

# Appendix 1

**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.

**We Staycity UK Ltd apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and 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 Wilde by Staycity Aparthotel, 92 Middlesex Street,	
Post town London	Post code E1 7EZ

Telephone number of premises (if any)

Non-domestic rateable value of premises

 £

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

a) An individual or individuals\*

Please tick ✓

please complete section (A)

b) a person other than an individual\*

i. as a limited company

please complete section (B)

ii. as a partnership

please complete section (B)

iii. as an unincorporated association or

please complete section (B)

iv. other (for example a statutory corporation)

please complete section (B)

c) a recognised club

please complete section (B)

d) a charity

please complete section (B)

e) the proprietor of an educational establishment

please complete section (B)

f) a health service body

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

please complete section (B)

h) the chief officer of police of a police force in England and Wales

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  Mrs  Miss  Ms  Other title (For example, Rev)

Surname  First names

Date of Birth:	I am 18 years old or over <input type="checkbox"/>
Nationality: 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)	

Current postal address if different from premises address

Post Town  Postcode

Daytime contact telephone number

Email address (optional)

**Second Individual Applicant (if applicable)**

Mr  Mrs  Miss  Ms  Other title (For example, Rev)

Surname  First names

Date of Birth:	I am 18 years old or over <input type="checkbox"/>
Nationality: 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)	

Current postal address if different from premises address

Post Town  Postcode

Daytime contact telephone number

Email address (optional)

**(B) OTHER APPLICANTS**

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

Name Staycity UK Ltd
Address [REDACTED]
Registered number (where applicable) [REDACTED]
Description of applicant (for example, partnership, company, unincorporated association etc.) <b>Limited Company</b>
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				
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If you wish the licence to be valid only for a limited period, when do you want it to end?

Day    Month    Year

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

N/A
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**Please give a general description of the premises (please read guidance note 1)**

This is a development site for which no rateable value has been assessed but where building works are ongoing. In accordance with the regulations a Band C fee is payable.

The applicant operates existing Aparthotels in Manchester, London, York, Birmingham, Liverpool and elsewhere internationally. In addition there is a site already operating within Tower Hamlets Licensing Authority at Commercial Street, London.

The unit intended to be licensed at Middlesex Street, London will offer a serviced aparthotel consisting of studios and one bedroom apartments.

Each studio / apartment will offer cooking facilities but the applicant will offer a cafe area which is intended to extend a limited food and beverage offering as identified on the plans deposited with this application.

It is proposed that the permitted hours for licensable activities for these premises should be as follows for non residents:

Sunday: 10:00 to 22:30 hours  
Monday – Thursday: 10.00 to 23.30 hours  
Friday and Saturday: 10:00 to 00:00 hours

However, the premises will remain open and alcohol will be available 24 hours a day to residents at the premises.

This application seeks to licence the premises specifically to authorise under the Licensing Act 2003 the following activities:

1. The sale of alcohol.
2. The provision of late night refreshment after 23.00.

The appropriate drawings deposited with this application are:

- Site location plan – 1824-P-301.
- Site Plan – 1824-P-302.
- Plan showing proposed ground floor licensed area edged in red – P1824-A-502-02.
- Detailed plan showing ground floor licensed area plan number: 2019/ID/001
- Plans showing indicative layout for the unlicensed floors being basement, first to sixth floor as attached including fire safety measures.

Please note that the internal area edged red on the licensing drawings are intended to be used (as required) for all licensable activities.

Please further note that the appropriate fire safety precautions will be incorporated within the development in consultation with the Fire Safety Officer and under the Building Regulation approval process.

CCTV – CCTV will be installed within the premises and will cover the areas intended to be licensed.

It is not anticipated that the proposed development will adversely affect crime and disorder or public nuisance.

Please note that the apartments themselves are not intended to be included within the ambit of the licence, save that alcohol purchased from the facility to be licensed may be delivered to and/or consumed in those apartments by those residents.

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

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

Please tick ✓ yes

**Provision of regulated entertainment**

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

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

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

**In all cases complete boxes K, L and M**

**A**

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place Indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			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 5)		
Sat					
Sun					

**B**

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place Indoors or outdoors or both – please tick {Y}(please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

**C**

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

**D**

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick {Y}(please read guidance note 2).		Indoors	
					Outdoors	
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)			
Wed						
Thur						
Fri			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 (please read guidance note 5)			
Sat						
Sun						



**E**

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

**F**

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

## G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors
Day	Start	Finish		Outdoors
Mon			Please give further details here (please read guidance note 3)	Both
Tue				
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

## H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors
Mon				Please give further details here (please read guidance note 3)
Tue			Both	
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

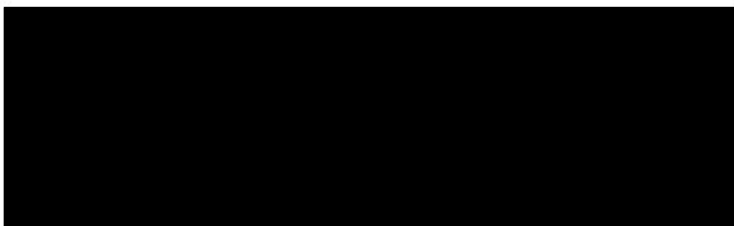
**I**

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place Indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3) As stated in Part 3 above		
Mon	23:00	23:30			
Tue	23:00	23:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed	23:00	23:30			
Thur	23:00	23:30	N/A – save as below		
Fri	23:00	00:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	23:00	00:00			
Sun			When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

**J**

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	
				Off the premises	
				Both	✓
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	10:00	23:30			
Tue	10:00	23:30	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 5)		
Wed	10:00	23:30			
Thur	10:00	23:30	To permit the sale of alcohol hereunder from 10.00 New Years Eve: 10:00 to terminal hours proposed being 00.30 on 2 <sup>nd</sup> January		
Fri	10:00	00:00			
Sat	10:00	00:00	The premises shall remain open to permit the sale of alcohol to residents 24 hours a day		
Sun	10:00	22:30			

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



## 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 8)

NONE

## L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	06:00	01:00	Please see box J above
Tue	06:00	01:00	
Wed	06:00	01:00	
Thur	06:00	01:00	
Fri	06:00	01:00	
Sat	06:00	01:00	
Sun	06:00	01:00	
			The premises shall remain open 24 hours a day for residents.

## 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 9)**

We have undertaken our own risk assessment to propose the following steps:-

The steps which we have identified in relation to the four licensing objectives are listed below

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

No further risks have been identified which need to be addressed, save as below

1. The use of door staff will be risk assessed on an ongoing basis by the licence holder of premises supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.
2. Staff will receive training on matters concerning underage sales, drugs policies and operating procedures.

3. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.
4. The premises shall operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 21 years.
5. The management of the premises will liaise with police on issues of local concern or disorder.
6. CCTV will be installed with recording facilities such recordings shall be retained for a period of 31 days and made available within a reasonable time upon request by the police, such as to cover the main entrance to the premises.
7. There shall be no drinks promotions at the premises which are inconsistent with the need to promote responsible drinking.

#### **c) Public safety**

No further risks have been identified which need to be addressed, save as below

1. To comply with the reasonable requirements of the fire officer from time to time.
2. The premises will have adequate safety and fire fighting equipment and such equipment will be maintained in good operational order.
3. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.
4. Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff.
5. Fire Exits and means of escape shall be kept clear and in good operational condition.

#### **d) The prevention of public nuisance**

No further risks have been identified which need to be addressed, save as below

1. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
2. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises, Where appropriate the licensee or a suitable staff member will monitor patrons leaving at the closing time.
3. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
4. Contact numbers for local taxi firm(s) shall be kept at the premises and made available to patrons requiring a taxi.

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

- 1) The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.
- 2) No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
- 3) There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to persons under 18 years.
- 4) The premises supervisor or appointed staff member shall ensure that when children are admitted to the premises their presence is not inconsistent with the style of operation of the premises at that time and the licensable activities that are being carried out.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee
- 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 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 (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.** (Please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• {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).</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>
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Signature: John Gaunt & Partners .....

Date: 17<sup>th</sup> July 2022

Capacity: Solicitors.....

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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: John Gaunt & Partners .....

Date:.....

