

# Appendix 1



**Tower Hamlets**  
**Application for a premises licence**  
**Licensing Act 2003**

For help contact  
[licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)  
Telephone: 020 7364 5008

\* required information

**Section 1 of 21**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

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

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

### Address

* Building number or name	<input type="text"/>
* Street	<input type="text"/>
District	<input type="text"/>
* City or town	<input type="text"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text"/>
* Country	<input type="text" value="United Kingdom"/>

### Agent Details

* First name	<input type="text" value="David"/>
* Family name	<input type="text" value="Dadds"/>
* E-mail	<input type="text"/>
Main telephone number	<input type="text"/>
Other telephone number	<input type="text"/>

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader  
 A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

### Agent Business

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

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

Registration number	<input type="text" value="OC358152"/>
Business name	<input type="text" value="Dadds LLP"/>
VAT number	<input type="text" value="GB"/> <input type="text" value="358152"/>
Legal status	<input type="text" value="Limited Liability Partnership"/>
Your position in the business	<input type="text" value="Partner/solicitor"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

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

The country where the headquarters of your business is located.

Continued from previous page...

**Agent Registered Address**

Address registered with Companies House.

Building number or name	Crescent House
Street	51 High Street
District	
City or town	Billericay
County or administrative area	Essex
Postcode	CM12 9AX
Country	United Kingdom

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**PREMISES DETAILS**

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

**Premises Address**

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

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name	Taste of Jaipur
Street	74 Brick Lane
District	
City or town	London
County or administrative area	
Postcode	E1 6RL
Country	United Kingdom

**Further Details**

Telephone number	
Non-domestic rateable value of premises (£)	40,250

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**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

**Confirm The Following**

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

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**INDIVIDUAL APPLICANT DETAILS**

**Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes                       No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes                       No

Continued from previous page...

**Current Residential Address**

Is the address the same as (or similar to) the address given in section one?

- Yes                       No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Applicant Contact Details**

Are the contact details the same as (or similar to) those given in section one?

- Yes                       No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

\* Date of birth  /  /

\* Nationality

Right to work share code

Documents that demonstrate entitlement to work in the UK  
Right to work share code if not submitting scanned documents

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**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /

dd mm yyyy

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

dd mm yyyy

Provide a general description of the premises

**Continued from previous page...**

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.

Restaurant

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

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**PROVISION OF PLAYS**

See guidance on regulated entertainment

Will you be providing plays?

Yes  No

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**PROVISION OF FILMS**

See guidance on regulated entertainment

Will you be providing films?

Yes  No

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**PROVISION OF INDOOR SPORTING EVENTS**

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes  No

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**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes  No

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**PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will you be providing live music?

Yes  No

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**PROVISION OF RECORDED MUSIC**

See guidance on regulated entertainment

*Continued from previous page...*

Will you be providing recorded music?

Yes  No

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes  No

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

See guidance on regulated entertainment

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

Yes  No

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**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

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



Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

State any seasonal variations

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

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

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

On New Years Eve from the end of permitted hours to the start of permitted hours on the following day (or if there are no permitted hours on the following day, midnight on the 31st December).

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**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes       No

**Standard Days And Timings**

Continued from previous page...

MONDAY

Start 12:00

End 00:00

Start

End

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

TUESDAY

Start 12:00

End 00:00

Start

End

WEDNESDAY

Start 12:00

End 00:00

Start

End

THURSDAY

Start 11:00

End 02:00

Start

End

FRIDAY

Start 11:00

End 02:00

Start

End

SATURDAY

Start 11:00

End 02:00

Start

End

SUNDAY

Start 12:00

End 23:00

Start

End

Will the sale of alcohol be for consumption:

- On the premises       Off the premises       Both

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

State any seasonal variations

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

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

Continued from previous page...

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

On New Years Eve from the end of permitted hours to the start of permitted hours on the following day (or if there are no permitted hours on the following day, midnight on the 31st December).

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

**Name**

First name

Family name

Date of birth     
dd mm yyyy

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Reference number for consent form (if known)

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

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**ADULT ENTERTAINMENT**

**Continued from previous page...**

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

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

There will be no activities of this nature.

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**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

*Continued from previous page...*

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

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

On New Years Eve from the end of permitted hours to the start of permitted hours on the following day (or if there are no permitted hours on the following day, midnight on the 31st December).

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### **LICENSING OBJECTIVES**

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

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

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

The premises licence holder is a responsible operator who is aware of the 4 Licensing objectives, the Council's licensing policy and their responsibilities under the Licensing Act 2003. The business is run lawfully and in accordance with good business practice and offers the following conditions to be attached to the premises licence.

1. A CCTV system must serve the premises, be maintained to be fully operational and in good working order at all times when the premises are open for sale of alcohol. Notices declaring the CCTV is in operation must be displayed both inside and outside the premises near the main entrance. The CCTV equipment shall make and maintain clear images that include all points of sale of alcohol and of the purchasers of alcohol. The CCTV recordings shall show an accurate date and time of the recordings were made and all images shall be retained for a period of not less than 31 days. CCTV recordings shall be made available for viewing by any police officers, or authorised person upon reasonable request. The original, or a copy, shall be provided upon reasonable request to any police officers or authorised person.
2. A staff member who is conversant with the CCTV system must be on duty whenever the premises is open to the public in order to facilitate viewing of CCTV footage for the Police when required to do so.
3. Before any person is employed at the premises sufficient checks will be made to ensure they are legally entitled to employment in the UK. All documents will be retained for a period of 12 months post termination of employment and will be made available to the police, immigration and/or Licensing officers upon reasonable request. Such checks will include: -
  - Proof of identity (such as a copy of their passport);
  - Nationality;
  - Current immigration status;
  - Details of their full name and address;
  - Date of birth;
4. The premises licence holder shall operate a 'Challenge 25', or similar, scheme at the premises whereby anyone who appears to be under the age of 25 shall be asked to provide proof of age that he or she is over 18. Proof of age shall comprise of a passport, a photo-card driving licence or an industry approved proof of age identity card.
5. The premises shall prominently display signage at all entrances informing customers that:
  - CCTV is in operation throughout these premises
  - Requesting patrons respect the needs of the local residents/businesses and leave the area quietly.
  - A Challenge 25 scheme is in operation at the premises

*Continued from previous page...*

6. An incident log shall be kept at the premises, and made available on reasonable request to an authorised Local Authority or Police Officer, which will record the following:

- a) All crimes reported to the venue
- b) All ejections of patrons
- c) Any complaints received
- d) Any incidents of disorder
- e) All seizure of drugs or offensive weapons
- f) Any faults in the CCTV system
- g) Any refusal of the sale of alcohol
- h) Any visit by a relevant authority or emergency service

7. The Premise Licence Holder shall ensure that all relevant staff shall receive induction and refresher training relating to the sale of alcohol and the times and conditions of the premises licence. The training shall be recorded, ongoing and made available to a relevant Responsible Authority upon reasonable request.

8. The premises licence holder shall ensure that all training records shall be retained for 12 months and made available to police and local authority officers upon reasonable request.

9. No person shall be employed to solicit custom or be permitted to solicit for custom for business for the premises in any public place within a 500m radius of the premises as shown in red on the attached plan.

