: the external seating are shall not be used after 22:00 hours on Monday to Thursday and 23:00 hours on Friday and Saturday.</p> <p>Note: New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p>
<p>(Crispin) Unit 11 London Fruit & Wool Exchange Crispin Street E1 6EN</p>	<p><u>The sale of alcohol</u> (on & off sales) Monday – Sunday 08:00 – 22:00 hours</p>	<p>Monday to Sunday 08:00 – 22:30 hours</p>
<p>(Crepe Affaire) Unit SP2C 3 Horner Square Commercial Street Old Spitalfields Market London E1 6BG</p>	<p><u>Sale of alcohol</u> (On and off sales)</p> <ul style="list-style-type: none"> Monday to Saturday, from 08:00 hours to 22:30 hours Sunday, from 08:00 hours to 19:30 hours <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years day 	<ul style="list-style-type: none"> Monday to Saturday, from 08:00 hours to 23:00 hours Sunday, from 08:00 hours to 20:00 hours <p><u>Non-standard timings</u></p> <ul style="list-style-type: none"> New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years day
<p>(The Real Greek) 6 Horner Square Old Spitalfields Market London E1 6EW</p>	<p>The sale by retail of alcohol (On and off sales) Monday to Saturday - 10 00 hrs to 22 30 hrs Sunday - 10 00 hrs to 19 30 hrs</p>	<p>Monday to Saturday - 10 00 hrs to 23 00 hrs Sunday - 10.00 hrs to 20 00 hrs</p>
<p>(The Diner) 4 Horner Square Old Spitalfields Market London E1 6EW</p>	<p>The sale by retail of alcohol (On and off supplies) (Inside and outside the premises) Monday to Saturday from 10 00 hrs until 23 00 hrs Sunday from 10 00 hrs to 22 hrs</p>	<p>Inside and outside the premises: Monday to Saturday from 10:00 hrs to 23:30 hrs</p> <p>Sunday from 10:00 hrs to 22:30 hrs</p>

14 Market Street - Nearby licensed premises

	<p>From 10 00 hrs on New Years Eve to the end of New Years Day</p> <p>Regulated Entertainment: Consisting of live music; recorded music; performance of dance; provision of facilities for making music; and provision of facilities for dancing. Monday to Saturday 10:00 hrs – 21:30 hrs Sunday 10:00 hrs – 20:00 hrs. New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.</p>	<p>From 10 00 hrs on New Years Eve to the end of New Years Day</p>
<p>Gourmet Burger Kitchen 5 Horner Square Old Spitalfields Market London E1 6EW</p>	<p>The sale by retail of alcohol (On and off sales) Monday to Saturday 10 00 hrs to 22 30 hrs</p> <p>Sunday 10 00 hrs to 19 30 hrs</p>	<p>The hours the premises shall be open to the public are: Monday to Saturday 10 00 hrs to 23 00 hrs</p> <p>Sunday 10.00 hrs to 20 00 hrs</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



Licensing Authority:

CC: Applicant's agent – David Inzani

2nd March 2022

Your reference

My reference: LIC/146012/MA

Dear Licensing Authority,

PLACE Directorate
Public Realm

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

Tel: 020 7364 5498
Fax: 020 7364 0863
Email: licensing@towerhamlets.gov.uk

www.towerhamlets.gov.uk

Licensing Act 2003

New premises licence application: Kill the Cat, 14 Market Street, London E1 6DT

The Licensing Authority (acting a Responsible Authority) is making a representation against the above application.

Special Cumulative Impact Policy for the Brick Lane

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.

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.

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 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.

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 CIA if they wish to rebut this presumption.



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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.

Where representations have been received in respect to applications within the CIA zones the onus is on the applicant to adequately rebut the presumption.

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.

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.*



Licensable activities and times

The Licensing Authority has had regard to the Guidance to the Act when determining this policy. 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.

- Sunday – 06:00 hours to 22:30 hours
- Monday to Thursday – 06:00 hours to 23:30 hours
- Friday and Saturday – 06:00 hours to 00:00 hours (midnight)

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 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:



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

The applicant has stated *"upon the grant of this premises licence as applied for the applicant would surrender premises licence number 138889 in respect of 43 Brushfield Street"*. To clarify, the times on that licence (with an outside area) are half an hour less for Monday to Saturday and the conditions are the same except that the following ones are omitted:

- *Sale of alcohol shall be ancillary to the sale of food.*
- *The external area shall not be used after 21:00 hours, except for patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, and shall be limited to 5 persons at any one time.*

The applicant has also stated *"this application seeks to restore premises licence number 127633, which was in place for 12 Market Street until the premises licence was surrendered in August 2021"*. It is noted that this licence had the same licensed hours without the standard conditions but did not have an outside area on the plan.

