

# Appendix 1



\* required information

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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  If your business is registered, use its registered name.

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

Legal status

*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

Postcode

Country

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**PREMISES DETAILS**

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

**Premises Address**

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

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

## Section 3 of 21

### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

### Confirm The Following

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

## Section 4 of 21

### NON INDIVIDUAL APPLICANTS

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

#### Non Individual Applicant's Name

Name

#### Details

Registered number (where applicable)

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

Continued from previous page...

Limited company

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

Telephone number

Other telephone number

\* Date of birth     
dd mm yyyy

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

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**OPERATING SCHEDULE**

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

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

Provide a general description of the premises

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

The premises will be operated as a restaurant/bar selling gourmet burgers, high quality cocktails and craft beers. It will be operated over two floors (ground floor and mezzanine level). The maximum capacity is 80 seated and 100 standing. All customers will be seated save for those queuing at the bar and those attending private hire events . There will also be an outdoor seated area immediately outside the premises, seating 90 people, which will be used mainly during the warmer months of the year.

*Continued from previous page...*

The premises is located in a railway arch adjacent to a major road (B140). The closest residential properties are located 20 meters away across the train tracks. 20 meters next to us there is another licensed premises (Cabby's Jerk) which sells BBQ jerk chicken and cocktails is located in the adjacent arch. The other arches are currently operated as commercial premises. The area around the arches is well lit. There is a bus stop located 100m away from the premises. Mile End station is a 15 minute walk away and Limehouse DLR is a 10 minute walk.

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

## 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

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**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

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="22:30"/>
Start	<input type="text"/>	End	<input type="text"/>

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

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

Bank holidays until 00:00  
Christmas Eve until 00:00  
New Years Eve until 01:00

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

**Name**

First name

Family name

Date of birth

dd                  mm                  yyyy



*Continued from previous page...*

**Enter the contact's address**

Building number or name	<input type="text"/>
	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text"/>

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Reference number for consent form (if known)

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

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**ADULT ENTERTAINMENT**

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

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

n\a

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**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

Continued from previous page...

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.

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.

Bank holidays until 00:30  
Christmas Eve until 00:30  
New Years Eve until 01:30  
[EDIT AS APPROPRIATE]

*Continued from previous page...*

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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.

- A personal licence holder will be present at all times when alcohol is sold at the premises
- The DPS shall sign up to the local Pubwatch and a safeguarding scheme for women or other vulnerable persons

b) The prevention of crime and disorder

- Signs will be displayed stating that the premises supports the Council's 'No Touting' policy and advising customers that touting is unlawful and dangerous.
- CCTV will be installed and maintained at the premises. It shall be retained for a minimum of 31 days and will be provided to the police or other responsible authorities upon request
- An incident log shall be kept at the premises which logs all crimes reported to the venue, all ejections of customers, any incidents of crime or disorder and any refusals of sale of alcohol. It shall be provided to the police or other responsible authorities upon request.
- All sales of alcohol for consumption off the premises (save for those for consumption in the outside area) shall be in sealed containers only and shall not be consumed on the premises.

c) Public safety

- A Challenge 25 policy will be operated at the premises
- A zero tolerance to drugs policy will be operated at the premises
- All staff will be trained in the Challenge 25 and drugs policies
- At all times that the premises is operating, there will be a member of staff who is trained in First Aid
- All staff will be trained in spotting signs of harassment and when/how to intervene

d) The prevention of public nuisance

- All windows and doors shall be kept closed at any time when amplified live or recorded music is played, except for the immediate access and egress of persons
- A noise limiter must be fitted to the amplification system and will be set at a level agreed with an authorized Environmental Health officer
- Loudspeakers shall not be located in the entrance/exit of the premises or outside the building.
- The outside area shall be closed at 22:00 hours
- Notices shall be prominently displayed at the exit and the outside area requesting patrons to respect the needs of local residents and use/leave the area quietly.

e) The protection of children from harm

- A Challenge 25 policy will be operated at the premises
- Children under the age of 18 years shall not be allowed on the premises after 22:00 hours

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### 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.

*Continued from previous page...*

- 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.

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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>



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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

Bianca Whiskey

\* Capacity

Director

\* Date

21 / 07 / 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.