10. Clear signage to be placed in the restaurant windows stating that the premises supports the council 'no touts' policy.

b) The prevention of crime and disorder

See a) above

c) Public safety

See a) above

d) The prevention of public nuisance

See a) above

e) The protection of children from harm

See a) above

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**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

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

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

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

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

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

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

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

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

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

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

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



*Continued from previous page...*

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

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

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

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

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

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

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

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#### **NOTES ON REGULATED ENTERTAINMENT**

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

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

**Continued from previous page...**

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

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**PAYMENT DETAILS**

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

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

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

Band A - No RV to £4,300 = £100.00

Band B - £4,301 to £33,000 = £190.00

Band C - £33,001 to £8700 = 315.00

Band D - £87001 to £12500 = £450.00\*

Band E - £125001 and over = 635.00\*

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

Band D - £7001 to £12500 = £900.00

Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 = £1,000.00

Capacity 10000 -14999 = £2,000.00

Capacity 15000-19999 = £4,000.00

Capacity 20000-29999 = £8,000.00

Capacity 30000-39000 = £16,000.00

Capacity 40000-49999 = £24,000.00

Capacity 50000-59999 = £32,000.00

Capacity 60000-69999 = £40,000.00

Capacity 70000-79999 = £48,000.00

Capacity 80000-89999 = £56,000.00

Capacity 90000 and over = £64,000.00

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

Continued from previous page...

\* Fee amount (£)

315.00

## ATTACHMENTS

## AUTHORITY POSTAL ADDRESS

### Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

## DECLARATION

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

[APPLICABLE TO INDIVIDUAL APPLICANTS ONLY, INCLUDING THOSE IN A PARTNERSHIP WHICH IS NOT A LIMITED LIABILITY PARTNERSHIP] I UNDERSTAND I AM NOT ENTITLED TO BE ISSUED WITH A LICENCE IF I DO NOT HAVE THE ENTITLEMENT TO LIVE AND WORK IN THE UK (OR IF I AM SUBJECT TO A CONDITION PREVENTING ME FROM DOING WORK RELATING TO THE CARRYING ON OF A LICENSABLE ACTIVITY) AND THAT MY LICENCE WILL BECOME INVALID IF I CEASE TO

\* BE ENTITLED TO LIVE AND WORK IN THE UK (PLEASE READ GUIDANCE NOTE 15). THE DPS NAMED IN THIS APPLICATION FORM IS ENTITLED TO WORK IN THE UK (AND IS NOT SUBJECT TO CONDITIONS PREVENTING HIM OR HER FROM DOING WORK RELATING TO A LICENSABLE ACTIVITY) AND I HAVE SEEN A COPY OF HIS OR HER PROOF OF ENTITLEMENT TO WORK, IF APPROPRIATE (PLEASE SEE NOTE 15).

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

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

\* Full name

DAVID DAODS . [REDACTED]

\* Capacity

APPLICANTS SOLICITOR ,

Date (dd/mm/yyyy)

14/6/22 .

Add another signatory

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

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

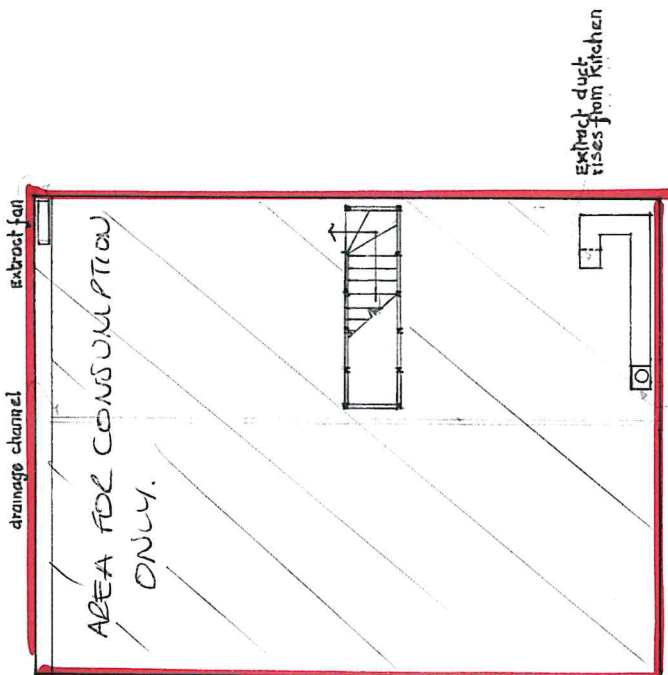
Don't forget to make sure you have all your supporting documentation to hand.

*Continued from previous page...*

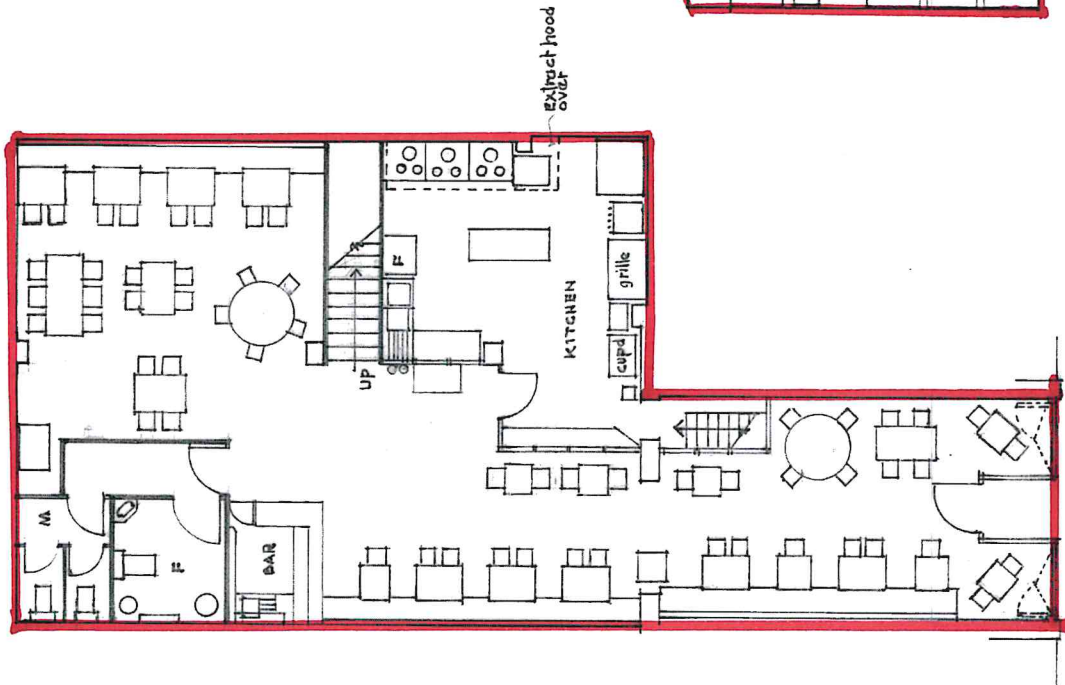
**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

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

# Appendix 2



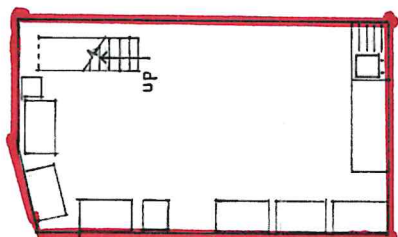
REAR ROOF PLAN to roof.



