

# Appendix 1



\* required information

**Section 1 of 21**

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

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

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

Are you an agent acting on behalf of the applicant?

- Yes  No

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

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

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

Are you:

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

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

**Applicant Business**

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

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

Registration number

Business name

VAT number

Legal status

If your business is registered, use its registered name.

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

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Country

**Section 2 of 21**

**PREMISES DETAILS**

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

**Premises Address**

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

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

## Section 3 of 21

### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

### Confirm The Following

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

## Section 4 of 21

### NON INDIVIDUAL APPLICANTS

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

#### Non Individual Applicant's Name

Name

#### Details

Registered number (where applicable)

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

Continued from previous page...

**Address**

Building number or name

District

City or town

County or administrative area

Country

**Contact Details**

Telephone number

Other telephone number

\* Date of birth     
dd mm yyyy

\* Nationality  [Documents that demonstrate entitlement to work in the UK](#)

Add another applicant

**Section 5 of 21**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

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

Provide a general description of the premises

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

The premises license application is for a Pizza Hut Delivery shop. We do not supply alcohol. The shop operates as both a collection and a delivery business. The shop is located on the main road. The area is mixed with commercial and residential area. The store comprises reception, kitchen, small office and toilet, with front and rear access to outside.

*Continued from previous page...*

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

### Section 6 of 21

#### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

### Section 7 of 21

#### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

### Section 8 of 21

#### PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

### Section 9 of 21

#### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

### Section 10 of 21

#### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

### Section 11 of 21

#### PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes  No

### Section 12 of 21

#### PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Continued from previous page...

**Section 13 of 21**

**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

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

*Continued from previous page...*

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.

Pizza is delivered by shop drivers and aggregators such as Uber and Deliveroo. The drivers are collecting the pizza to be delivered to customers.

State any seasonal variations

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

N/A

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.

N/A

## Section 15 of 21

### SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes                       No

### 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'.

## Section 16 of 21

### 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.

N/A

**Section 17 of 21**

**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...*

N/A

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.

N/A

## Section 18 of 21

### 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.

- Loitering is not allowed.
- All staff are trained on Health & Safety procedures.
- Fire Risk Assessment has been conducted at the premises and implemented the necessary control measures.
- C.C.T.V. system has been installed and accessible remotely.

b) The prevention of crime and disorder

- Loitering is not allowed.
- Staff are trained on how to deal with robbery, theft crime, and on reporting to police of any incidents.
- Panic alarms are installed.
- Suitable and sufficient artificial lighting is provided and maintained in any area accessible to the public, together with emergency lightning installed and maintained.
- C.C.T.V. system has been installed and accessible remotely.

c) Public safety

- Fire Risk Assessment has been conducted at the premises and implemented the necessary control measures.
- All exit doors are operable without the use of a key, card, code or similar means.
- Adequate and appropriate First Aid equipment and materials are available on the premises.
- Suitable and sufficient artificial lighting is provided and maintained in any area accessible to the public, together with emergency lightning installed and maintained.
- C.C.T.V. system has been installed and accessible remotely.

d) The prevention of public nuisance

- Loitering is not allowed, and encourage people to move away from the premises.
- Delivery of pizza is encouraged in order to avoid customers waiting for orders.
- Delivery drivers will only arrive to the shop when the order is ready for collection.
- No seating area available to eat in.
- All fixed equipment at the premises such as ventilation systems that produce significant levels of noise are fitted with appropriate means of noise suppression and are restricted in their use so as to minimize disturbance to any neighboring noise sensitive premise.
- The ventilation and extract systems are designed and maintained so as to prevent noxious smells causing a nuisance to

*Continued from previous page...*

nearby properties.

e) The protection of children from harm

- The business does not recruit employees under 18 years old.
- C.C.T.V. system has been installed and accessible remotely. All areas of the premises are monitored by C.C.T.V.

## Section 19 of 21

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

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

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

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

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

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

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

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

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

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

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

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

*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**

*Continued from previous page...*

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

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

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

**Section 21 of 21**

**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>

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\* Fee amount (£)