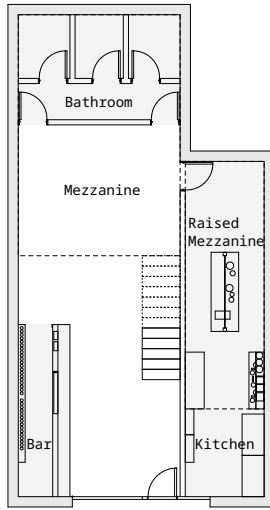
**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**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**

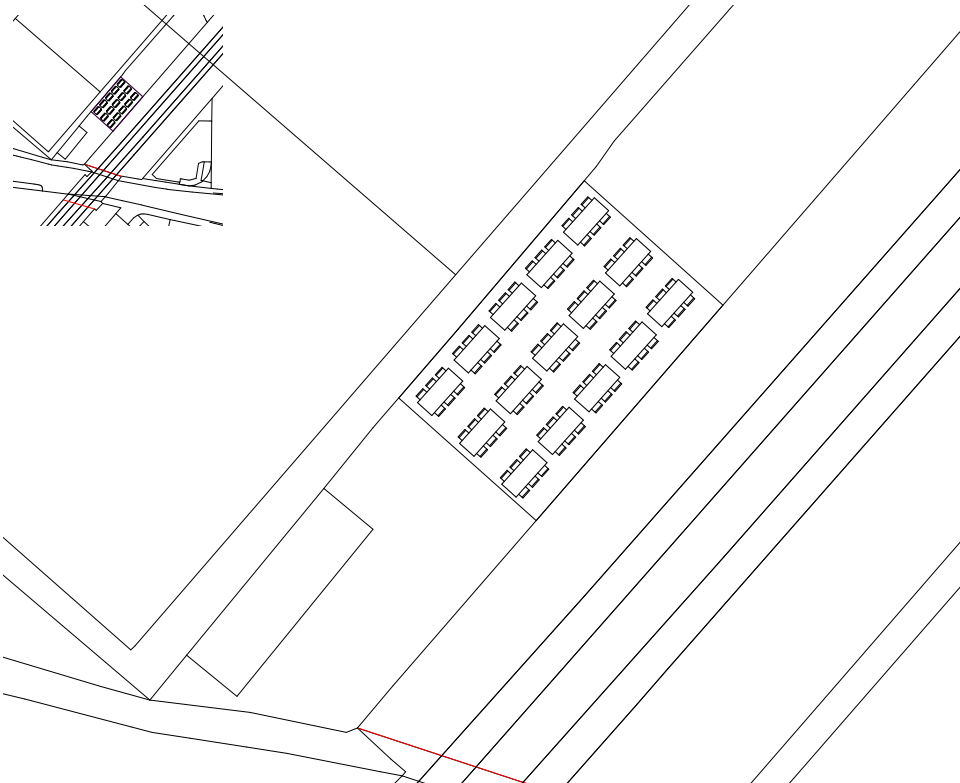
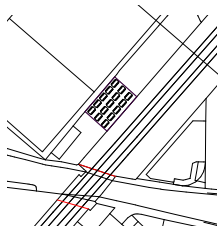
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Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
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Payment authorisation date	<input type="text"/>
Date and time submitted	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