Pavement

GROUND FLOOR PLAN

BRICK LANE



BASEMENT

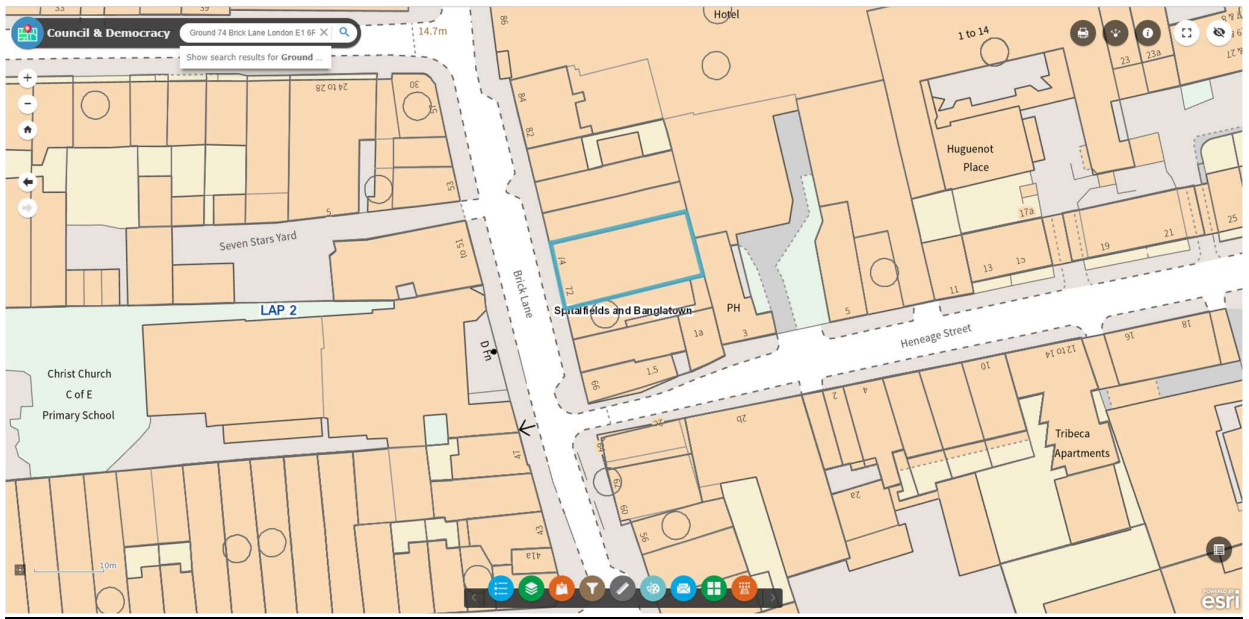
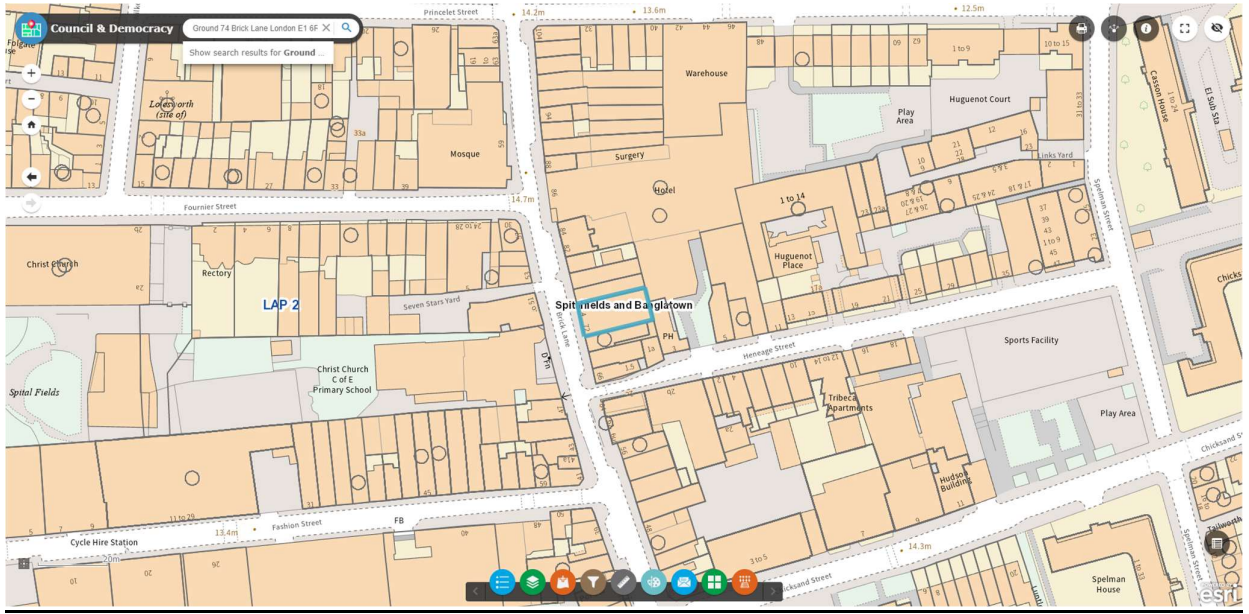
74 BRICK LANE	
PLANS OF GROUND FLOOR, BASEMENT AND REAR ROOF	
DATE: JUNE 2022	DRAWING No: 78BL/L1
DRAWN: JTN	SCALE: 1:100 AT A3

THE RED LINE DELINEATES THE AREA WITHIN WHICH LICENSABLE ACTIVITIES WILL TAKE PLACE.

# Appendix 3

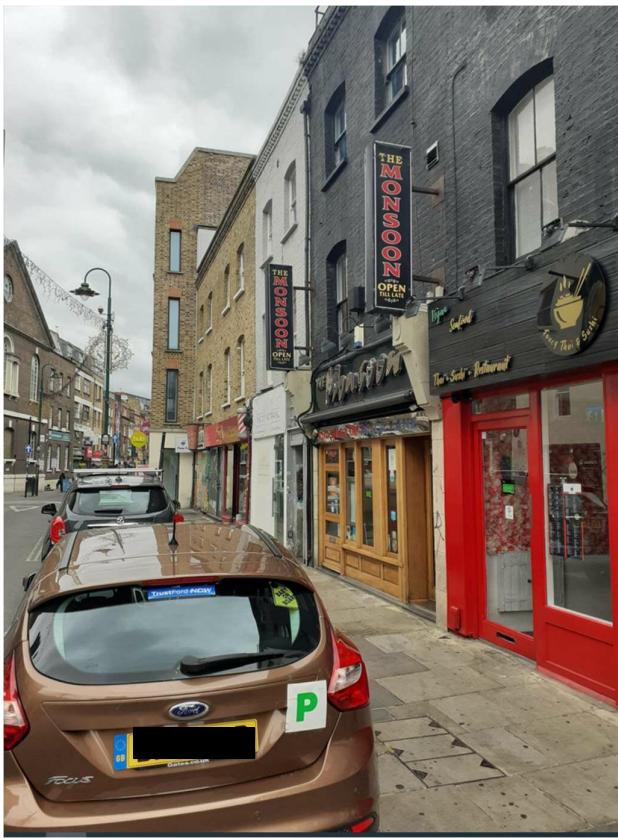
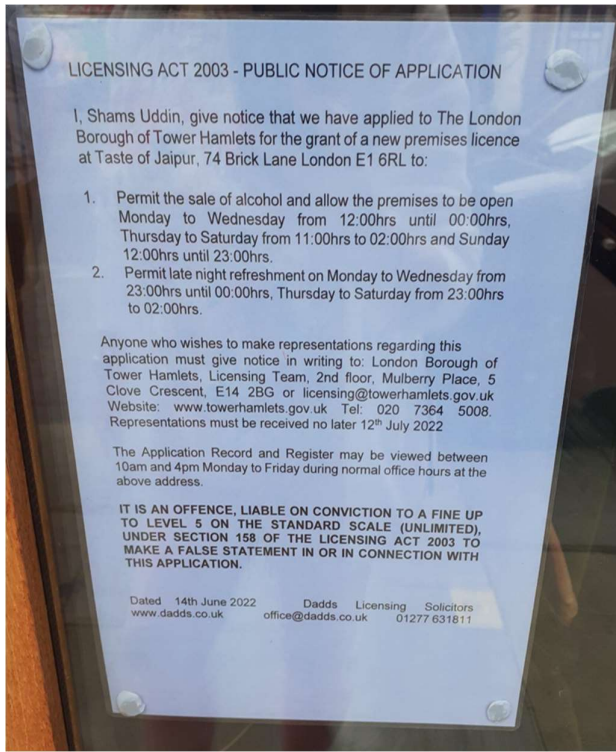