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 and therefore potentially undermining the licensing objectives. The capacity of the premises for the current application is not clear.

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 the applicant should have arrangements to prevent vertical drinking, for example fully seated venues, including the following:

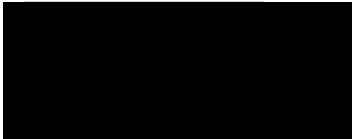
1. *Sale of alcohol shall be ancillary to the sale of food.*
2. *The external area shall not be used after 21:00 hours, except for patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, and shall be limited to 5 persons at any one time.*
3. *When the designated premise supervisor is not on the premises any or all persons authorised to sell alcohol will be authorised by the designated premises supervisor in writing. This shall be available on request by the Police or any authorised officer.*





4. *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



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Town Hall
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5 Clove Crescent
E14 2BG

Appendix 8

Lavine Miller-Johnson

From: Nicola Cadzow
Sent: 02 March 2022 16:56
To: Mohshin Ali, Lavine Miller-Johnson
Cc: [REDACTED] David Inzani
Subject: 146012 MAU REPRESENTATION New premises license application for Kill the Cat, 14 Market Street, London E1 6DT
Attachments: MarketSt14.LARep.MA.pdf

Dear Licensing,

I have regarded the premise license application for Kill the Cat, 14 Market Street, London E1 6DT and the potential impact of public nuisance and measures to prevent noise generated particularly from within the external area which could cause disturbance to people in the vicinity, within Brick Lane CIZ.

Whilst the applicant agreed to the following condition: *The external area shall not be used after 22:30 hours, except for patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, and shall be limited to to 8 persons at any one time.*

Following representation from Mr Ali, Licensing officer, and having reconsider the application and the previous conditions on the surrendered license, please take this as my representation based on the licensing objective for the prevention of public nuisance

Noise Sensitive premises: residential premises in close proximity to 14 Market Street.

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.
- The hours of operation (inclusive of proposals) particularly for use of the external area

CONCLUSION

Environmental Protection **does not** support the application Kill the Cat, 14 Market Street, London E1 6DT as there is great likelihood of disturbance to residential premises particularly by use for the external area, and the premises being in the Brick Lane Cumulative Impact Zone.

If the committee are minded to grant the license I would ask that the following conditions from the previous license are considered:

- The external area shall not be used after 21:00 hours, except for *patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, and shall be limited to 5 persons at any one time.*

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

Appendix 9

Lavine Miller-Johnson

From: [REDACTED]
02 March 2022 13:16
To: Nicola Cadzow; [REDACTED]
Cc: L.Inzani@popall.co.uk
Subject: RE: 146012 KILL THE CAT 14 MARKET ST E1 6DT

Dear Nicola and Barry,

I write further to your requests for additional conditions and enquiries in relation to the above application.

I confirm that my client would be prepared to agree to the following additional conditions, however please note that we are not formally amending the application until we are aware of all representations that the application has received. We would also need your confirmation that your representations are withdrawn on the basis of the additional conditions:

Additional Conditions

1. The external area shall not be used after 22:30 hours, except for patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, and shall be limited to 8 persons at any one time. – this is agreed
 2. 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. – this is agreed
 3. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will if safe to do so, immediately ensure that:
 - a. the police (and, where appropriate, the London Ambulance Service) are called without delay;
 - b. all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
 - c. the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
 - d. such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
- this is agreed
4. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables. – this is agreed, however, we would like you to note that the premises licence we are reinstating (licence number 127633) was not restricted in this way and there were no incidents or complaints in relation to the use of the outside area, which did not require patrons to be seated at tables.
 5. 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. – this is agreed.
 6. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity. – this is agreed
 7. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway. – this is agreed
 8. To amend the terminal hour for licensable activities on New Year's Eve to 3am. – this is agreed

General Enquiries

In response to the further enquiries that you have both made, please note the following:

- The premises has a capacity of 60 inside and 25 outside. The operator intends to permit vertical drinking, but seating will be available for all customers. This is a very small premises.

- Alcohol sales will not be ancillary to a meal. Kill the Cat is an award-winning craft beer bottle shop and bar, with an existing licensed premises in Brick Lane within your Licensing Authority. We have been advised that Kill the Cat operate very well in Brick Lane without causing any problems to the responsible authorities or their neighbours.
- The outside seating area is covered by CCTV.
- I confirm that the operator would be happy to join the local pub watch. Barry, please feel free to send over any details regarding this.

Please confirm whether the above additional conditions satisfy your concerns and if these are adopted then your representations would be withdrawn.