# Appendix 2



Havens Yard LTD

Haven Mews plan\_0  
London Layout  
E3 4AG



25/06/2022

Planning permission  
drawing for outdoor  
seating

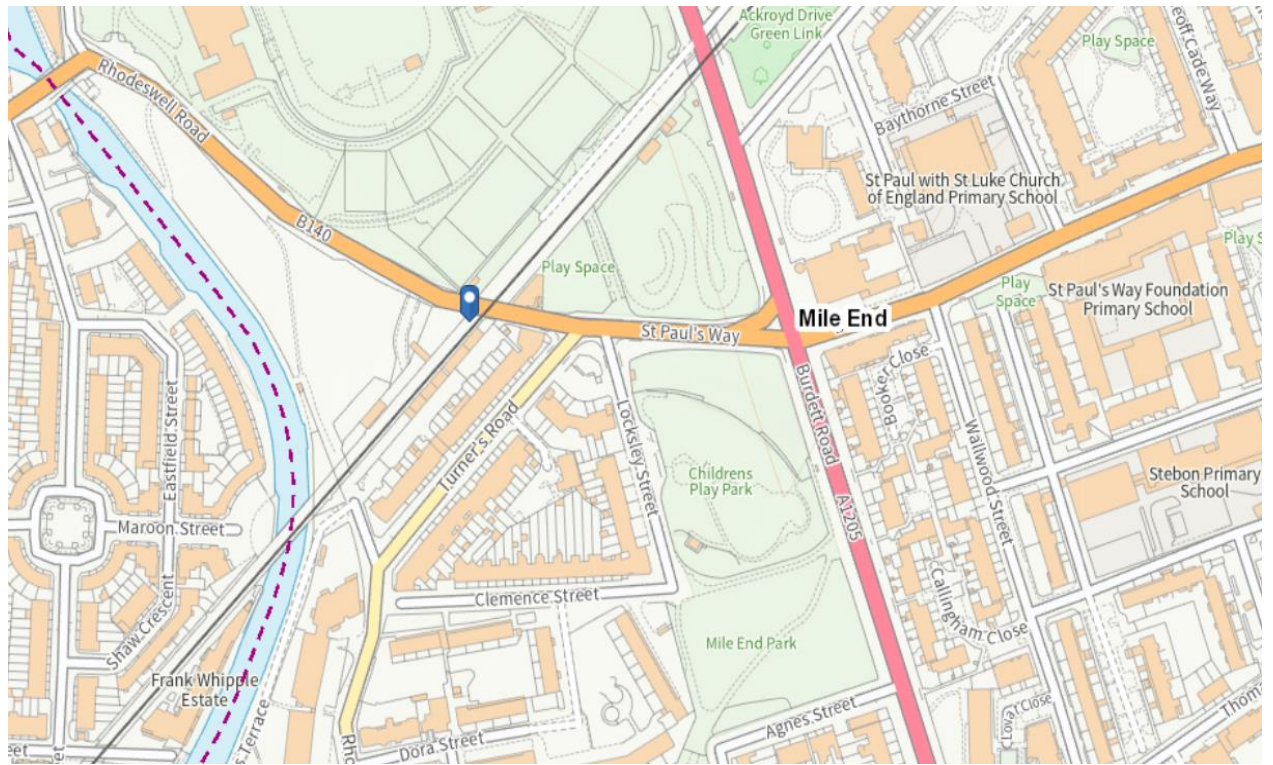
Haven's Yard LTD

Haven Mews, Arch 412  
St Paul's Way, London  
E3 4AG

Outdoor Seating Plans

# Appendix 3

Haven Yard- Haven Mews Railway Arch 410 St Pauls Way-Map



# Appendix 4

Havens Yard Ltd, Haven Mews Railway Arch 410 St Paul's Way –

Photographs of the premises





# Appendix 5

**(Havens Yard Ltd) Arch 410 St Paul's Way  
Nearest Licensed Premises**

<b>Name and address</b>	<b>Licensable activities</b>	<b>Opening times</b>
<b>(Cabby's Rum Bar) Railway Arch 411 St Pauls Way London E3 4AG</b>	The sale by retail of alcohol (off sales only) <ul style="list-style-type: none"><li>• Monday to Sunday, from 09:00 hours to 23:30 hours</li></ul>	<ul style="list-style-type: none"><li>• Monday Sunday, from 09:00 hours to 00:00 hours (midnight)</li></ul>
<b>(Ozzy's Newsagent) 52 St Pauls Way London E3 4AL</b>	The sale by retail of alcohol Monday to Sunday 09:00 – 00:00 (midnight)  Off sales only	Monday to Sunday 06:00 – 00:00 (midnight)

# 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

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

Head Of Service David Tolley

Mulberry Place  
5 Clove Crescent  
London E14 2BG

Tel 020 7364 5171

Fax 020 7364 0863

Enquiries to Kathy Driver

Email [REDACTED]

30<sup>th</sup> August 2022

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

My reference: P/PR/EHTS/LIC/151308

Dear Sir/Madam,

**Licensing Act 2003**

**Re: Arch 410 Haven Mews, St Pauls Way, London E3 4AG**

I am acting in my capacity as Responsible Authority on behalf of the Licensing Authority to object to the above application on the grounds of prevention of Public Nuisance, prevention of crime and disorder and the prevention of public safety.