# Maps – 74 Brick Lane



# Appendix 4

## Photos – 74 Brick Lane















# Appendix 5

<b>Address</b>	<b>Licensable activities/times</b>	<b>Opening hours</b>
<p><b>(Seven Stars)</b> Basement and Ground Floor 49 Brick Lane</p>	<p><b><u>The sale by retail of alcohol (on sales)</u></b> Monday - Saturday 10 00 hrs to 02 00 hrs the following morning Sunday 10 00 hrs to midnight</p> <p><b><u>Late Night Refreshment</u></b> Monday - Saturday until 02 00 hrs the following morning Sunday until midnight</p> <p><b><u>The provision of regulated entertainment</u></b> <b>Live Music and the Provision of Facilities for Making Music (Karaoke only)</b> Monday - Saturday 19 00 hrs to 02 00 hrs the following morning Sunday 19 00 hrs to midnight</p> <p><b>Recorded Music</b> Monday - Saturday from 11:00 hrs to 02:00 hrs the following morning Sunday 11 00 hrs to midnight</p>	<ul style="list-style-type: none"> <li>• Monday - Saturday 10: 00 hrs to 02:30 hrs the following morning</li> <li>• Sunday 10:00 hrs to 00:30 hrs the following morning</li> </ul>
<p><b>(Kill the Cat)</b> 43 Brick Lane</p>	<p><b><u>Supply of alcohol – on and off</u></b></p> <ul style="list-style-type: none"> <li>• Monday to Wednesday from 12:00hrs (midday) to 22:00hrs</li> <li>• Thursday to Saturday from 11:00hrs to 23:00hrs</li> <li>• Sunday from 11:00hrs to 21:00hrs</li> </ul>	<ul style="list-style-type: none"> <li>• Monday to Wednesday from 12:00hrs (midday) to 22:00hrs</li> <li>• Thursday to Saturday from 11.00hrs to 23.00hrs</li> <li>• Sunday from 11:00hrs to 21:00hrs</li> </ul>
<p><b>(Cost Price)</b> 41 Brick Lane</p>	<p><b><u>The sale by retail of alcohol (off sales only)</u></b></p> <ul style="list-style-type: none"> <li>• Sunday to Thursday, from 11:00hrs to 00:00hrs (midnight)</li> <li>• Friday and Saturday, from 11:00hrs to 01:00hrs (the following day)</li> </ul>	<ul style="list-style-type: none"> <li>• Sunday to Thursday, from 11:00hrs to 00:00hrs (midnight)</li> <li>• Friday and Saturday, from 11:00hrs to 01:00hrs (the following day)</li> </ul>

<p><b>Chez Elles</b> 45 Brick Lane</p>	<p>The sale by retail of alcohol (on sales)</p> <ul style="list-style-type: none"> <li>Monday to Sunday, from 12:00 hours to 23:00 hours</li> </ul>	<ul style="list-style-type: none"> <li>Monday to Sunday, from 11:00 hours to 23:30 hours</li> </ul>
<p><b>Brick Lane Coffee Shop</b> 47 Brick Lane</p>	<p><b>Sale of Alcohol (on &amp; off sales)</b></p> <ul style="list-style-type: none"> <li>Monday to Sunday from 09:00 hours to 23:00 hours</li> </ul> <p><b>Late Night refreshment:</b></p> <ul style="list-style-type: none"> <li>Monday to Sunday from 23:00 hours to 23:30 hours</li> </ul>	<p>Monday to Sunday from 07:00 hours to 23:30 hours</p>
<p><b>(Morley's)</b> 60 - 62 Brick Lane</p>	<p><b><u>The provision of late light refreshment</u></b></p> <ul style="list-style-type: none"> <li>Monday to Thursday, from 23:00 hours to 23:30 hours</li> <li>Friday and Saturday, from 23:00 hours to 00:00 hours (midnight)</li> </ul>	<ul style="list-style-type: none"> <li>Monday to Thursday, from 11:00 hours to 00:00 hours (midnight)</li> <li>Friday and Saturday, from 11:00 hours to 00:30 hours (the following day)</li> <li>Sunday, from 11:00 hours to 23:00 hours</li> </ul>
<p><b>(Vegan Yes)</b> 64 Brick Lane</p>	<p><b><u>The supply of alcohol (on sales only)</u></b></p> <ul style="list-style-type: none"> <li>Monday to Sunday, from 12:00 hours to 21:30 hours</li> </ul>	<ul style="list-style-type: none"> <li>Monday to Sunday, from 11:30 hours to 21:30 hours</li> </ul>
<p><b>(Sketch)</b> 68 Brick Lane</p>	<p><b><u>The sale by retail of alcohol (on sales only)</u></b></p> <ul style="list-style-type: none"> <li>Monday to Saturday, from 11:00 hrs to 22:30 hrs</li> <li>Sunday, from 12:00 hrs to 22:00 hrs</li> </ul>	<ul style="list-style-type: none"> <li>Monday to Saturday from 11:00 hrs to 23:00 hrs</li> <li>Sunday from 12:00 hrs to 22:30 hrs</li> </ul>
<p><b>(Lucky Dog Chinese Restaurant)</b> 70 Brick Lane</p>	<p><b><u>Sale of Alcohol (on sales only)</u></b></p> <ul style="list-style-type: none"> <li>Monday to Sunday from 12:00 hours to 21:45 hours</li> </ul>	<ul style="list-style-type: none"> <li>Monday to Sunday from 12:00 hours to 22:00 hours</li> </ul>