190.00

## DECLARATION

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

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

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

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

\* Full name

Arif Jivraj

\* Capacity

Director

\* Date

04 / 08 / 2022  
dd mm yyyy

Add another signatory

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

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

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

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

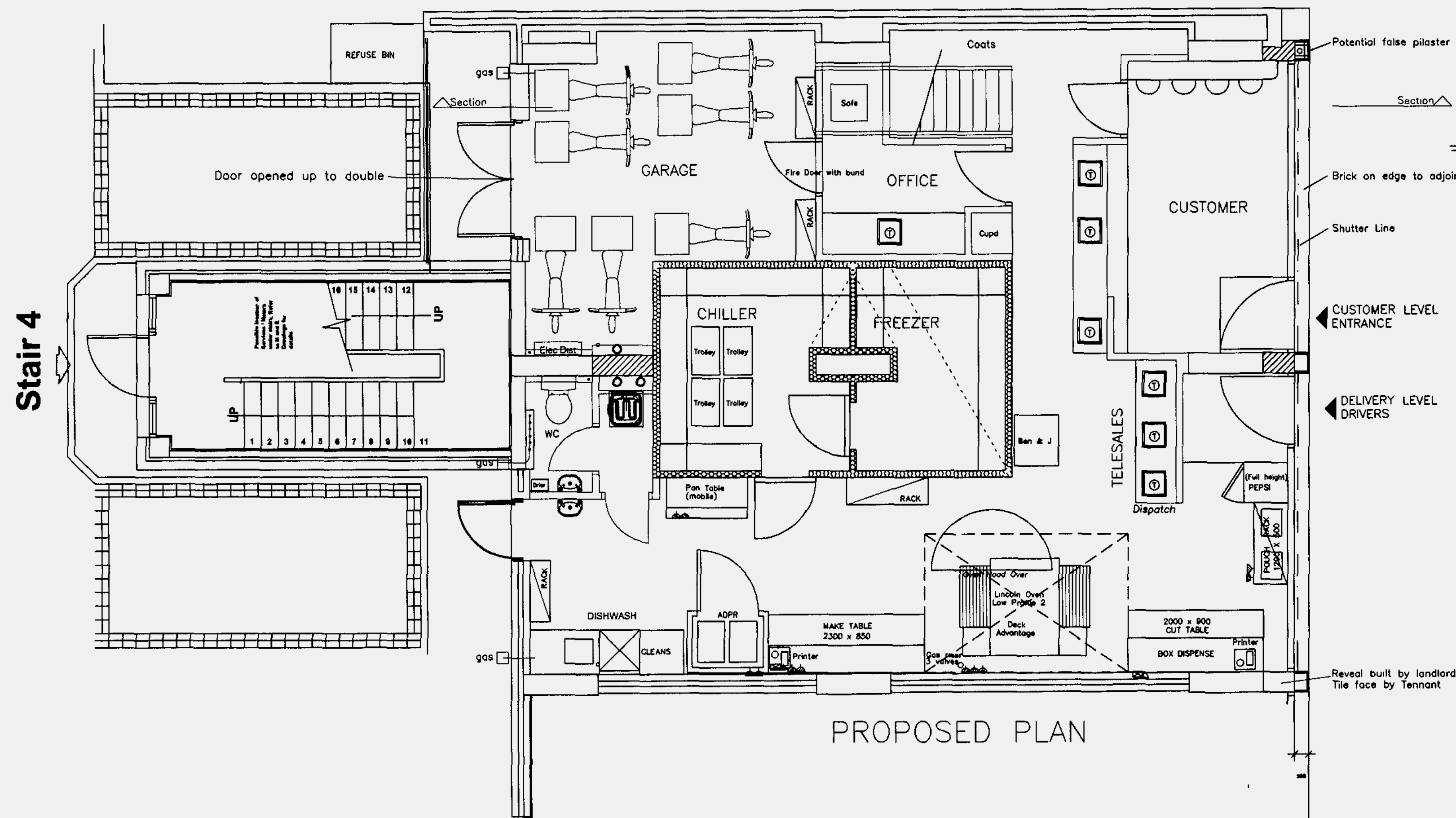
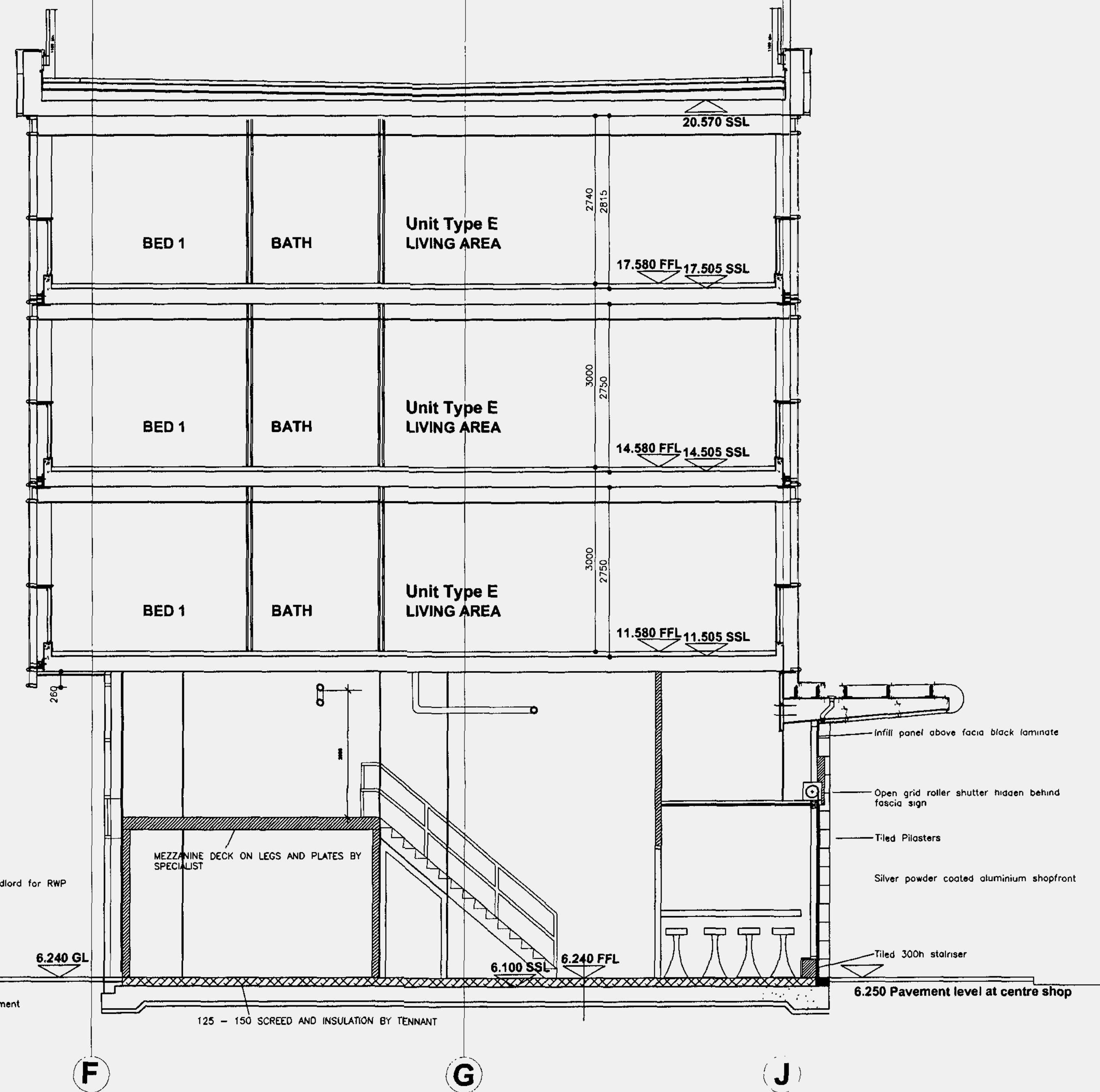
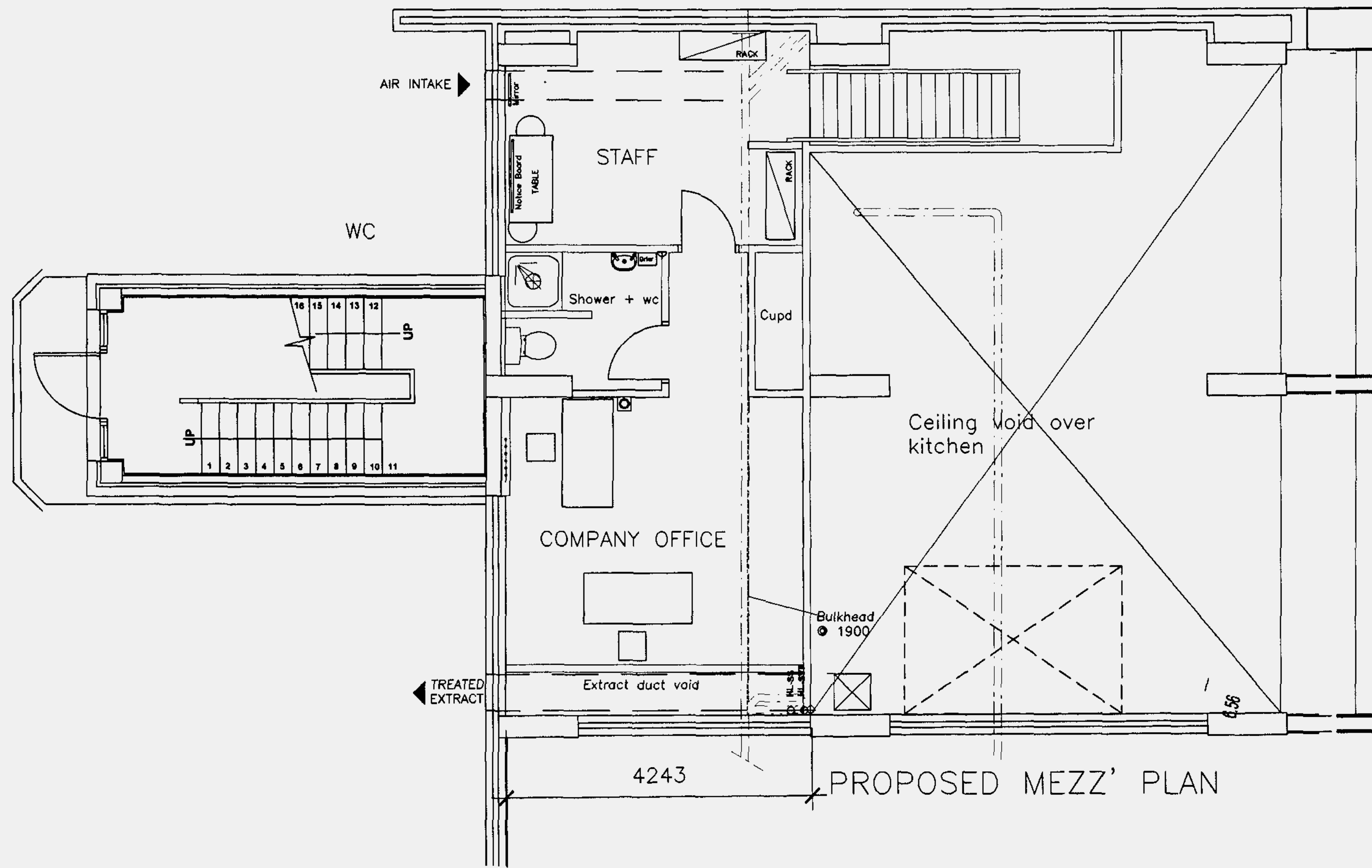
**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT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