Capacity: Solicitors.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)

**John Gaunt & Partners**

Post town  
**Sheffield**

Post code  
[REDACTED]

Telephone number (if any)

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

### Notes for Guidance

1. 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.
2. 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. Entitlement to work/Immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

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

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

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

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

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

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK {please see note below about which sections of the passport to copy}.
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.



- A **current** passport endorsed to show that the holder is exempt from Immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

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

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

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

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

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

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

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

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

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

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

# Appendix 2



**Key**

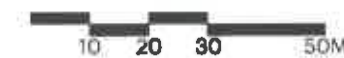
 Site Boundary

**Nick  
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6 Baker's Yard  
London E2 18 8DD  
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info@nickbakerarchitects.com  
www.nickbakerarchitects.com  
Contents of this drawing are the copyright of Nick Baker Architects

92 Middlesex Street  
London E1 7EZ

Location Plan



Scale 1:1250@A3 Date 20 11 20 Revision 00

1824 P-301





**Key**

 Site Boundary

92 Middlesex Street  
London E1 7EZ

**Block Plan**



Scale 1:500@A3 Date 20 11 20 Revision 00

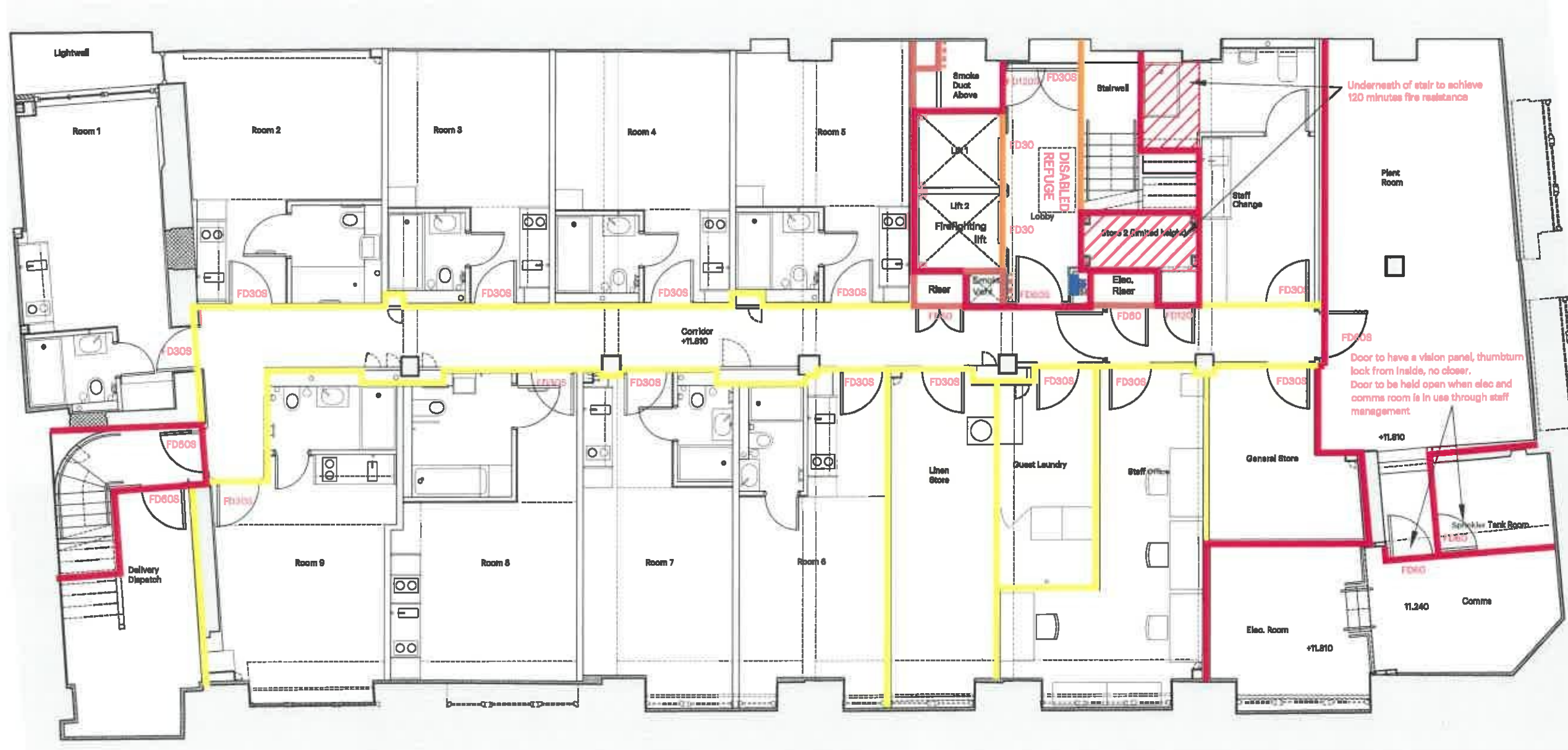
1824

P-302

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www.nickbakerarchitects.com  
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  - 3 All dimensions to be verified on site prior to commencement of works. Any discrepancies shall be notified
  - 4 All dimensions are in millimetres unless noted otherwise
  - 5 All drawings to be read in conjunction with all specs, scopes of works and schedules
  - 6 All levels to relate to OBM
  - 7 All drawings to be read in conjunction with structural + M&E engineers drawings and schedules



- 120 MIN. FIRE RATED WALL
- 90 MIN. FIRE RATED WALL
- 60 MIN. FIRE RATED WALL
- 30 MIN. FIRE RATED WALL
- FD1208 120 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE.
- FD60 60 MIN. FIRE RATED DOOR
- FD608 60 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE.
- FD30 30 MIN. FIRE RATED DOOR
- FD308 30 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE.
- SMOKE EXTRACT DAMPER - 90 MINUTES FIRE RATED
- SMOKE EXTRACT DAMPER - 120 MINUTES FIRE RATED
- ~ FIRE CURTAIN
- ABLATIVE BATT or similar to achieve 90 min to riser floor
- ABLATIVE BATT or similar to achieve 120 min to riser floor
- DRY RISER INLET
- AOV AUTOMATIC OPENING VENT INSTALLED TO THE BINS STORE ROOF AND AT THE TOP OF THE STAIR (1m2 free opening)

Rev.	Description	Date
01	General updates	01 02 21
02	Layout updated	24 12 21

## 1 FIRE STRATEGY BASEMENT

- GENERAL NOTES**
- MIST SPRINKLER SYSTEM TO BE INSTALLED THROUGHOUT THE BUILDING TO SPECIALIST DESIGN.
  - L1 FIRE DETECTION SYSTEM INSTALLED THROUGHOUT THE BUILDING TO SPECIALIST DESIGN.
  - FLOOR AT ALL THE LEVELS TO ACHIEVE 90 MIN. FIRE RESISTANCE
  - STRUCTURAL FRAME TO ACHIEVE 90 MIN. FIRE RESISTANCE
  - SERVICE PENETRATIONS TO BE SEALED USING 3RD PARTY ACCREDITED FIRE STOPPING PRODUCTS INSTALLED BY A 3RD PARTY ACCREDITED INSTALLER