As outlined above, if you are happy with these conditions and there are no further representations then we will confirm to the Licensing Authority that these conditions are agreed. If further representations are/have been received by the Licensing Authority then we reserve the right to consider these before making any formal amendments to the application.

I am aware that today is the last date for representations, and of course we would prefer that you do not submit a representation and we can agree matters between us. Please do not hesitate to call me on 07943 097 660 if you wish to discuss any matters further.

Kind regards,

David

David Inzani | Solicitor

[Redacted]
[Redacted]
[Redacted]

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Business continues as usual. A number of our team continue to work securely from home and remain available via email or phone. Where possible, all correspondence will be dealt with electronically and there may be a delay in sending out hard copy documents by post.

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From: Nicola Cadzow <[Redacted]>
Sent: 02 March 2022 09:47
To: David Inzani <[Redacted]>
Subject: RE: 146012 KILL THE CAT 14 MARKET ST E1 6DT

Good morning David,

Further to my previous email, please can you advise the capacity of the premises, which does not appear on the application

Much appreciated

regards

Nicola Cadzow
Environmental Health Officer
Environmental Protection Team

Dear Barry and Nicola,

I am in receipt of your comments regarding the premises licence application for 14 Market Street. I am taking my client's instructions and will get back to you.

Kind regards,

David

David Inzani | Solicitor

Poppleston Allen

Coronavirus - Important Information

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Cybercrime notification: Our bank account details will NOT change during the course of a transaction. Please speak to us before transferring any money. We will not take responsibility if you transfer money to an incorrect bank account. If you receive an email from Poppleston Allen requesting your bank details or purporting to amend our bank details, please contact us, or your solicitor, as appropriate, by telephone immediately to clarify.

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From: Nicola Cadzow [REDACTED]
Sent: 25 February 2022 09:14
To: [REDACTED] David Inzani [REDACTED]
Subject: 146012 KILL THE CAT 14 MARKET ST E1 6DT

Good morning, Barry, Mr Inzani,

Further to PC Leban's email I would ask that the following additional noise condition apply:

The external area shall not be used after 22:30 hours, except for patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, and shall be limited to to 8 persons at any one time.

Await you response at your earliest convenience.


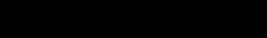
Kind regards

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



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From: [Barry.D.Leban](#) 
Sent: Thursday, February 24, 2022 3:02 PM
To: 
Subject: KILL THE CAT 14 MARKET ST E1 6DT

Good afternoon Mr Inzani, Good
I have been assigned the above application.
Can you please let me know how many covers inside and outside the venue?
Is the seated area for alcohol purchases ancillary to a meal?
Is the outside seating area covered by CCTV?
Does the venue plan to have vertical drinking?
Will there be a smoking area? Location?, Max numbers?

Regarding the non standard hours: New Year's Eve: from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Would your client consider terminating at 03:00 hours?

I would recommend the applicant joining the pub watch scheme as this offers them the opportunity to meet licensing/dedicated ward officers in conjunction with other licensees to receive updates regarding licensing/crime, share information and discuss any issues.
Kind regards,
Barry LEBAN PC1485CE
Stoke Newington police station licensing unit

I have attached some additional standard conditions that I feel are appropriate for your client to consider.
If they are in agreement, please let me know via email. Alternatively if you wish to discuss, please let me know via email a contact number and convenient time to call.
Kind regards,
Barry LEBAN PC1485CE
Stoke Newington police station licensing unit.

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Lavine Miller-Johnson

From: Lavine Miller-Johnson on behalf of Licensing
Sent: 03 March 2022 17:12
To: Lavine Miller-Johnson
Subject: FW: PREMISES LICENSE APPLICATION 146012
Attachments: KILL THE CAT 24022022.docx; RE: 146012 KILL THE CAT 14 MARKET ST E1 6DT

From: [REDACTED]
Sent: 03 March 2022 11:28
To: Licensing [REDACTED]
Cc: [REDACTED]
Subject: PREMISES LICENSE APPLICATION 146012

Good afternoon,
I have no objection to the application.
Please find attach agreed additional standard licence conditions and agreement email.
Kind regards,
Barry

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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. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will if safe to do so, immediately ensure that:
 - a) the police (and, where appropriate, the London Ambulance Service) are called without delay;
 - b) all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
 - c) the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises
3. All outside tables and chairs shall be rendered unusable by (22:30 hours) (23:00 hours) respectively, each day.
4. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables
5. 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.
6. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
7. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

Appendix 10

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 11

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 12

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 13

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 14

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 15

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

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

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

(see 14.8 of the Licensing Policy)

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

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

(See 14.9 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates

Appendix 16

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 or 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.