The premises is located off St Pauls Way within a railway arch in Haven Mews which is entranced through a yard gate.

We have a licensed premises situated in Unit 411 next door to this application which was operated as licensed premises with on and off sales. However due to the premises being a constant disturbance for local residents of people attending the venue, using the outside space and operating in breach of licence and unauthorised hours, this Licensing Authority, the police and Environmental Health reviewed the premises alongside the local Councillor representing local residents. The decision was made to remove the on sales element of the licence to only operate as an off sales delivery service.

This Licensing Authority therefore feels that another application next door to the premises is likely to reignite the disturbance caused to local residents especially late in the evening. We feel the hours applied for are too late when there are no other premises operating in this area and the locality will attract cars to the area of which we know caused a nuisance when the premises next door held a licence.

It also concerns the Authority that the applicant has been involved in the premises at 411 of which Bianca Whiskey was the business rate payer of which the following was brought to our attention during the review:

*“Business rates were originally requesting the lease for 411 from BIANCA WHISKEY however from what I can see, this does not appear to have been provided. Business rates sent an Inspector to the 411 premise and also had communications from BIANCA WHISKEY to state she herself was in occupation of unit 411. Based on this, the Business rates liability was transferred to WHISKEY.”*

I attach of the copy of the companies house information for Cabbys Kitchen & Bar Limited, now known as Havens Yard Limited, showing Bianca Whiskey as Director.

This Licensing Authority also objects to the Designated Premises Supervisor and believes this person was also linked to Unit 411. Please see below report of Police compliance visit made on Friday 4<sup>th</sup> February 2022:

**Actual visit time: 2355hrs TOA**

Upon officers arrival at scene there was signs over the front gate stating **PRIVATE EVENT**, just standing behind the gate was a male now known to officers as L. REID, REID originally refused to give officers his last name and wasn't wearing his badge on display upon arrival. Lloyd stated to officers that there was a private event taking place which had around 40 persons present and was due to finish at around 0100hrs. Lloyd refused officers access to the venue and when a manager was asked for he left placing a table in front of the door to stop officers from entering. There was clear sounds of a party coming from inside the venue with music emitting from inside.

Next officers where meet by C. Bruce who was also not displaying his badge and originally stated that he was a supervisor. BRUCE went on to have a back and forth with officers around the license and clearly lacked understanding that this was a licensed premises so this meant that if they were operating outside the parameters set by the licence then this was technically a unlicensed music event.

BRUCE again confirmed to officers that this was a private birthday party with around 40 persons inside but this time with an unknown finish time.

It was stated to officers that Philip was the manager on scene but yet again once it was established that BRUCE wasn't the manager, officers request to see the manager at which point Jay Lewis (HEAD CHEF) and **Philip Puczka (Bar Manager)** came out of the venue to speak with officers. At around the same time Officers Hackett and Atkinson from Tower Hamlets Council turned up on scene to check on the venue.

It was told to Lewis and Puczka that this event need to be shut down immediately as they was not authorised to hold private events within the licence so was therefore within breach.

BRUCE kept getting involved in the conversation even stated that he does the talking for the business as like a go between for management and that he felt the business wasn't in breach of its licence as it was a private event where no alcohol was being sold as all food and drink was pre-paid.

When Lewis was asked who the DPS was on scene this evening he stated that he didn't know as Moses ODONG (OWNER & DPS) was away on holiday so not currently in the country.

With the back and forth conversation that went on for around 30 minutes people were still attending the venue which showed that there was actually no allocated time that this party had planned to end. At approximately 0045hrs LEWIS went back into the venue and made an announcement that everyone need to leave which they done shortly after.

Just prior to this Officer Hackett had entered the venue with Lewis and stated that there was around 40 people inside who were drinking at the venue. “



In addition to the above during a site visit on 2<sup>nd</sup> July 2021 to the premises by Licensing Officer Corinne Holland, to place notices up for the review at 411 my colleague spoke with two gentlemen and she stated the following "On speaking it appears that Moses, the premises licence holder, has sublet Arch 411 to these two gentleman who have set up 'Cabbies Jerk'. They did also say they have rented out the venue to promoters on occasions. They said that the promoters were known to Moses. The two men running Cabbies Jerk in Arch 411 are Filip Puczka. He said he was the bar manager and gave contact details, also Jelani Lewis who stated he was the head chef.