Status  
**FOR INFORMATION**

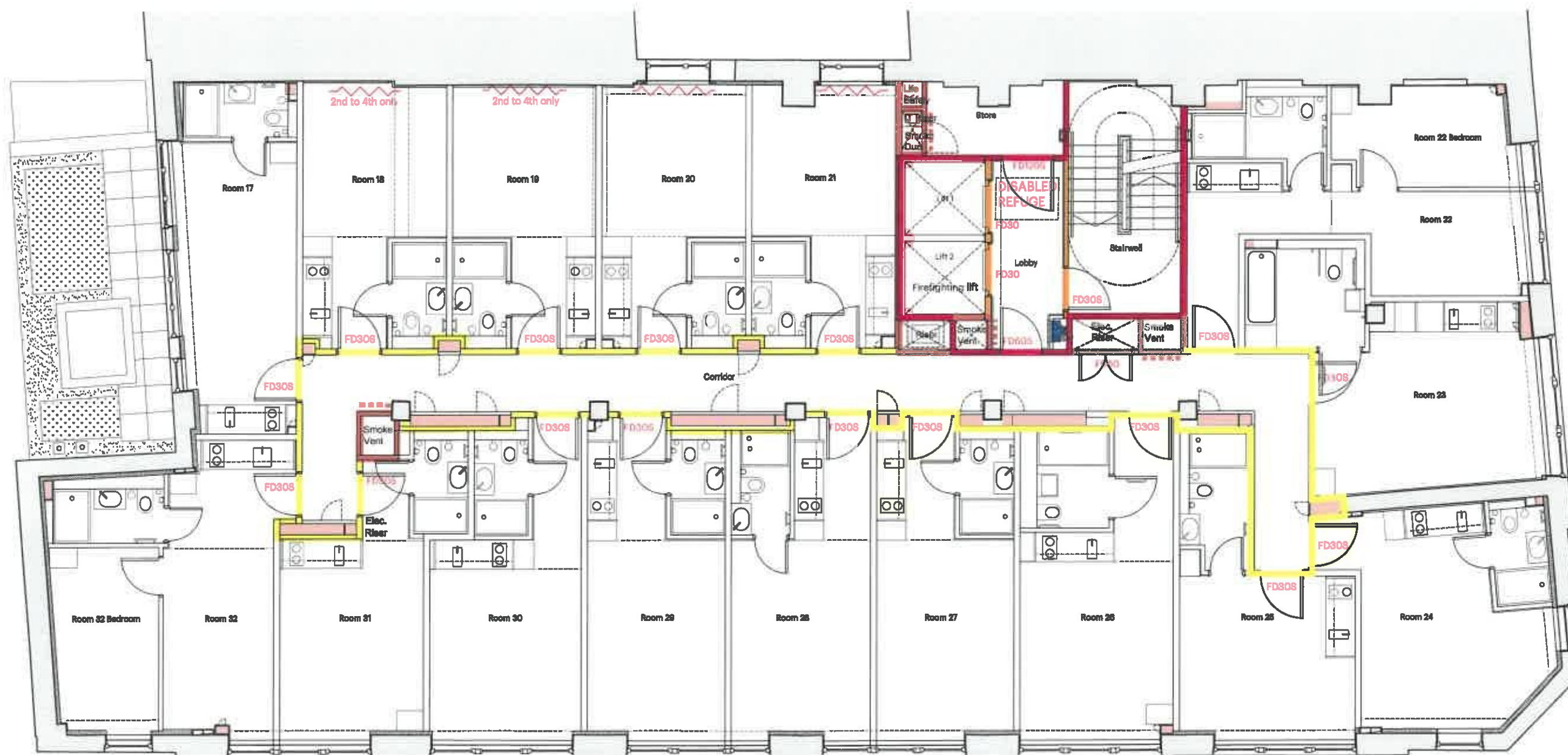
Client  
**Glenwell Group**

Address  
**1824-Middlesex Street**

Drawn Title  
**Fire Strategy Basement**

Scale	Drawn By	Checked By	Date
1:100@A3	ND	NBA	07 02 2020
Job no.	Drawing No.	Rev.	
1824	A-501	02	





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  - 3 All dimensions to be verified on site prior to commencement of works. Any discrepancies shall be notified
  - 4 All dimensions are in millimetres unless noted otherwise
  - 5 All drawings to be read in conjunction with all scope of works and schedules
  - 6 All levels to relate to OBM
  - 7 All drawings to be read in conjunction with structural + M&E engineers drawings and schedules

- 120 MIN. FIRE RATED WALL
- 90 MIN. FIRE RATED WALL
- 60 MIN. FIRE RATED WALL
- 30 MIN. FIRE RATED WALL
- FD1208 120 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE.
- FD80 60 MIN. FIRE RATED DOOR
- FD808 60 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE.
- FD30 30 MIN. FIRE RATED DOOR
- FD308 30 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE.
- - - - SMOKE EXTRACT DAMPER - 90 MINUTES FIRE RATED
- - - - SMOKE EXTRACT DAMPER - 120 MINUTES FIRE RATED
- ~ FIRE CURTAIN
- ▭ ABLATIVE BATT or similar to achieve 90 min to riser floor
- ▭ ABLATIVE BATT or similar to achieve 120 min to riser floor
- DRY RISER INLET
- AOV AUTOMATIC OPENING VENT INSTALLED TO THE BINS STORE ROOF AND AT THE TOP OF THE STAIR (1m2 free opening)

Rev.	Description	Date
01	General updates	01 08 21
02	Layout updated	24 12 21

## 1 FIRE STRATEGY, FIRST TO FOURTH FLOOR

### GENERAL NOTES

- MIST SPRINKLER SYSTEM TO BE INSTALLED THROUGHOUT THE BUILDING. TO SPECIALIST DESIGN.
- L1 FIRE DETECTION SYSTEM INSTALLED THROUGHOUT THE BUILDING. TO SPECIALIST DESIGN.
- FLOOR AT ALL THE LEVELS TO ACHIEVE 90 MIN. FIRE RESISTANCE
- STRUCTURAL FRAME TO ACHIEVE 90 MIN. FIRE RESISTANCE
- SERVICE PENETRATIONS TO BE SEALED USING 3RD PARTY ACCREDITED FIRE STOPPING PRODUCTS INSTALLED BY A 3RD PARTY ACCREDITED INSTALLER

Status  
**FOR INFORMATION**

Client  
**Glenwell Group**

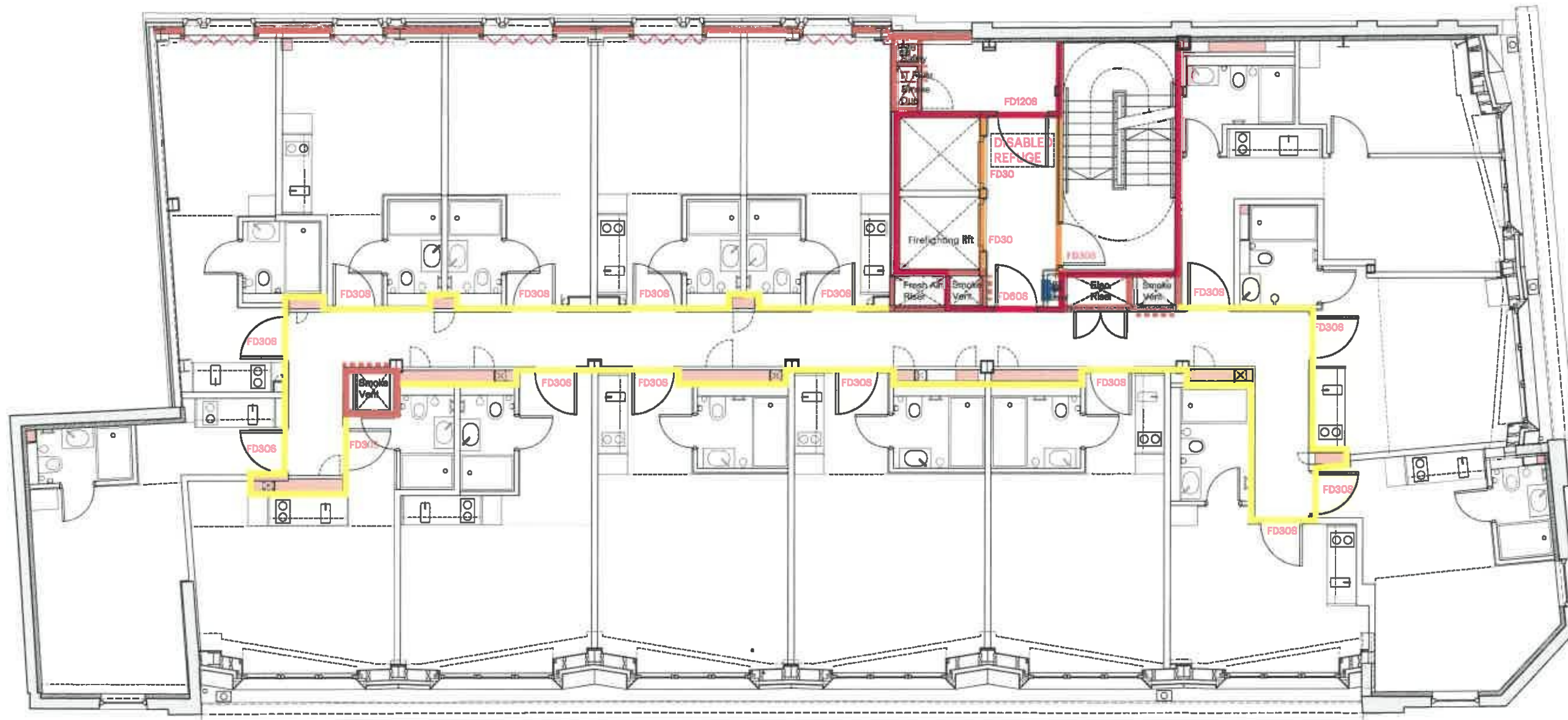
Project  
**1824-Middlesex Street**

Drawing Title  
**Fire Strategy 1st to 4th floor**

Scale	Drawn By	Checked By	Date
1:100@A3	IC	NBA	07 02 2020

Job no.	Drawing No.	Rev.
1824	A-503	02

- Notes
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  - 3 All dimensions to be verified on site prior to commencement of works. Any discrepancies shall be notified
  - 4 All dimensions are in millimetres unless noted otherwise
  - 5 All drawings to be read in conjunction with all space scope of works and schedules
  - 6 All levels to refer to OSBM
  - 7 All drawings to be read in conjunction with structural + M&E engineers drawings and schedules