<p><b>(Monsoon)</b> 78 Brick Lane</p>	<p><b>The sale by retail of alcohol (on sales)</b></p> <ul style="list-style-type: none"> <li>• Sunday from midday until 23.00 hours</li> <li>• Monday -Wednesday from midday until midnight</li> <li>• Thursday - Saturday from 11:00 hours until 02:00 hours the following day.</li> </ul> <p>On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p> <p><b>For provision of Late Night Refreshment:</b> Sunday, Monday, Tuesday, Wednesday, Thursday, Friday and Saturday from 11:00 hours until midnight only</p>	<ul style="list-style-type: none"> <li>• Sunday from midday until 23.00 hours</li> <li>• Monday - Wednesday from midday until midnight</li> <li>• Thursday - Saturday from 11:00 hours until 02:00 hours the following day.</li> </ul>
<p><b>(Pepe's Piri Piri)</b> 82-84 Brick Lane</p>	<p><b><u>The provision of late night refreshment</u></b></p> <p>Sunday to Thursday 23:00 – 23:30 hours. Friday &amp; Saturday 23:00 – 01:00 hours the following day.</p>	<ul style="list-style-type: none"> <li>• Sunday to Thursday 23:00 – 23:30 hours.</li> <li>• Friday &amp; Saturday 23:00 – 01:00 hours the following day.</li> </ul>
<p><b>(Shawarma)</b> 84 Brick Lane</p>	<p><b><u>The provision of late night refreshment:</u></b></p> <ul style="list-style-type: none"> <li>• Monday to Wednesday 23:00 hours to 00:00 hours (midnight)</li> </ul>	<ul style="list-style-type: none"> <li>• Monday to Wednesday 10:00 hours to 00:30 hours</li> </ul>

	<ul style="list-style-type: none"> <li>Thursday to Saturday 23:00 hours to 02:00 hours</li> <li>Sunday 23:00 hours to 23:30 hours</li> </ul> <p>Non Standard Timings: From the end of permitted hours on New Years Eve until 02:00 hours New Years Day Sundays preceding a Bank Holiday Monday until 02:00 hours.</p>	<p>Thursday to Saturday 10:00 hours to 02:30 hours Sunday 10:00 hours to 00:00 hours (midnight)</p> <p>Non Standard Timings: From the end of permitted hours on New Years Eve until 02:00 hours New Years Day Sundays preceding a Bank Holiday Monday until 02:00 hours.</p>
<p><b>(Masala Restaurant)</b> 88 Brick Lane</p>	<p><b><u>The sale of alcohol (on sales)</u></b></p> <ul style="list-style-type: none"> <li>Monday to Saturday 12:00 hours to 23:30 hours</li> <li>Sunday 12:00 hours to 23:00 hours</li> </ul> <p><b><u>Late Night Refreshment</u></b></p> <ul style="list-style-type: none"> <li>Monday to Saturday until 23:30 hours</li> </ul>	<ul style="list-style-type: none"> <li>Monday to Saturday 12:00 hours to midnight</li> <li>Sunday 12:00 hours to 23:30 hours</li> </ul>
<p><b>(Pride of Spitalfields)</b> 3 Heneage Street</p>	<p><b><u>The sale by retail of alcohol (on sales):</u></b></p> <ul style="list-style-type: none"> <li>Monday - Thursday from 10:30 hours to 01:00 hours the following day</li> <li>Friday and Saturday from 10:30 hours to 02:00 hours the following day</li> <li>Sunday from 10:30 hours to midnight</li> </ul> <p><b><u>Regulated Entertainment consisting of Provision of Recorded Music</u></b></p> <ul style="list-style-type: none"> <li>Monday - Thursday from 10:30 hours to 01:00 hours the following day</li> <li>Friday and Saturday from 10:30 hours to 02:00 hours the following day</li> <li>Sunday from 10:30 hours to midnight</li> </ul>	<ul style="list-style-type: none"> <li>Monday - Thursday from 10:30 hours to 01:00 hours the following day</li> <li>Friday and Saturday from 10:30 hours to 02:00 hours the following day</li> <li>Sunday from 10:30 hours to midnight</li> <li>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in</li> </ul>

	<p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p>	<p>effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.</p>
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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



Place Directorate  
Public Realm  
**Environmental Health & Trading Standards**

Head Of Service David Tolley

London Borough Tower Hamlets  
Licensing Authority  
Mulberry Place  
5 Clove Crescent  
London E14 2BG

Mulberry Place  
5 Clove Crescent  
London E14 2BG

Tel [REDACTED]  
Fax 020 7364 0863  
Enquiries to Kath Driver  
Email [REDACTED]

12<sup>th</sup> July 2022

My reference: P/PR/LIC/150267

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

Dear Sir/Madam,

**Licensing Act 2003**  
**Re: Taste Of Jaipur, 74 Brick Lane London E1 6RL**

I am writing in my capacity of Licensing Authority in relation to the provisional statement application for the above address.

On 1st November 2013, Tower Hamlets adopted a Cumulative Impact Policy (CIP) in and around the Brick Lane/Spitalfields Area and was updated on 1<sup>st</sup> November 2018. The Council has recognised that because of the number and density of licensed premises selling alcohol, on and off the premises and the provision of late night refreshment (sale of hot food after 11pm) within the Brick Lane Area, there might be exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect.

The Licensing Authority recognises that there is a wide diversity of premises requiring a licence and will have full regard to the differing impact these will have on the local community. It therefore also recognises that, within this Policy, it may be able to approve licences that are unlikely to add significantly to the saturation, and will consider the circumstances of each individual application. The Authority may therefore consider that the imposition of conditions is unlikely to address these problems and may consider the adoption of a special policy of refusing new licences because the area is saturated with licensed premises and the granting of any more would undermine one of the licensing objectives.

The Licensing Authority is now of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the Brick Lane/Spitalfields Area as having a cumulative impact on the licensing objectives and has therefore declared a Cumulative Impact Zone (CIZ).

The effect of this CIZ is to create a rebuttable presumption for applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity). Where the premises are situated in the CIZ and a representation is received, the licence will be objected to by the Authority. To rebut this presumption the applicant is expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced.

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 CIZ if they wish to rebut this presumption.

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

- small premises with a capacity of fifty persons or less who only intend to operate during Framework Hours,
- premises which are not alcohol led and operate only within Framework Hours, such as coffee shops,
- instances where the applicant has recently surrendered a licence for another premises of a similar size and providing similar licensable activities in the same Special Policy Area.

This application falls within the Cumulative Impact Zone and seeks alcohol for on sale on Monday to Wednesday from 12:00 hours to midnight; Thursday to Saturday from 11:00 hours to 02:00 hours and Sunday from 11:00 hours to 23:00 hours including non standard timings over New Year, from end of permitted on New Years Eve to start of permitted on New Years Day.

Having visited the property the concern of the Licensing Authority is the roof terrace included in the application. The applicants representative has advised a structural engineers report will be made for its use prior to its use, however we do have concerns on the use of this area, particularly with customers consuming alcohol. The roof terrace, at present, is an open space with potential trip hazards and the area is exposed to roof tops of adjacent properties. Residential properties above the shops overlook this area also and being a small enclosed area I believe noise from a people on this space will echo around and has the potential for noise nuisance. There are also extract systems that are in use and located on the roof space. Please see photos attached. I would therefore request a condition that the roof space shall not be used.

During the visit the applicant has stated he owns Monsoon at 78 Brick Lane, according to our records the premises has received allegations of touting as

recent as March 2022 I would therefore request if this application is granted, that a condition be imposed as per our Licensing Policy preventing touting, see chapter 7 part 7.7.;

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.

Whilst the neighbouring licence is for the same hours and the same applicant, the neighbouring licence was granted in 2005 when the Cumulative Impact Area was not in place. The hours are beyond the Council's framework hours and believe an additional licence in the CIZ for the hours as mentioned above are excessive and likely to cause additional anti social behaviour from patrons arriving whilst intoxicated from other venues closing earlier and from patrons leaving the venue particularly at 2am in the morning. I therefore ask Members to consider refusing the application.

Should members consider granting the application I would request them to consider imposing the conditions on the operating schedule with the additional conditions mentioned above, including a personal licence holder to be present on the premises at all times when the sale of alcohol is taking place.