**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="822 Canary Wharf"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

# Appendix 2



(Ladbroke Unit)

LONDON BOROUGH OF  
TOWER HAMLETS  
Registered Plan  
P01/05/1734  
Development Control

Rev C May 05 ~ Shopfront detail added  
inc open grid shutter, cleaner moved.  
Rev B ~ Agreement Set  
Rev A ~ 1/3/05 Shopfront revised

**APPROVED**

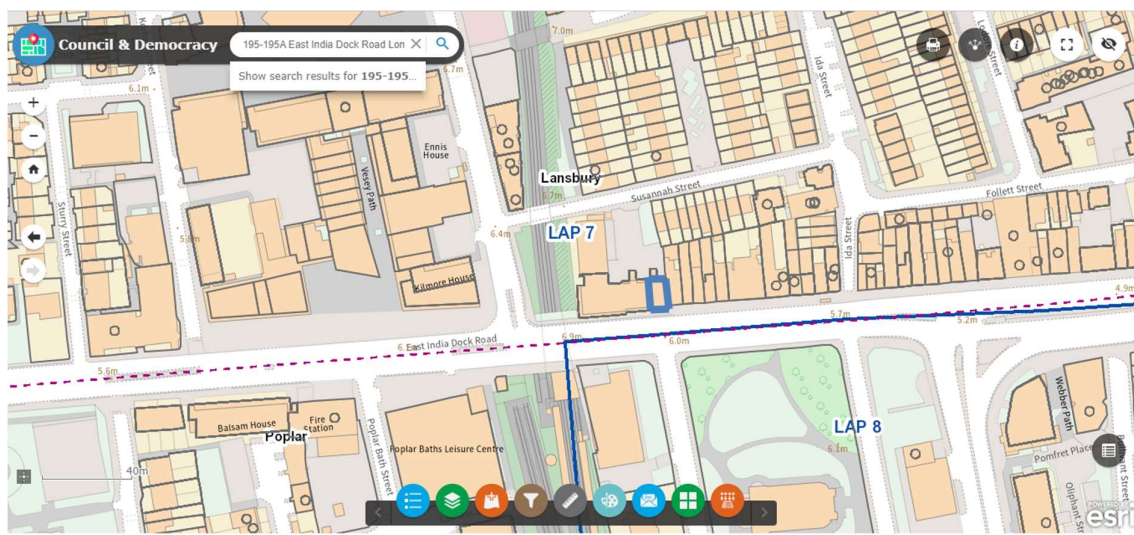
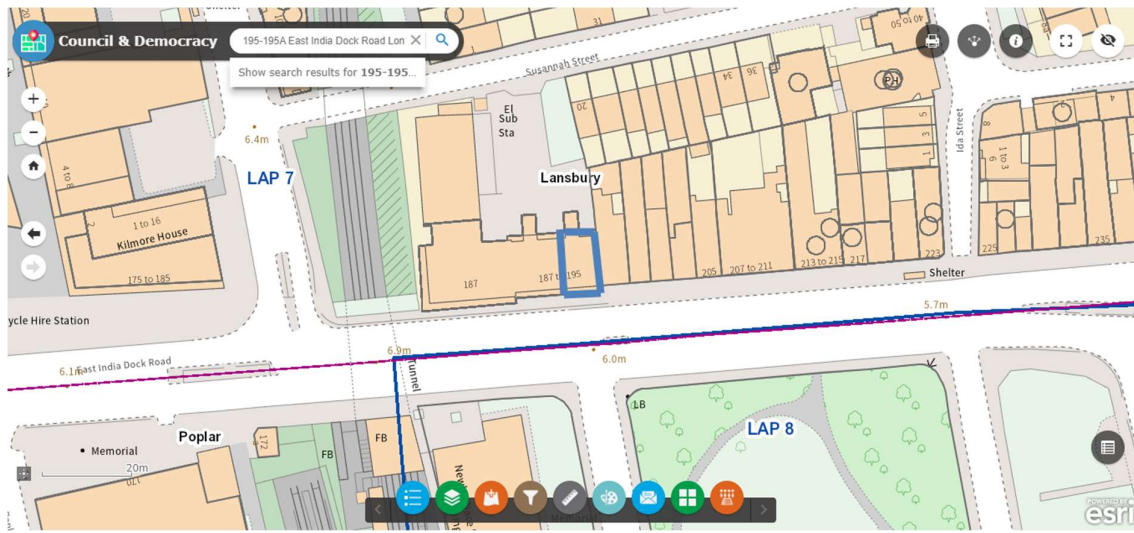
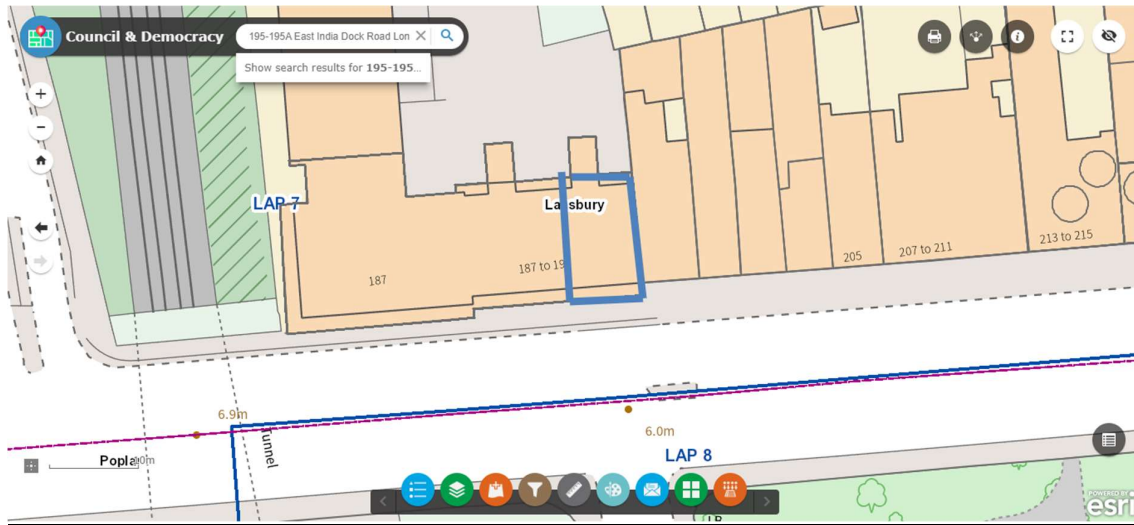
**Allen + associates + HFP**