- 120 MIN. FIRE RATED WALL
  - 90 MIN. FIRE RATED WALL
  - 60 MIN. FIRE RATED WALL
  - 30 MIN. FIRE RATED WALL
- FD1208 120 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE.
  - FD90 90 MIN. FIRE RATED DOOR
  - FD608 60 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE.
  - FD30 30 MIN. FIRE RATED DOOR
  - FD308 30 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE.
- SMOKE EXTRACT DAMPER - 90 MINUTES FIRE RATED
  - SMOKE EXTRACT DAMPER - 120 MINUTES FIRE RATED
  - ~ FIRE CURTAIN
  - ▭ ABLATIVE BATT or similar to achieve 90 min to riser floor
  - ▭ ABLATIVE BATT or similar to achieve 120 min to riser floor
  - DRY RISER INLET
  - AOV AUTOMATIC OPENING VENT INSTALLED TO THE BINS STORE ROOF AND AT THE TOP OF THE STAIR (1m<sup>2</sup> free opening)

Rev.	Description	Date
01	General updates	01 08 21
02	Layouts updated	24 12 21

**1 FIRE STRATEGY FIFTH FLOOR**

- GENERAL NOTES**
- MIST SPRINKLER SYSTEM TO BE INSTALLED THROUGHOUT THE BUILDING TO SPECIALIST DESIGN.
  - L1 FIRE DETECTION SYSTEM INSTALLED THROUGHOUT THE BUILDING TO SPECIALIST DESIGN.
  - FLOOR AT ALL THE LEVELS TO ACHIEVE 90 MIN. FIRE RESISTANCE
  - STRUCTURAL FRAME TO ACHIEVE 90 MIN. FIRE RESISTANCE
  - SERVICE PENETRATIONS TO BE SEALED USING 3RD PARTY ACCREDITED FIRE STOPPING PRODUCTS INSTALLED BY A 3RD PARTY ACCREDITED INSTALLER

Status  
**FOR INFORMATION**

Client  
**Glenwell Group**

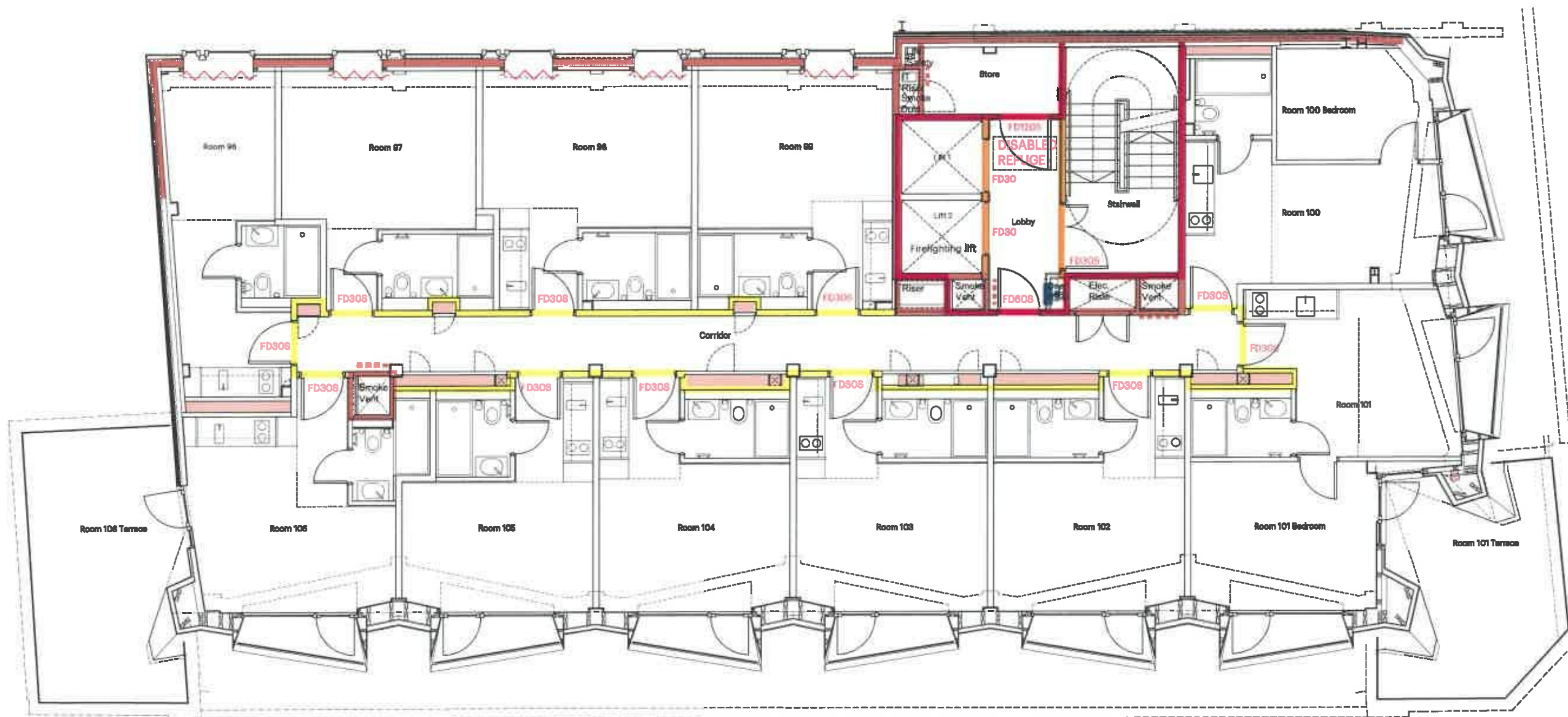
Project  
**1824-Middlesex Street**

Drawing Title  
**Fire Strategy Fifth Floor**

Scale	Drawn By	Checked By	Date
1:100@A3	IO	NBA	07 08 2020
Job no.	Drawing No.	Rev.	
1824	A-504	02	



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  - 3 All dimensions to be verified on site prior to commencement of work
  - 4 Any discrepancies shall be notified
  - 5 All dimensions are in millimetres unless noted otherwise
  - 6 All drawings to be read in conjunction with all specs scope of work and schedules
  - 7 All drawings to be read in conjunction with structural + M&E engineers drawings and schedules



- 120 MIN. FIRE RATED WALL
- 90 MIN. FIRE RATED WALL
- 60 MIN. FIRE RATED WALL
- 30 MIN. FIRE RATED WALL
- FD120S 120 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE
- FD60 60 MIN. FIRE RATED DOOR
- FD60S 60 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE
- FD30 30 MIN. FIRE RATED DOOR
- FD30S 30 MIN. FIRE RATED DOOR SET WITH INTUMESCENT STRIPS, SMOKE SEALS AND SELF CLOSING DEVICE
- SMOKE EXTRACT DAMPER - 90 MINUTES FIRE RATED
- SMOKE EXTRACT DAMPER - 120 MINUTES FIRE RATED
- ~ FIRE CURTAIN
- ▭ ABLATIVE BATT or similar to achieve 90 min to riser floor
- ▭ ABLATIVE BATT or similar to achieve 120 min to riser floor
- DRY RISER INLET
- AOV AUTOMATIC OPENING VENT INSTALLED TO THE BINS STORE ROOF AND AT THE TOP OF THE STAIR (1m<sup>2</sup> free opening)