Yours sincerely,



**Kathy Driver**  
**Principal Licensing Officer**

# Appendix 8

## Corinne Holland

---

**From:** Nicola Cadzow  
**Sent:** 05 July 2022 16:48  
**To:** Licensing  
**Cc:** MARK.J.Perry [REDACTED]  
**Subject:** 150267 MAU REPRESENTATION Taste of Jaipur 74 Brick Lane London

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Licensing,

Having considered the new premises license application for Taste of Jaipur 74 Brick Lane London I have to consider the impact of the licensing objectives, particular for Environmental Protection the prevention of public nuisance and the prevention of noise generated from within the premises or outside to be causing disturbance to people in the vicinity, with particular consideration that the premises is in Brick Lane Cumulative Impact Zone.

**It must be noted that the Council's framework hours (i.e. when premises are open) are:**

Monday to Thursday: 0600 hours to 2330 hours; and  
Friday & Saturday: 0600 hours to midnight  
Sunday: 0600 hours to 2230 hours.

**The applicant is proposing opening hours for licensable activities: Late Night Refreshment, Supply of Alcohol:-**

Monday to Wednesday: until 00:00 hours - an extension of a half hour on Council framework hours  
Thursday: until 02:00 hours – an extension of two and a half hours on Council framework hours  
Friday and Saturday: until 03:00 hours - an extension of 3 hours on Council framework hours

Also, there is insufficient information in the operating schedule of the licence application to show how the applicant will promote the licensing objective for the prevention of public nuisance. There is no consideration of the impact on public nuisance from people access and egressing the premises and people loitering outside whilst the premises is in operation, 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, of patrons, especially due to patrons likely to be in high spirits; and
- The hours of operation (inclusive of proposals)

### **CONCLUSION**

Environmental Protection **does not** support the premises license application for Taste of Jaipur, 74 Brick Lane London for the following reasons:-

- (1) The applicant have not provided sufficient information to show how they will promote the licensing objective for the prevention of public nuisance

- (2) The premises is in Brick Lane Cumulative Impact Zone.
- (3) The greater likelihood of disturbance to residents at the late hour sought.

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

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

Follow us on:

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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:** MARK.J.Perry [REDACTED]  
**Sent:** 08 July 2022 12:22  
**To:** Nicola Cadzow Licensing; Michael.Rice [REDACTED]; Kathy Driver; Tom Lewis  
**Cc:** [REDACTED]  
**Subject:** D Taste of Jaipur 74 Brick Lane London

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear all,

Central East Police Licensing formally object to the application of the premises license for Taste of Jaipur 74 Brick Lane London on the grounds of preventing crime and disorder and public nuisance.

This application is in the councils CIZ but the application makes no mention of this nor does it state how it will prevent crime and disorder or public nuisance.

We believe based on our experience that a premises open until 2am will lead to an increase in crime and disorder and public nuisance as we believe that customers going to the premises after midnight will of consumed alcohol and as a result be more likely to be involved in alcohol related crime and disorder. Customers leaving at am are also more likely to cause noise nuisance to local residents having consumed alcohol. The applicant has not recognised these potential issues in their application nor have they put in measures to mitigate this risk.

We have no objection in principle to the applicant opening a restaurant but would like the applicant to have framework hours for licensable activity listed below:

Monday to Thursday: 0600 hours to 2330 hours;  
Friday & Saturday: 0600 hours to midnight  
Sunday: 0600 hours to 2230 hours.

The premises should close to the public 30 minutes after licensable activity finishes.

We also ask that the premises has the following conditions:

- 1) The premises shall have a dispersal plan to ensure that customers leave the premises without causing nuisance to local residents.
- 2) The premises shall operate as a restaurant where the sale of alcohol is by waiter or waitress to a customers seated at a table.

Only with the adoption of Tower Hamlets Councils framework hours and adopting the above conditions can we support this application.

As requested by the applicant Central East Police Licensing object to this application.

Kind Regards

Mark



PC Mark Perry  
Central East Licensing Unit  
Metropolitan Police Service (MPS)

A: Licensing Office, 1<sup>st</sup> Floor Stoke Newington Police Station



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# Appendix 10

Shams Uddin  
[REDACTED]

**Place Directorate  
Public Realm**

Head of Environmental Health and  
Trading Standards: **David Tolley**

Licensing and Safety Team  
2<sup>nd</sup> Floor, Mulberry Place  
5 Clove Crescent  
London E14 2BG

Tel: [REDACTED]  
Fax: 020 7364 6901  
Enquiries to:

Email:  
[REDACTED]

12<sup>th</sup> July 2022

Ref: M/150029

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

Dear Sir/Madam

**Re: Application for a Premises Licence - Taste of Jaipur, 74 Brick Lane, London E1  
6RL  
Licensing Act 2003**

The Health and Safety team of the London Borough of Tower Hamlets is making a representation against the above application.

The application seeks to use the rooftop at the rear of the above premises, which is depicted in the floor plan as an 'area for consumption only'.

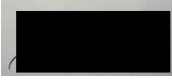
Based on the photographs taken by officers who visited the site, I have made the following observations:

- There is an unguarded, live edge (risk of falling from height).
- There are changes in the floor level due to gullies and a square-shaped protrusion. There is also a trailing cable. These amount to a hazard of slips and trips.
- There is no load capacity and accompanying risk assessment provided for the use of this rooftop as an area for patrons to occupy. I am therefore concerned about the structural safety of this flat roof for the intended use.
- There is also no barrier to prevent patrons from trespassing onto neighbouring rooftops that do not belong to this premises. This could lead to nuisance and crime.

These hazards/observations undermine the licensing objectives of Public Safety and Crime and Disorder. Therefore, I object to the granting of this licence.



Yours sincerely,



**Kamal Miah**  
**Environmental Health Officer**  
**Environmental Health and Trading Standard - Health and Safety Team**

**CC: Licensing Authority of London Borough of Tower Hamlets**

# Appendix 11

**11<sup>th</sup> July 2022**

London Borough of Tower Hamlets  
Licensing Team  
Environmental Health & Trading Standards  
Mulberry Place  
5 Clove Crescent  
London  
E14 2BG  
[licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

Sent via E-Mail

**Re: Formal Objection to Proposed Premise Application and Licence for Taste of Jaipur, 74 Brick Lane, London, E1 6RL**

Dear Licensing Team

I am writing on behalf of Spitalfields Residents Against Anti-Social Behaviour (“SPIRE”), a community group established in 2012, which represents individuals and, at least, six of the largest resident associations including, Exchange Building Residents Association, St George’s Residents Association, Spitalfields Community Group (SCG), Spitalfields Market Residents Association (SMRA), Norton Folgate Community Group (NFCG), and Spitalfields Society, in Spitalfields and Banglatown (“the Ward”).

SPIRE reviews all new and/or amended applications for alcohol licenses in the Ward to ensure the interests of individuals and groups it represents are not negatively impacted by any such application(s).

Specifically, SPIRE reviews all new and/or amended applications for alcohol licenses to ensure they do not contravene applicable law, guidelines, and/or other acceptable practices for alcohol licenses in the Ward. This includes, but not limited to, the appropriate enforcement of the Brick Lane Cumulative Impact Assessment (CIA), which applies to a majority of the Ward.