Client: E J Udu

Job Title: East India Dock rd Canary Wharf	Date: Apr 05	Scale: 1/50
Drawing Title: Proposed plan & section	Drawing No: P01	Rev: C

# Appendix 3

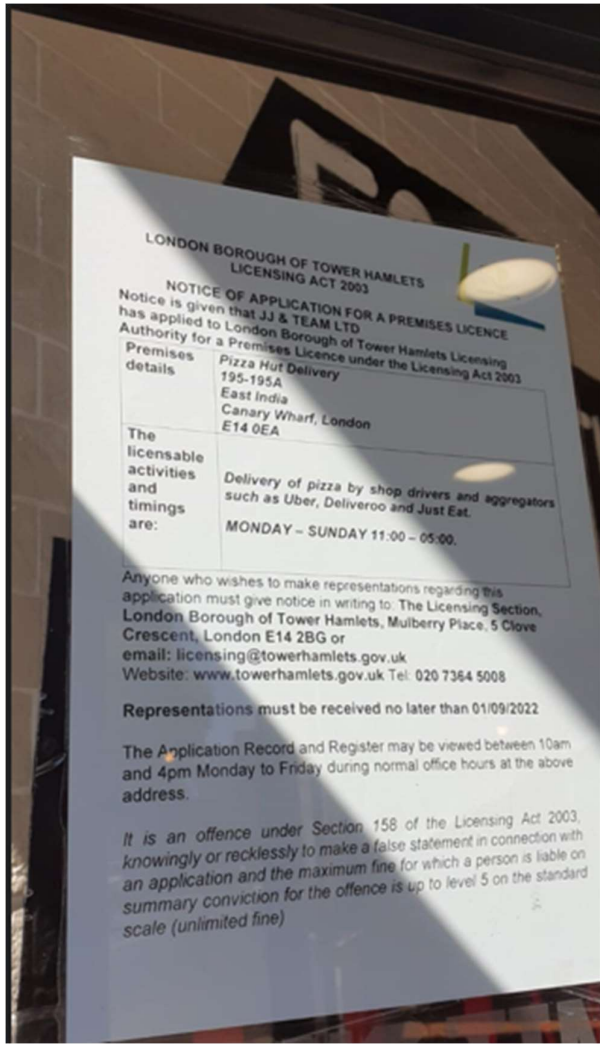
# Maps – 195-195a East India Dock Road

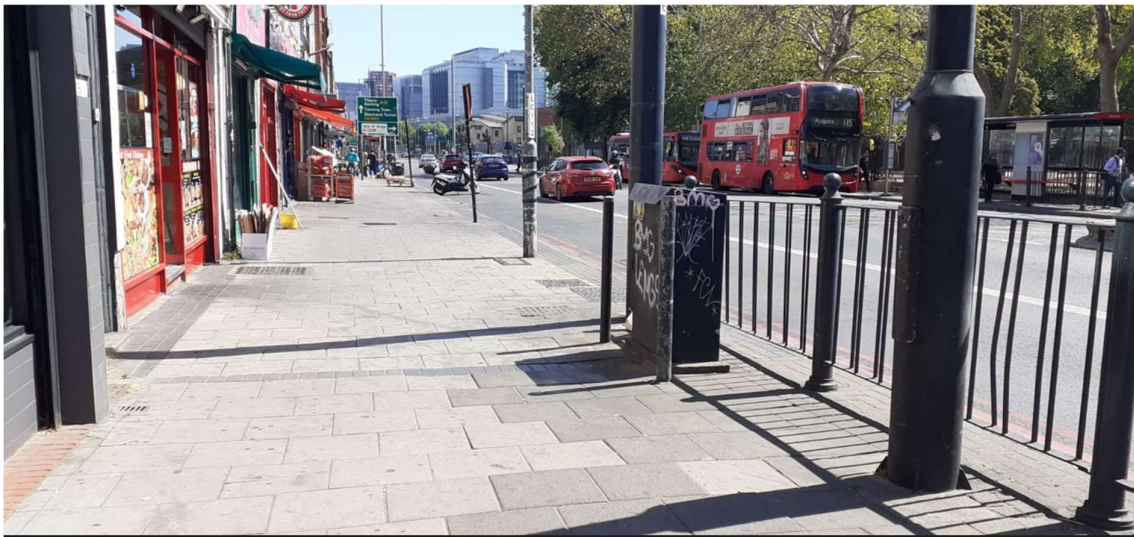
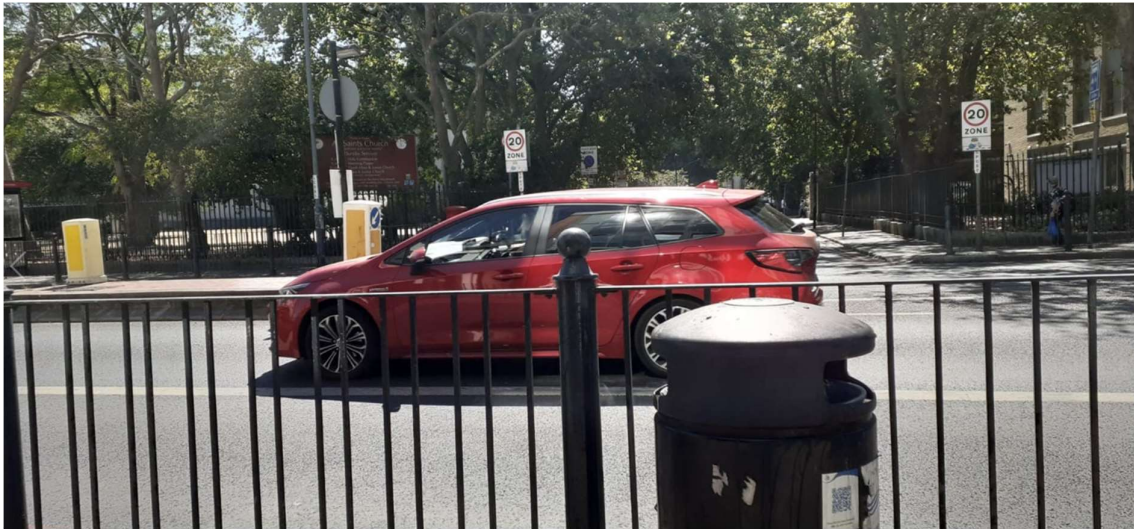