Rev.	Description	Date
01	General updates	01 02 21
02	Layout updated	24 12 21

**1 FIRE STRATEGY SIXTH FLOOR**

- GENERAL NOTES**
- MIST SPRINKLER SYSTEM TO BE INSTALLED THROUGHOUT THE BUILDING TO SPECIALIST DESIGN.
  - L1 FIRE DETECTION SYSTEM INSTALLED THROUGHOUT THE BUILDING TO SPECIALIST DESIGN.
  - FLOOR AT ALL THE LEVELS TO ACHIEVE 90 MIN. FIRE RESISTANCE
  - STRUCTURAL FRAME TO ACHIEVE 90 MIN. FIRE RESISTANCE
  - SERVICE PENETRATIONS TO BE SEALED USING 3RD PARTY ACCREDITED FIRE STOPPING PRODUCTS INSTALLED BY A 3RD PARTY ACCREDITED INSTALLER

Status  
**FOR INFORMATION**  
Client  
Glenwell Group

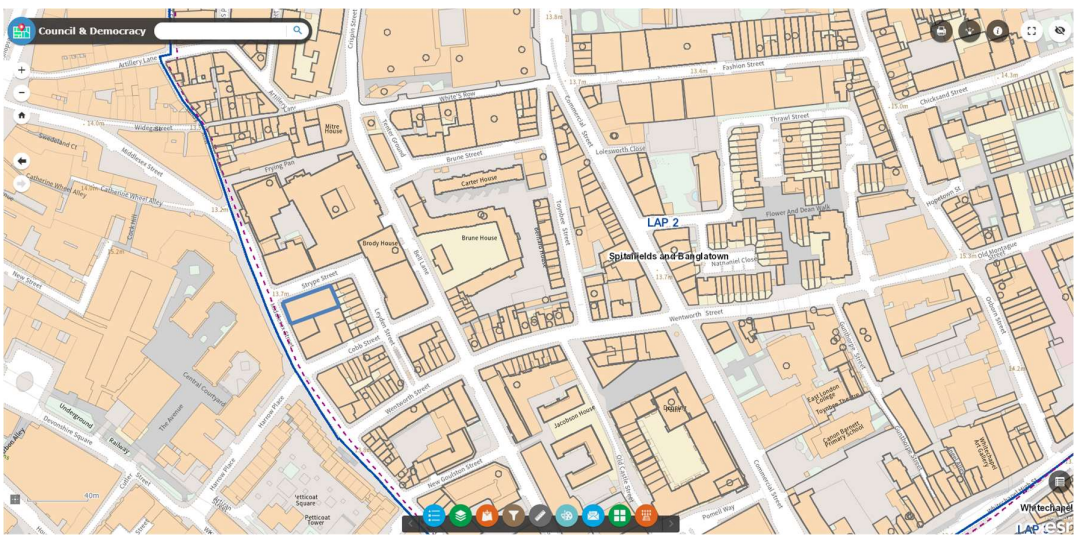
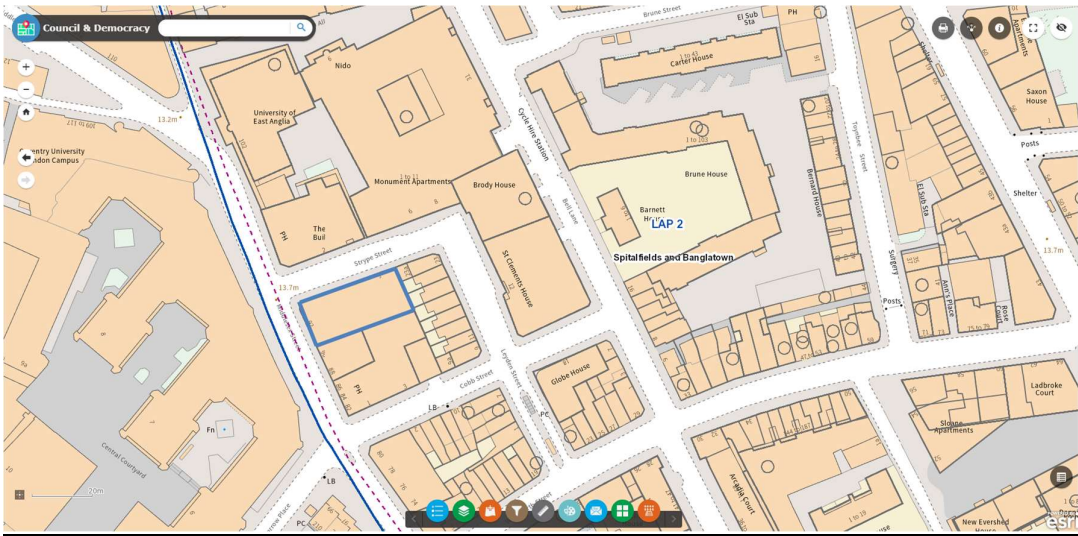
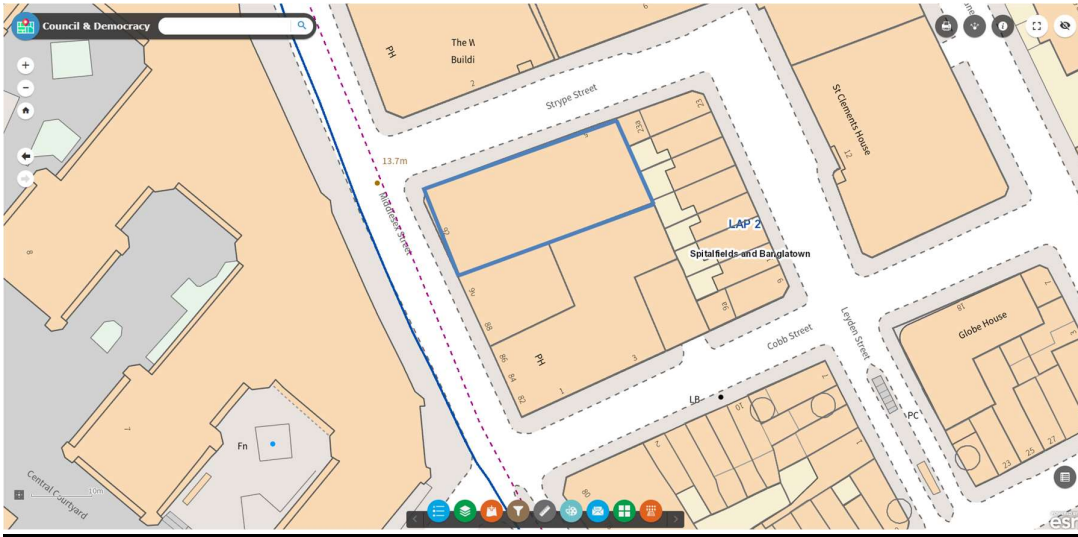
Project  
1824-Middlesex Street

Drawn by Title  
Fire Strategy Sixth Floor

Scale	Drawn By	Checked By	Date
1/100@A3	IC	NBA	07 02 2020
Job no.	Drawing No.	Rev.	
1824	A-505	02	