Where reasonable and possible, SPIRE attempts to first address any concerns and/or objections directly with the individual or party making an application for a new and/or amended alcohol license. Formal objections are only typically made to the London Borough of Tower Hamlets (LBTH) in situations where concerns and/or objections remain unresolved after direct contact with an applicant or if an applicant chooses not to engage with SPIRE.



SPIRE is a 'pro-commerce' community group and supports the careful balance of a vibrant, diverse, and commercial ward with the needs of residents and visitors to appreciate a safe, clean, and liveable neighbourhood free from anti-social behaviour and related issues.

Consequently, when a formal objection is raised by SPIRE, such as the case detailed below, it has been carefully considered and represents a substantial number of constituents in the Ward.

### **Formal Objection**

SPIRE raises formal objection to the proposed application for licence of Taste of Jaipur, 74 Brick Lane, London, E1 6RL ("the Premise").

The Premise is in one of the Ward's most prolific hotspots for antisocial behaviour and is an area of great concern. The Premise is located within the CIA for Brick Lane where new and varied premise licenses are meant to be limited, if not prohibited, based on the over saturation of businesses involved with the sale of alcohol and entertainment, attributable to the Ward's current issues with antisocial behaviour.

SPIRE specifically objects to a new premise offering the sale of alcohol and enjoyment of late-night refreshment including alcohol. The proposed application includes the sale of alcohol until 11:00 pm on Sunday, midnight on Monday through Wednesday, and most shockingly until 2:00 am Thursday through Saturday.

There are few, if any establishments, in the area with opening hours that extend to 2:00 am and alcohol sales until 2:00 am. It is perceived that the proposed licence will introduce great interest in revellers who will have already been drinking at other local establishments which close earlier and extend issues which already exist in this known hotspot further into the early morning hours. In short, contributing additional risk and burden by way of increased public nuisance and potential crime, disorder, health and safety of local residents and visitors, noise, and antisocial behaviour. These are all of the things which are meant to be safeguarded by the implementation and effective monitoring and maintenance of the CIA for Brick Lane.

We ask kindly that you reject the stated application in alignment with our concerns. Please acknowledge that our objection has been received and that the contents of this letter will be considered as part of the overall review process.

Yours sincerely

Randall Thiel  
Chairman, SPIRE

# Appendix 12

## Corinne Holland

---

**From:** Alan Williams [REDACTED]  
**Sent:** 12 July 2022 11:05  
**To:** Licensing  
**Subject:** Licensing Application/Taste of Jaipur, 74 Brick, Lane, London, E1 6RL ("ToJ")

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

London Borough of Tower Hamlets  
Licensing Team  
Environmental Health & Trading Standards  
Mulberry Place  
5 Clove Crescent  
London  
E14 2BG

Dear Licensing Team

### **Licensing Application/Taste of Jaipur, 74 Brick, Lane, London, E1 6RL ("ToJ")**

I write to object to the application by ToJ for an alcohol licence in the terms which have been applied for.

ToJ is in an antisocial behaviour hotspot. It is also situated within the CIA for Brick Lane. New and varied premise licenses are meant to be prohibited, or at least limited, because of the over saturation of licensed businesses. This is because of issues with antisocial behaviour based on the consumption of alcohol. What particularly concerns me is the proposal to offer alcohol late at night, until 2:00 am on Thursdays, Fridays and Saturdays.

There is already enough anti-social behaviour in the area - and around - as revellers make their roudy, noisy, intimidating way to public transport to take them home. I think this will increase the amount and extent of that behaviour as drinkers move on from bars closing earlier in the evening; and this will put pressure on those bars to apply for extended licensing hours themselves.

And this will lead to an increase in public nuisance, crime, disorder, noise, and antisocial behaviour; and will. raise issues of the health and safety of local residents and *bona fide* visitors.

I repeat my objection to the licence application as currently written.

Please redact my personal information from any electronic reproduction of this letter.

Yours faithfully

**Alan Williams**  
[REDACTED]

# Appendix 13

## 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 14

# 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 15

## 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 16

# 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 cooperate 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 17

## Public Safety

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

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

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

# Appendix 18

## **Public safety**

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

## Ensuring safe departure of those using the premises

- 2.10 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:
- Providing information on the premises of local taxi companies who can provide safe transportation home; and
  - Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

## Maintenance and repair

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

## Safe capacities

- 2.12 “Safe capacities” should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.
- 2.13 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act<sup>1</sup>, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of

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<sup>1</sup> S 177 of the 2003 Act now only applies to performances of dance.

those premises should be.