# Appendix 4



## Photos – 195-195a East India Dock Road







# Appendix 5

<b>Address</b>	<b>Licensable activities/times</b>	<b>Opening hours</b>
<b>(Real Taste)</b> <b>185 East India</b> <b>Dock Road</b>	<b><u>The provision of late night refreshment</u></b> Monday to Wednesday from 23:00hrs to 00:30hrs (the following day) Thursday to Saturday from 23:00hrs to 02:00hrs (the following day)	Monday to Wednesday from 08:00hrs to 00:30hrs (the following day) Thursday to Saturday from 08:00hrs to 02:00hrs (the following day) Sunday from 08:00hrs to 23:00hrs
<b>(Nisa)</b> <b>175-179 East</b> <b>India Dock Road</b>	<b><u>The sale by retail of alcohol (off sales)</u></b> Monday - Sunday from 07:00 hours to 23:00 hours	Monday - Sunday from 07:00 hours to 23:00 hours
<b>(Perfect Fried Chicken)</b> <b>197 East India</b> <b>Dock Road</b>	<b><u>The provision of late night refreshment</u></b> Monday to Sunday 23:00 hours – 02:00 hours (the following day)	Monday to Saturday from 11:00 hours – 02:00 hours (the following day)
<b>(Alan Supermarket)</b> <b>199 East India</b> <b>Dock Road</b>	<b><u>Supply of Alcohol Off (sales only)</u></b> Monday to Sunday from 09:00 hours to 21:00 hours	Monday to Sunday from 09:00 hours to 21:00 hours
<b>(Poplar Spice)</b> <b>201 East India</b> <b>Dock Road</b>	<b><u>Provision of late-night refreshment (indoors)</u></b> Monday to Saturday 23:01 hours to 02:00 hours Sunday 23:01 hours to 01:00 hours	Monday to Saturday 11:00 hours to 02:00 hours Sunday 11:00 hours to 01:00 hours
<b>(Kaymaks Off Licence)</b> <b>203 East India</b> <b>Dock Road</b>	<b><u>The sale by retail of alcohol (off sales)</u></b> Monday - Sunday from 08:00 hours to 02:00 hours the following day.	Monday - Sunday from 08:00 hours to 02:00 hours the following day.
<b>Poplar Mini Market)</b> 205 East India Dock Road	<b><u>Sale by retail of alcohol (off sales)</u></b> Sunday to Wednesday 08:00 hours to midnight Thursday to Saturday 08:00 hours to 01:00 hours the following days	Sunday to Wednesday 08:00 hours to midnight Thursday to Saturday 08:00 hours to 01:00 hours the following days
<b>(The Ho Lee Chinese Restaurant)</b>	The sale by retail of alcohol Alcohol may be sold or supplied: (1) On weekdays, other than Christmas Day, Good Friday or	There are no restrictions on the hours during which this

<p><b>207-209 East India Dock Road</b></p>	<p>New Year's Eve from 11am to 12pm.  (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm  (3) On Christmas Day: 12 noon to 11:30pm;  (4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight;  (5) On New Year's Eve on a Sunday, 12 noon to 11.30 p.m.  (6) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p>	<p>premises is open to the public</p>
<p><b>(Han Restaurant) 213 East India Dock Road</b></p>	<p><b><u>Late Night Refreshment</u></b>  Sunday to Thursday 23:00 hours to 23:30 hours  Friday and Saturday 23:00 hours to midnight  Christmas Eve, New Years Eve and Chinese New Years Eve 23:00 hours – 01:00 hours</p> <p><b><u>Supply of alcohol (on sales)</u></b>  Sunday to Thursday 12:00 hours to 23:30 hours  Friday and Saturday 12:00 hours to midnight  Christmas Eve, New Years Eve and Chinese New Years Eve 23:00 hours – 01:00 hours</p>	<p>Sunday to Thursday 12:00 hours to 23:30 hours  Friday and Saturday 12:00 hours to midnight  Christmas Eve, New Years Eve and Chinese New Years Eve 23:00 hours – 01:00 hours</p>
<p><b>(Costcutter) 219 East India Dock Road</b></p>	<p><b><u>The sale by retail of alcohol</u></b> (off sales)  Monday – Sunday from 06:00 hours to 02:00 hours the following day.</p>	<p>Monday – Sunday from 06:00 hours to 02:00 hours the following day</p>
<p><b>(Spice Hut) 221 East India Dock Road</b></p>	<p><b><u>The Provision of Late Night Refreshments</u></b>  Sunday to Thursday from 23:00 hrs to 01:00 hrs (the following day)  Friday and Saturday from 23:00 hrs to 02:00 hrs (the following day)</p>	<p>Sunday to Thursday from 11:00 hrs to 01:00 hrs (the following day)  Friday and Saturday from 11:00 hrs to 02:00 hrs (the following day)</p>

# Appendix 6

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

### Relevant, vexatious and frivolous representations

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

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

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

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

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

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

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

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

# Appendix 7

## Corinne Holland

---

**From:** Licensing  
**Sent:** 01 September 2022 17:27  
**To:** Corinne Holland  
**Subject:** FW: Pizza Hut, 195-195a East India Dock Road, E14 0EA

---

**From:** Kathy Driver <[REDACTED]>  
**Sent:** 01 September 2022 17:12  
**To:** arif [REDACTED]; Licensing <[REDACTED]>  
**Subject:** Pizza Hut, 195-195a East India Dock Road, E14 0EA

I am acting as Responsible Authority for the Licensing Authority and wish to object to the application on the grounds of Prevention of Public Nuisance and Prevention of Crime and Disorder.