# Appendix 3

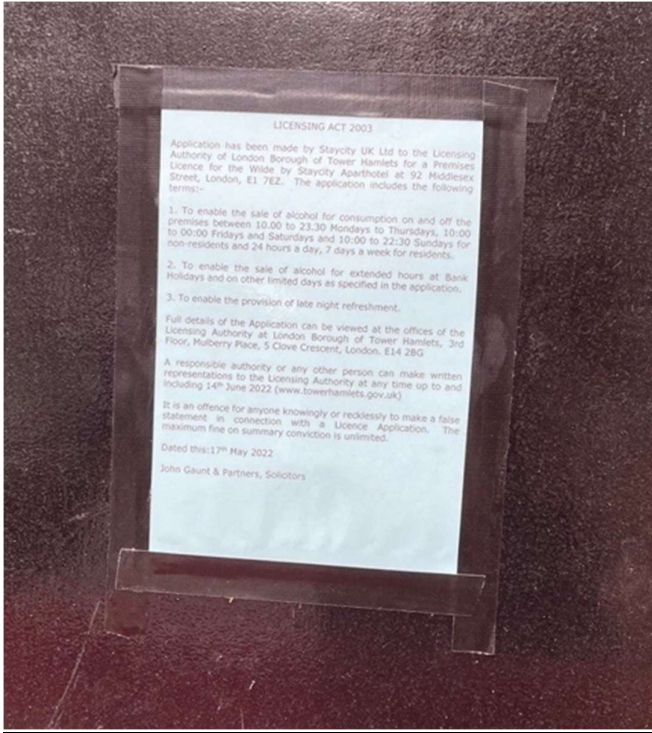
# Maps – 92 Middlesex Street



# Appendix 4



## Photos – 92 Middlesex Street









# Appendix 5



<b>Address</b>	<b>Licensable activities/times</b>	<b>Opening hours</b>
<p><b>The Holy Birds/Tracks &amp; Records</b> 94 - 98 Middlesex Street</p>	<p><b><u>Alcohol (on &amp; off sales) and Regulated Entertainment (indoor sporting event, live music, performance of dance, facilities for dancing)</u></b> <b><u>Live music may be performed in the basement area only.</u></b></p> <ul style="list-style-type: none"> <li>• Monday to Wednesday from 10:00hrs to 00:00hrs (midnight)</li> <li>• Thursday and Friday from 10:00 hrs to 01:00hrs (the following day)</li> <li>• Saturday from 08:00hrs to 01:00hrs (the following day)</li> <li>• Sunday, 07:00hrs to 00:00hrs</li> </ul> <p><b><u>Recorded music</u></b> Background amplified music ancillary to the sale of alcohol.</p> <ul style="list-style-type: none"> <li>• Monday to Wednesday from 10:00hrs to 00:30hrs (the following day)</li> <li>• Thursday and Friday from 10:00hrs to 01:30hrs (the following day)</li> <li>• Saturday from 08:00hrs to 01:30hrs (the following day)</li> <li>• Sunday from 07:00hrs to 00:30hrs (the following day)</li> </ul> <p><b><u>Late Night Refreshment</u></b></p> <ul style="list-style-type: none"> <li>• Monday to Wednesday from 23:00hrs to 00:00hrs (midnight)</li> <li>• Thursday to Saturday from 23:00hrs to 01:00hrs (the following day)</li> <li>• Sunday from 23:00hrs to 00:00hrs (midnight)</li> </ul>	<ul style="list-style-type: none"> <li>• Monday to Wednesday from 10:00hrs to 00:30hrs (the following day)</li> <li>• Thursday and Friday from 10:00hrs to 01:30hrs (the following day)</li> <li>• Saturday from 08:00hrs to 01:30hrs (the following day)</li> <li>• Sunday from 07:00hrs to 00:30hrs (the following day)</li> </ul>
<p><b>Japanese Restaurant</b> Unit 1, 100 Middlesex Street</p>	<p><b><u>Sale of alcohol by retail (on sales)</u></b></p> <ul style="list-style-type: none"> <li>• Monday to Friday 11:30 hours – 23:00 hours</li> <li>• Saturday 2:00 noon – 23:00 hours</li> <li>• Sunday 12:00 noon – 22:30 hours</li> </ul>	<ul style="list-style-type: none"> <li>• Monday to Friday 11:30 hours – 23:30 hours</li> <li>• Saturday 12:00 noon – 23:30 hours</li> <li>• Sunday 12:00 noon – 23:00 hours</li> </ul>

<p><b>INTO University of East Anglia London</b> 102 Middlesex Street</p>	<p><b>Sale of Alcohol (on sales)</b></p> <ul style="list-style-type: none"> <li>• Sunday to Friday from 17:00 hours to 00:00 hours (midnight)</li> <li>• Saturday from 17:00 hours to 23:00 hours</li> </ul> <p><b>The Provision of Late Night Refreshments</b></p> <ul style="list-style-type: none"> <li>• Sunday to Friday from 23:00 hours to 00:00 hours (midnight)</li> </ul> <p><b>The Provision of Regulated Entertainment</b> (Recorded music and provision of facilities for making music)</p> <ul style="list-style-type: none"> <li>• Monday to Thursday from 12:00 hours to 21:00 hours</li> <li>• Friday and Saturday from 12:00 hours to 23:00 hours</li> </ul> <p><u>Plays</u></p> <ul style="list-style-type: none"> <li>• Monday to Thursday from 17:00 hours to 21:00 hours</li> <li>• Saturday from 12:00 hours to 21:00 hours</li> </ul> <p><u>Films</u></p> <ul style="list-style-type: none"> <li>• Monday to Saturday from 12:00 hours to 21:00 hours</li> </ul> <p><u>Live Music</u></p> <ul style="list-style-type: none"> <li>• Monday to Thursday from 12:00 hours to 23:00 hours</li> <li>• Friday from 12:00 hours to 00:00 hours (midnight)</li> <li>• Saturday from 12:00 hours to 23:00 hours</li> </ul>	<ul style="list-style-type: none"> <li>• Monday to Sunday from 12:00 hours to 00:30 hours (the following day)</li> </ul> <p><u>Note:</u> The premises has 24 hours access for staff and students for non-licensable activities</p>
<p><b>My Old Place</b> 88-90 Middlesex Street</p>	<p><b><u>Alcohol may be sold or supplied (on sales):</u></b></p> <ul style="list-style-type: none"> <li>• On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10am to 12pm.</li> <li>• On Sundays, other than Christmas Day or New</li> </ul>	<p>There are no restrictions on the hours during which this premises is open to the public</p>

	<p>Year's Eve, and on Good Friday: 12 noon to 11:30pm</p> <ul style="list-style-type: none"><li>• On Christmas Day: 12 noon to 11:30pm;</li><li>• On New Year's Eve, except on a Sunday, 11 a.m. to midnight;</li><li>• On New Year's Eve on a Sunday, 12 noon to 11.30 p.m.</li><li>• On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</li></ul>	
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# 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

Sent to:  
Licensing Authority: [REDACTED]  
Applicant: [REDACTED]

PLACE Directorate  
Public Realm

14<sup>th</sup> June 2022

Your reference  
My reference: P/EHTS/LIC/149522/LMI

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

Tel: [REDACTED]  
Email: [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

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

Dear Licensing Authority,

### Licensing Act 2003

New premise Licence Wilde by Staycity Aparthotel 92 Middlesex Street London E1 7EZ

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.***





*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:*



- *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."*

### **Application:**

The premises will offer a serviced aparthotel consisting of studios and one-bedroom apartments. Each studio/apartment will offer cooking facilities, but the applicant will offer a café area which is intended to extend a limited food and beverage offering.

The premises will operate the council's framework hours for non-residents and will then remain open for sales of alcohol 24hrs a day for residents and provide late night refreshment (indoors) Monday to Thursday until 23:30 hours and Friday to Saturday until 00:00 midnight

The applicant has not mentioned that the premises falls with the Brick Lane CIA and there is insufficient information on how they intend to uphold the licensing objectives regarding operating a premises within a CIA area.

On a balance of probability, this Authority is concerned by the addition of this premises selling alcohol within the CIA, potentially adding to the existing anti-social issues in the area, particularly for the off sales. The addition of alcohol could cause customers to be in high spirits and therefore potentially undermining the licensing objectives.

If appropriate conditions were imposed onto the licence, the application could satisfy the needs of operating a premises with the CIA.

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

1. The premises shall install and maintain a comprehensive CCTV system. 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;
  - g) any refusal of the sale of alcohol;
  - h) any visit by a relevant authority or emergency service
1. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
2. 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.
3. There shall be no vertical drinking at the premises.
4. Where appropriate, prominent clear and legible notices shall be displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
5. Customers shall not be permitted to take alcohol beyond the boundary of the premises licensed area,
6. Off sales of alcohol shall be limited to residing guests only. Alcohol purchased from the bar is to be consumed in the apartments/rooms within the hotel building only.
7. 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.

8. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.