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

# Appendix 19

## **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 20

## 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:

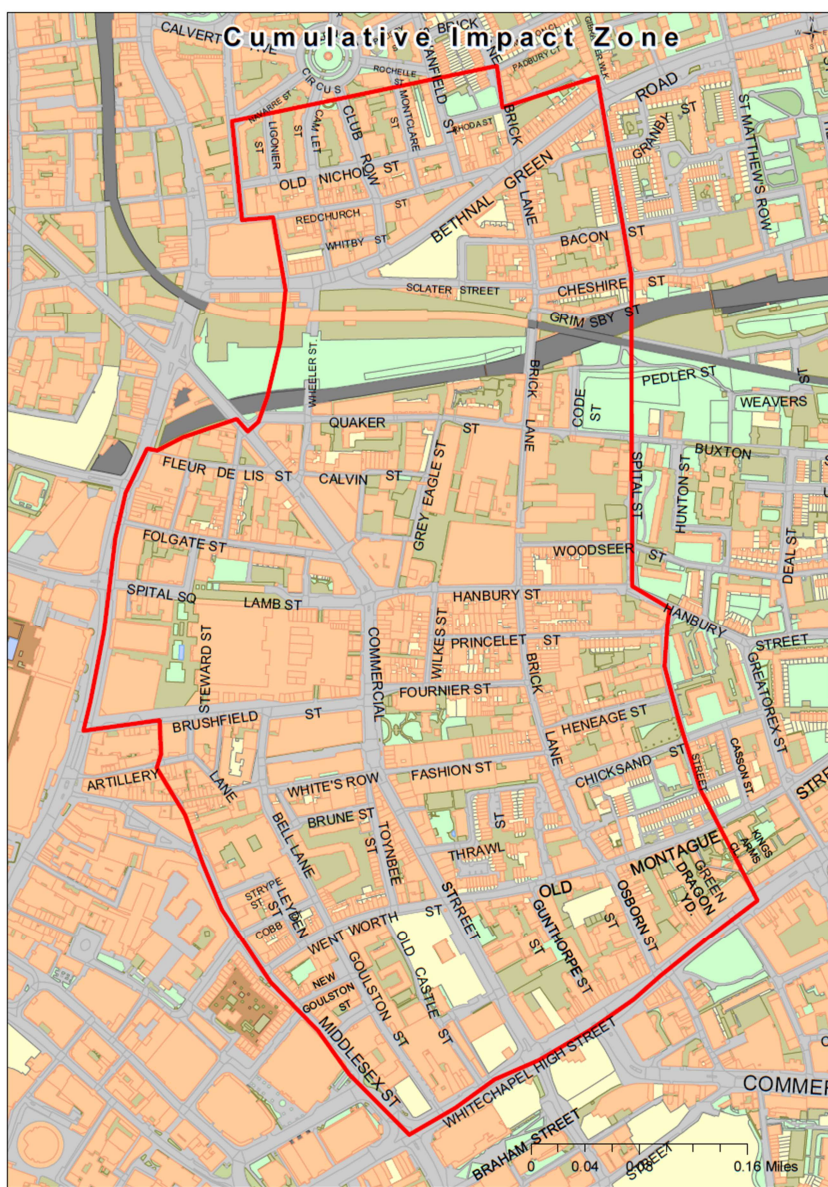
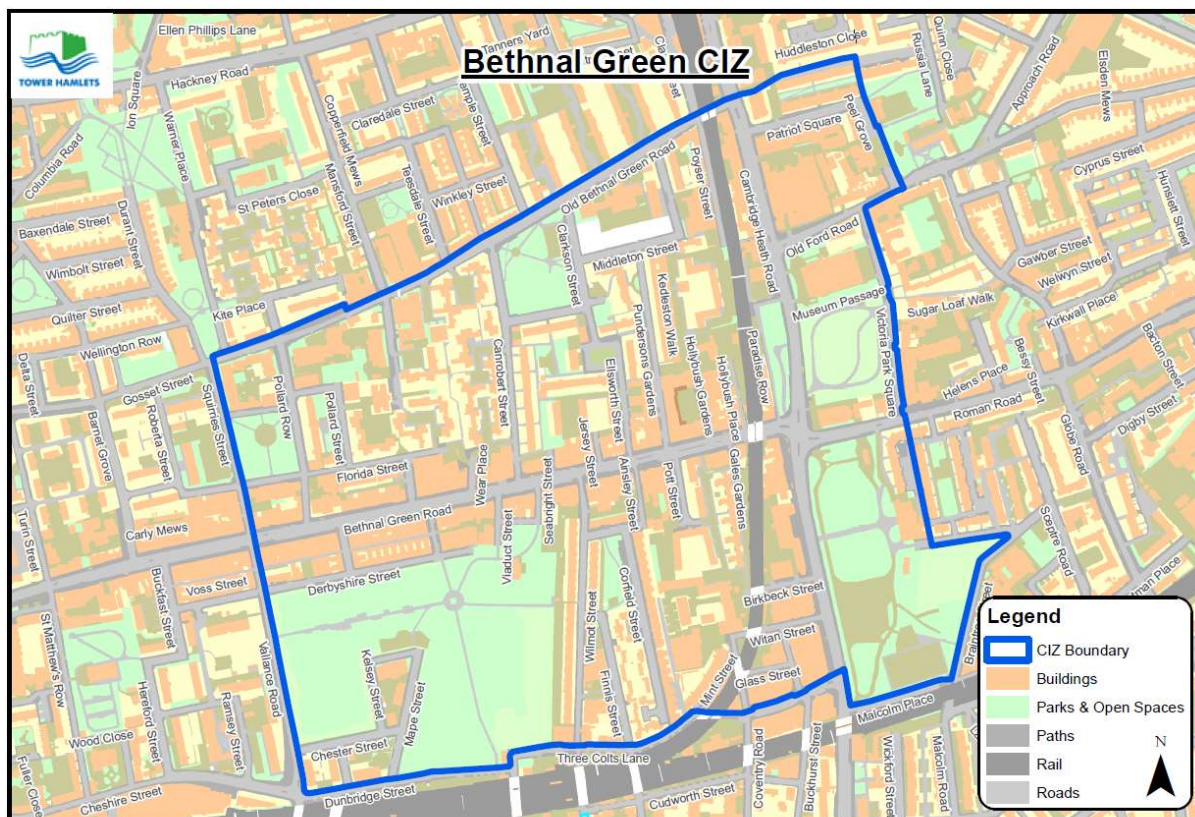
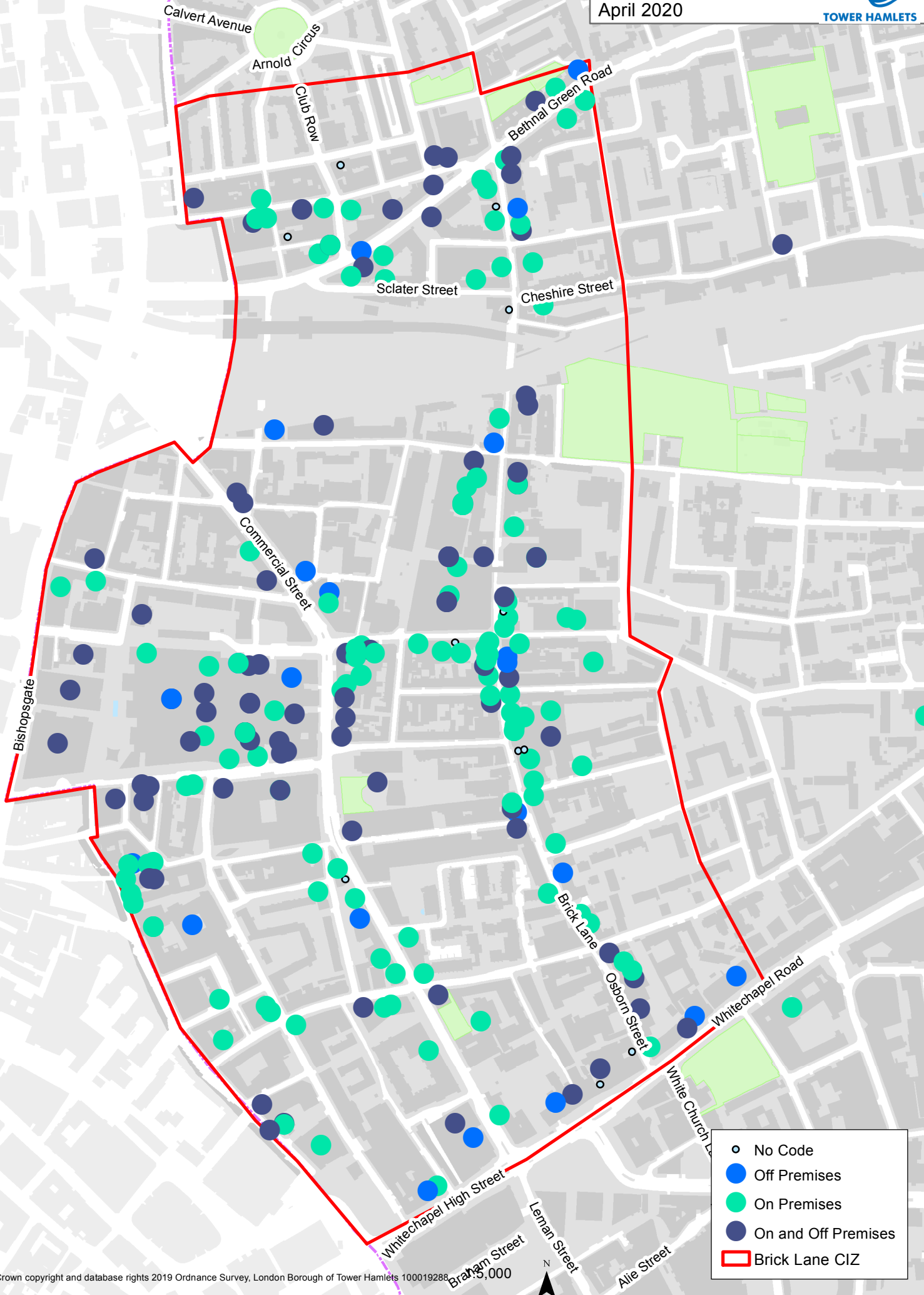


Figure Two:

# Bethnal Green Area







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

# Appendix 21

## **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 22

## **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.