The applicant is seeking 24 hour operation of late night refreshment for a premises which operates both a collection and delivery business.

The premises sits directly beneath a large complex of residential units and the outside area is fenced off directly outside to the roadside. This Authority feels that any collection by customers or delivery drivers is more likely to be accessed to the rear of the property. The rear of the property is a highly residential area overlooking a residential storey block including residential properties all along Suzannah Street of which is a narrow street. Any deliveries or collection is likely to be utilised from the rear, as the front entrance sits on a busy main road and is controlled under a red route and busy bus route.

Based on the above we feel that a 24 hour operation is likely to cause a disturbance to the residents from customers accessing the premises, attending the premises by car or on foot and delivery drivers constantly back and forth at all hours of the day. The applicant has not addressed the objectives to deal with the noise potential including the likelihood of ASB associated from it, and therefore objects to the application.

Kind Regards,

**Kathy Driver**  
Principal Licensing Officer  
Licensing & Safety Team  
Place Directorate  
London Borough of Tower Hamlets  
Mulberry Place  
5 Clove Crescent  
London E14 2BG

[REDACTED]  
Licensing Hotline **020 7364 5008**

Licensing General Email: [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

**Please visit our web page for application forms and guidance  
at [www.towerhamlets.gov.uk/licensing](http://www.towerhamlets.gov.uk/licensing)**



# Appendix 8

## Corinne Holland

---

**From:** Anamaria <[REDACTED]>  
**Sent:** 14 September 2022 13:37  
**To:** Corinne Holland  
**Cc:** Arif Jivraj; kishore  
**Subject:** RE: Representation - Pizza Hut, 195-195A East India Dock Road - REF M/151753

Hi Corrine,

Arif Jivraj is away, however he has forwarded your email to me and asked me to reach out and respond to the noted objection accordingly.

We would like to bring a few points to the attention of the objector and Licencing Committee:

- Customers can only access the premises from the front customer entrance, and there is no way for them to access from the rear.
- We have a separate driver access door in the front of the premises that they can and do often use.
- We have not proposed to trade and operate 24 hours.
- A large part of our sales comes from Uber Eats, Deliveroo and Just Eat. All of their drivers access our premises from the front customer entrance.

We do believe that the points noted above will provide comfort to the objector that we will not cause disturbance to the local residents from our late night trading.

Thank you.

Kind regards,  
Anamaria

**Office Administrator**  
[REDACTED]

---

**From:** Corinne Holland <[REDACTED]>  
**Sent:** 02 September 2022 16:29  
**To:** Arif Jivraj [REDACTED]  
**Subject:** Representation - Pizza Hut, 195-195A East India Dock Road - REF M/151753

Dear Sir/Madam

I am obliged to tell you that an objection to the granting of this Premises Licence have been received from the Licensing Authority.

# Appendix 9

## Corinne Holland

---

**From:** Tim Hung  
**Sent:** 23 August 2022 15:37  
**To:** Licensing  
**Cc:** Paul Murphy  
**Subject:** FW: Pizza Hut Delivery, 195-195A East India, Canary Wharf, London , ref 151753

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

Dear Licensing Team,

Re: below. I reviewed premises license application for Pizza Hut Delivery, 195-195A East India, Canary Wharf, London , ref 151753 with particular attention to the licensing objective for the prevention of public nuisance. Following are agreed noise conditions with the applicant:

- shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

Thanks and best regards,

Tim Hung  
Environmental Protection Officer  
Environmental Health and Trading Standards  
Place Directorate  
London Borough of Tower Hamlets  
Mulberry Place, 5 Clove Crescent  
London, E14 2BG

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

### Section 61 consent

To apply for all Control of Pollution Act 1974 Section 61 consents, dispensations and variations please apply here: [https://www.towerhamlets.gov.uk/lgn/environment\\_and\\_waste/environmental\\_health/pollution/Guidance-for-Section-61-Applications.aspx](https://www.towerhamlets.gov.uk/lgn/environment_and_waste/environmental_health/pollution/Guidance-for-Section-61-Applications.aspx)

Click here to see the Tower Hamlets Noise

map: <https://towerhamlets.maps.arcgis.com/apps/webappviewer/index.html?id=ab567dca90424100b0026259e447d911>

---

**From:** Arif Jivraj [REDACTED]  
**Sent:** 22 August 2022 10:42  
**To:** Tim Hung <[REDACTED]>  
**Subject:** RE: Pizza Hut Delivery, 195-195A East India, Canary Wharf, London

Dear Tim,

I confirm that I accept the conditions noted in your email below to be applied for the licensing objective for the prevention of public nuisance.

Many Thanks  
Arif

Arif Jivraj  
Director  
ZAF Holdings Group / JJ & Team Ltd

[REDACTED]

---

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---

**From:** Tim Hung [REDACTED]  
**Sent:** 22 August 2022 10:07  
**To:** Arif Jivraj <[REDACTED]>  
**Subject:** RE: Pizza Hut Delivery, 195-195A East India, Canary Wharf, London

Dear Arif,

Hope you are well.