Yours faithfully

[Redacted signature]

**Lavine Miller-Johnson**  
**Licensing Officer**

[Redacted contact information]



# Appendix 8



## Corinne Holland

---

**From:** Licensing  
**Sent:** 14 June 2022 12:11  
**To:** Corinne Holland  
**Subject:** FW: 149522 - MAU REPRESENTATION Wilde by Staycity Aparthotel 92 Middlesex Street, London

---

**From:** Nicola Cadzow <[REDACTED]>  
**Sent:** 14 June 2022 09:06  
**To:** Licensing <Licensing@towerhamlets.gov.uk>  
**Cc:** MARK.J.Perr [REDACTED]; TShield@[REDACTED]; Lavine Miller-Johnson <[REDACTED]>  
**Subject:** 149522 - MAU REPRESENTATION Wilde by Staycity Aparthotel 92 Middlesex Street, London

Dear Licensing,

Having considered the premises license application for Staycity Aparthotel 92 Middlesex Street, London consideration has to be given to the impact of the licensing objectives, particular for Environmental Protection the prevention of public nuisance and the prevention of noise generated from within the premises or outside to be causing disturbance to people in the vicinity. Consideration also has to be given to the fact that the premises is within Brick Lane Cumulative Impact Zone

Whilst the premises operating hours are within framework hours for licensable activities for members of the public (to the exclusion of hotel residents) there is insufficient information in the operating schedule of the licence application to show how the applicant will promote the licensing objective for the prevention of public nuisance. There is no consideration of the impact on public nuisance from residents and/or guests loitering outside whilst the premises is in operation, for example to smoke etc, particularly when considering that the premises is in Brick Lane Cumulative Impact Zone.

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

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

- Noise breakout from the venue affecting neighbouring residents,
- Access & egress to and from the venue/

### **CONCLUSION**

Environmental Protection **does not** support the application for Wilde by Staycity Aparthotel 92 Middlesex Street, London , London for the following reasons:

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

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

1. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
2. After 22:00 hours patrons, including residents, are permitted to temporarily leave and then re-enter the premises, e.g. to smoke, and shall be limited to 10 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

  
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**Please note: all s61 consents, dispensations and variations must be sent to [environmental.protection@towerhamlets.gov.uk](mailto:environmental.protection@towerhamlets.gov.uk) for logging and allocation.**



Click here to see the Tower Hamlets Noise map:



# Appendix 9

## Corinne Holland

---

**From:** Licensing  
**Sent:** 14 June 2022 12:12  
**To:** Corinne Holland  
**Subject:** FW: Wilde By Staycity 92 Middlesex street

---

**From:** Michael.Rice [REDACTED]  
**Sent:** 14 June 2022 10:27  
**To:** Licensing <Licensing@towerhamlets.gov.uk>  
**Cc:** TShield [REDACTED]  
**Subject:** Wilde By Staycity 92 Middlesex street

Good Morning,

Below conditions have been agreed with applicants representative for the premises licence for Wilde by StayCity Aparthotel.

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. **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;**
  - g) **any visit by a relevant authority or emergency service.**
3. **A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record must show the outcome of the person who was intoxicated. The record shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.**
4. **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.**
5. **The premises shall have a welfare policy that will detail how its staff will identify and support those customers at risk of domestic violence or juveniles being exploited. Such a policy will include details of relevant staff training.**

6. The premises shall have a risk assessment for its operations, the risk assessment will detail the level of risk and any measures (such as SIA numbers, staff training) taken to mitigate any risk identified. Such risk assessments are to be written down and made available to Police upon request.

Many thanks,

Michael

---

**From:** Tim Shield [REDACTED]  
**Sent:** 10 June 2022 11:21  
**To:** Rice Michael - CE-CU <[REDACTED]>  
**Subject:** RE: Wilde By Staycity 92 Middlesex street

Hi Michael

I am happy to confirm my clients are agreeable to the addition of the conditions numbered 1- 6 as detailed in your email of 1<sup>st</sup> June below

On this basis please confirm that there will be no representation in relation to the application for the new premises licence

Many thanks

Tim

**Kind Regards**

**Tim Shield**  
Partner



**JG&P** | John Gaunt  
& Partners



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# 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

## Licensing Policy, updated November 2018

### Crime and Disorder

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

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

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

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

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

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

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

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

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

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

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

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

## **Smuggled goods**

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

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

## **Olympic Park – Football Ground**

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

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

# Appendix 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

## **Anti-Social Behaviour from Patrons Leaving the Premises**

### General Advice

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

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

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

### Licensing Policy

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

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

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

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

## Cumulative Impact

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

## Police Powers

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

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

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

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

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

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

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

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

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

## Other Legislation

### Crime and Disorder Act 1998

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

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

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

# Appendix 15

## Licensing Policy - Appendix 5

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

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

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

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

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

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

This evidence is published on our website:

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

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

4. The Licensing Authority is of the view that the number, type and density of premises selling/supplying alcohol for consumption on and off the premises and/or the provision of late night refreshment in the Brick Lane and Bethnal Green Areas (highlighted in Figures One and Two below) is having a cumulative impact on the licensing objectives. Therefore, it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives. Thus, it has declared a cumulative impact assessment within these areas.
  5. The Brick Lane and Bethnal Green CIAs aim to manage the negative cumulative impact of the concentration of licensed premises in these areas and the stresses that the saturation of licensed premises has had on the local amenity, environmental degradation and emergency and regulatory services in managing this impact.
  6. The effect of this Special Cumulative Assessment Policy will apply to the following types of applications:
    - New Premises Licences applications,
    - New Club Premises Certificates applications
    - Provisional Statements,
    - Variation of Premises Licences and Club Premises Certificate applications (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity).
- However, it will only apply where the application seeks to permit the Licensable activities of:
- the sale or supply of alcohol for consumption on or off the premises, and/or,
  - the provision of late night refreshment.
7. **This Policy will be strictly applied and where relevant representations are received and it is the view of the Council that the application will be refused. Applicants will need to demonstrate that there are exceptional circumstances and that granting their application will not negatively add to the cumulative effect on the Licensing Objectives within the Brick Lane and Bethnal Green CIAs if they wish to rebut this presumption.**
  8. The Special Cumulative Impact policy creates a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons against applications (Councillors, Members of the Public) within the CIA zones the application will be refused.
  9. Where representations have been received in respect to applications within the CIA zones the onus is on the applicant to adequately rebut the presumption.

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

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

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

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

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



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

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

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

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

Figure One

#### Brick Lane area:

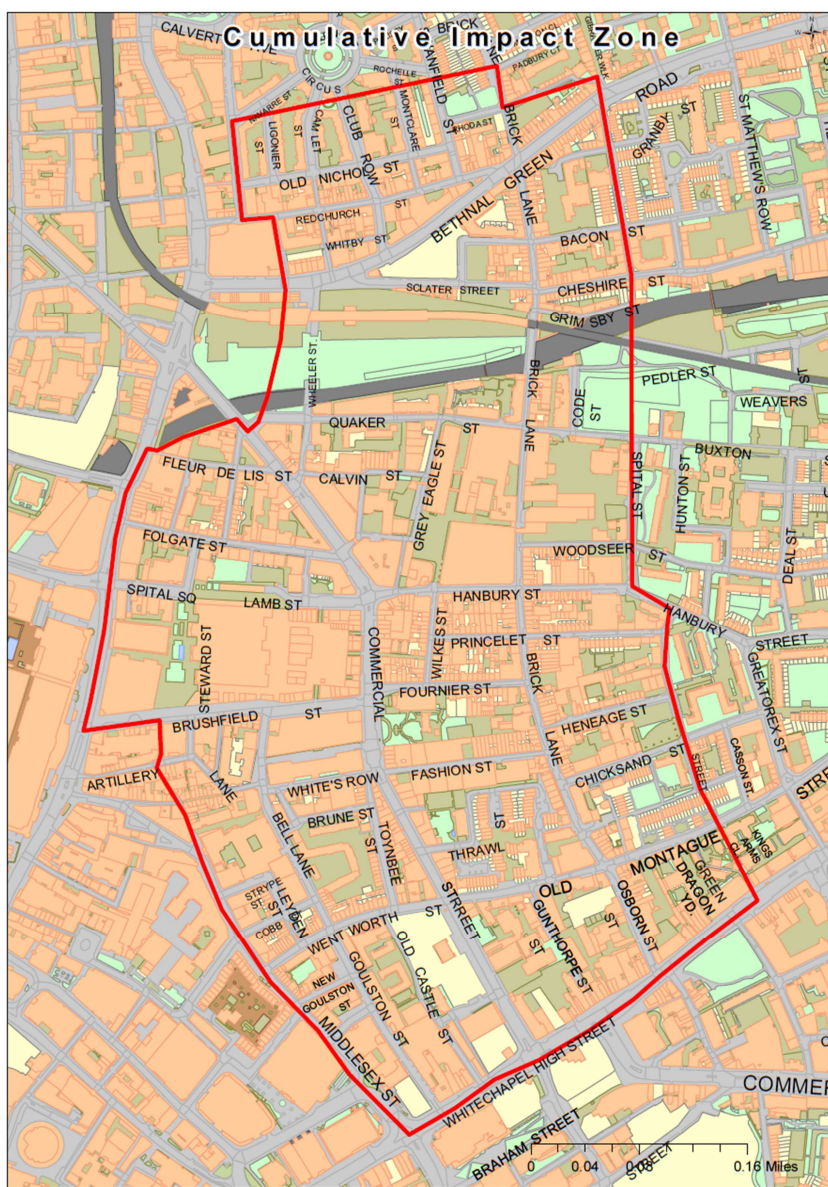
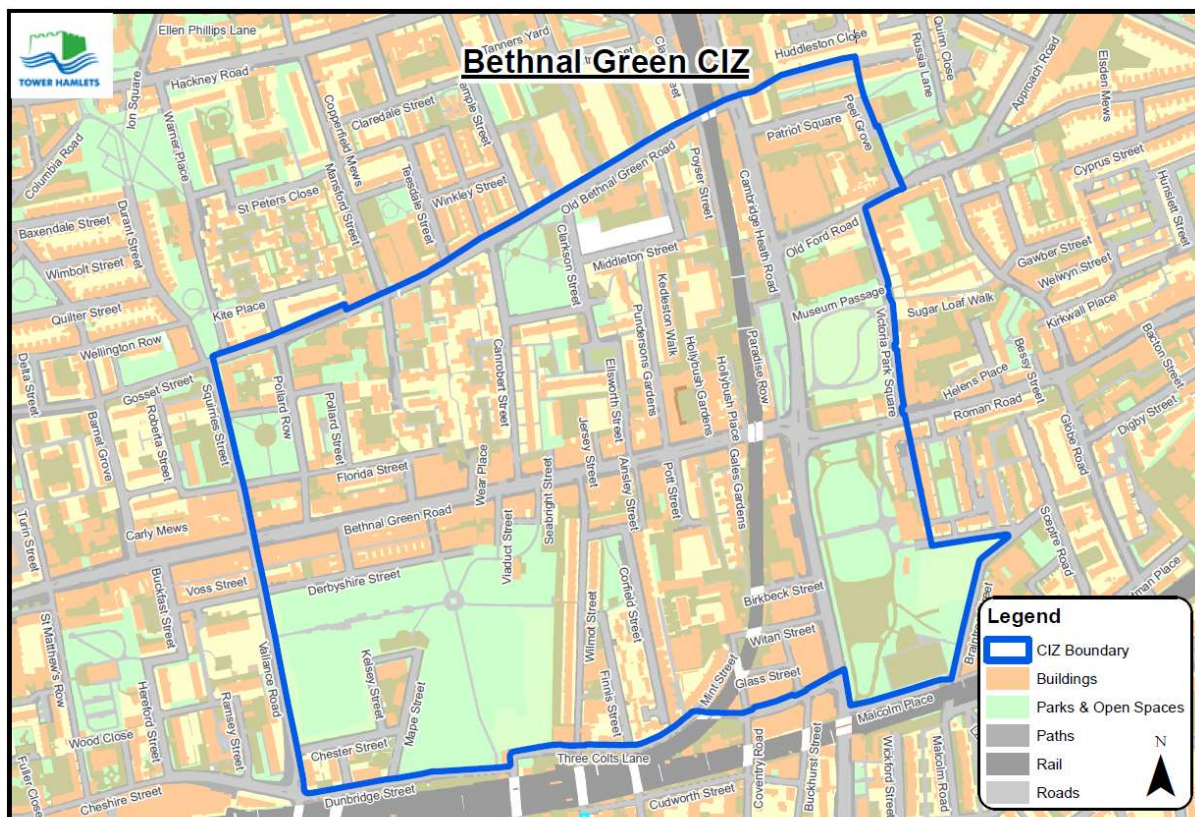
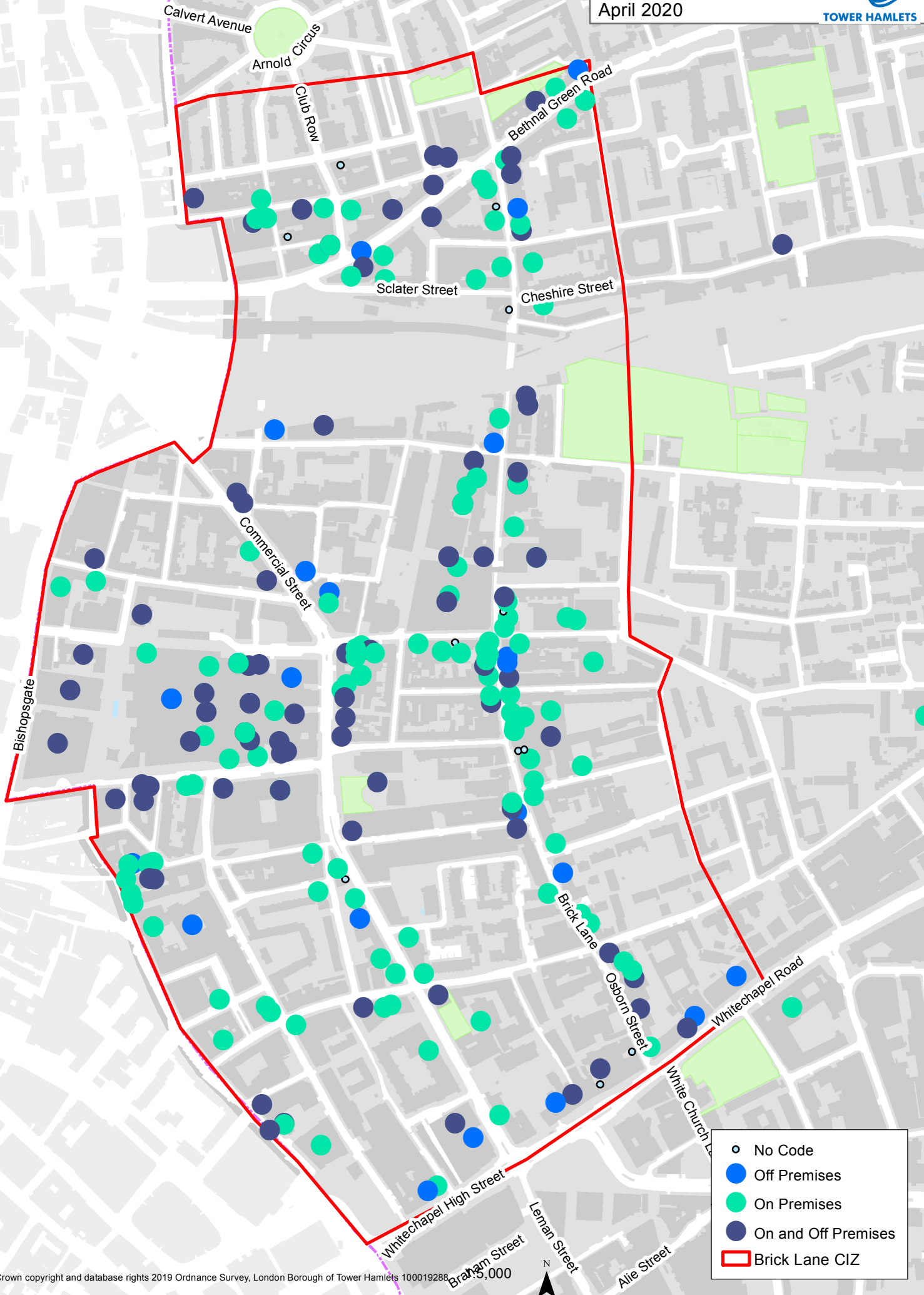


Figure Two:

# Bethnal Green Area







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

# Appendix 16

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

All applications have to be considered on their own merits.

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

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

(see 14.8 of the Licensing Policy)

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

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

(See 14.9 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates

# Appendix 17

## **Planning**

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