2. Re: your email below. Thanks for your further info and response to proposed conditions. I note from your email that loudspeaker is not used. I would like to apply below revised noise conditions for the licensing objective for the prevention of public nuisance:

- No noise generated on the premises, or its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

3. Await your confirmation.

Thanks and best regards,

Tim Hung  
Environmental Protection Officer  
Environmental Health and Trading Standards  
Place Directorate  
London Borough of Tower Hamlets  
Mulberry Place, 5 Clove Crescent  
London, E14 2BG


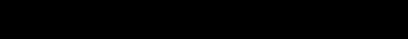
  
[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

**Section 61 consent**

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[https://www.towerhamlets.gov.uk/ignl/environment\\_and\\_waste/environmental\\_health/pollution/Guidance-for-Section-61-Applications.aspx](https://www.towerhamlets.gov.uk/ignl/environment_and_waste/environmental_health/pollution/Guidance-for-Section-61-Applications.aspx)

Click here to see the Tower Hamlets Noise  
map: <https://towerhamlets.maps.arcgis.com/apps/webappviewer/index.html?id=ab567dca90424100b0026259e447d911>

---

**From:** Arif Jivraj   
**Sent:** 19 August 2022 16:16  
**To:** Tim Hung < >  
**Subject:** RE: Pizza Hut Delivery, 195-195A East India, Canary Wharf, London

Dear Tim,

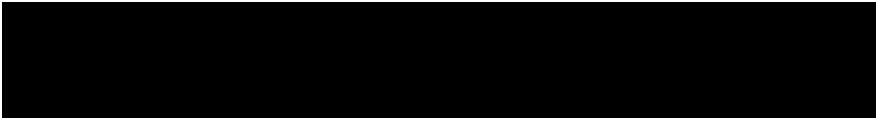
Thank you for your email.

Please see my responses to your comments below in *blue* & see supporting attachments.

If you have any other queries with regards to our application please do not hesitate to contact me.

Many Thanks & Kind Regards  
Arif

Arif Jivraj  
Director  
ZAF Holdings Group / JJ & Team Ltd

  
This email and any files transmitted with it are confidential and intended solely for the use of the individual to whom they are addressed. Any views or opinions expressed are solely those of the author and do not necessarily represent those of ZAF Holdings Group, its subsidiaries or its associated companies. If you are not the intended recipient of this email, you must neither take any action based upon its contents, nor copy or show it to anyone. If you believe you have received this email in error, please contact the sender immediately and delete this email from your system.

---

**From:** Tim Hung <[REDACTED]>  
**Sent:** 18 August 2022 09:53  
**To:** Arif Jivraj <[REDACTED]>  
**Subject:** Pizza Hut Delivery, 195-195A East India, Canary Wharf, London

Dear Arif,

Good morning.

2. I am reviewing your premises license application for Pizza Hut Delivery at 195-195A East India, Canary Wharf, London, ref 151753 with particular attention to the licensing objective for the prevention of public nuisance and wish for the following noise conditions to apply as below:

- No noise generated on the premises, or its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. ***The Extract, Refrigeration Condensers & Plant Equipment are mostly located within the premises and do not transmit noise out the structure of the building. The one unit that is located outside is fairly low and underneath a projected part of the building and hence away from the residential flats above. We believe confidently that no noise will emanate from the premises to give rise to nuisance.***
- Loudspeakers shall not be located outside licensing area of the premises as outlined in the application. ***We do not use Loudspeakers of any kind outside of the premises***
- No music or amplified sound shall be generated on the premises to give rise to a public nuisance to neighbouring residents. ***We can confirm that music or amplified sound will not give rise to public nuisance. This is a delivery and take away business and hence no requirement for music***
- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly. ***We have printed notices requesting patrons, drivers and staff to respect the needs of local residents and businesses and keep noise levels to a minimum. These are ready to be posted at all the exits from the premises. We only have 1 customer exit, however we will post the notices by the staff and customer exits***
- at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly. ***See above***

Thanks and best regards,

Tim Hung  
Environmental Protection Officer  
Environmental Health and Trading Standards  
Place Directorate  
London Borough of Tower Hamlets  
Mulberry Place, 5 Clove Crescent  
London, E14 2BG

[REDACTED]

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

Section 61 consent

# Appendix 10



## Prevention of Public Nuisance

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

# Appendix 11

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

Updated April 2018

## Public nuisance

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

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

# Appendix 12

## Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

### Comment

The above have been grouped together as egress problems. Of course the particular facts will be different for each alleged problem.

Egress only is referred to-if necessary access can be added or substituted in.

### General Advice

In considering concerns relating to disturbance from egress, Members need to be satisfied that the premises under consideration has been identified as the source of the actual or potential disturbance. If they are satisfied that this is a problem, then proportionate conditions should be considered.

The hours of operation also need to be considered.

If Members believe that there is a substantial problem concerning egress and it cannot be proportionately addressed by licensing conditions, they should refuse the application.

### Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. (**See Section 10 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. (**See Section 10.2 of the Licensing Policy**).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 15.1**).

However, while all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. (**See Section 15.5**)

The Council has adopted a set of framework hours (**See 15.8 of the licensing policy**). This relates to potential disturbance caused by late night trading.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Pool of Conditions relating to the prevention of Public Nuisance. (**See Annex G of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

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

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

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

Licence conditions should not duplicate other legislation (1.16).

Any conditions should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues. (2.19)

Measures can include ensuring the safe departure of customers, these can 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

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

# Appendix 13



## **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.