Evidence clearly shows that historically both the applicant and the proposed DPS had an involvement in Arch 411 and Cabbys bar of which had a history of complaints from local residents, they were uncooperative to officers when visited, the gates were locked up with people inside the area so that officers could not get inside the venue and causing a danger to the customers in attendance. They advertised events operating until 3am in the morning of which the licence was only permitted to operate until 23:30pm for alcohol and entertainment and close of midnight.

Below is the example of complaints this Authority received in relation to the next door unit, it shows that the arches are unsuitable for licensable activities and the likelihood of a repeat of noise complaints should a licence be granted:

"Since December 2020 a night club has opened behind my flat called CABBYS JERK ADDRESS IS: Arches 411 St PAULS WAYS LONDON E3 4AG. They have advertised themselves as selling FOOD up to 10 or 11pm. However after 11pm they turn it into a NIGHT CLUB. They have been playing EXTREMELY loud music! and the people coming in and out of that place are all drunk, disorderly, shouting and creating noise nuisance. They are misusing our private car park, they are also playing loud music inside their cars early hours in the morning and urinating next to my car and other residents....I called the police on Sunday 23.05.21 as it become unbearable of so much noise when my children are trying to sleep to go to school in the morning and I have work. They are not even supposed to be having a night club open due to covid restrictions. I have the police CAD no. originally reported on 4/12/2020 . When the police arrived they quickly locked the gates and turned the music down and didn't let the police in. I don't think they even have a licence to have a night club open especially in a residential area. If they do have a license why as residents haven't we been consulted of such night club venues being open in our neighbourhood. This isn't Leicester Square! this is our residential area. I have lived here for over 10 years and this is such a peaceful and quiet neighbourhood. Please put a stop to this as a matter of urgency as it's only going to get worse now that summer is coming up."

"They are clearly in breach of their licence as the people were coming in after 12Am and leaving around 3am all of them drunk and disorderly. The police was turning people away who were coming in after 12. The videos I have sent have been recorded around 3am and is evidence of people leaving. Also they are having big gatherings and breaking covid restrictions.

"There's very loud music coming from Cabbie's Jerk restaurant. It is on all afternoon and still now. Even with windows closed you can hear it loud!

I passed by and could see lots of people, looks like a rave party, they have big speakers outdoors and all dancing. Not to say that it is not Covid compliant at all.

The music is really loud, was on for the all day. "

“Cabby's Jerk has a party every Sunday from early afternoon until gone 10pm. The music is so loud and extremely invasive. If it was a one off, not a problem, but every single Sunday is too much. It is far too loud and is driving everyone in our block mad. Please do something about it. “

“I would like to ask you to investigate Cabby’s Jerk in Mile End (link to their business for excessive noise at anti social hours of the day. I do not know what their licensing permissions are but they have recently started hosting partys particularly late on a Sunday even going on a few weeks ago until 0100 am. They have an outdoor sound system which means we can hear music, a man on a microphone and crowds of cheering people late at night. .. we are kept awake on a Sunday night. This is a residential area and we should not have licensed venues playing loud music. “

“This place plays music so loud that even from 0.3 miles away, other side other canal, we can hear it as if it would be next door. We cannot keep windows open as the bass and music is so loud, also we can hear the music inside when windows closed.

How can this place have a licence to have these parties everyday until 11pm or later?? I cannot sleep until they stop their party :(

Please can you do something about this? “

In conclusion this Licensing Authority objects to the application and evidence above shows that a venue on this site will cause public nuisance to the residents around it. We are concerned this will be a repeat of the incidents that took place and essentially a replacement of the licence which was taken away. Residents had to endure months of disturbance and the applicants being linked to the previous venue shows they are unsuitable to manage and hold such a licence that we have no faith any conditions or hours imposed will be complied with.

This Licensing Authority therefore requests Members to refuse this application.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Kathy Driver', is written over a light blue rectangular background.

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

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(<http://resources.companieshouse.gov.uk/serviceInformation.shtml#compInfo>)  
[Advanced company search \(/advanced-search\)](#)

HAVENS YARD LIMITED

Company number **13558667**

[Unfollow this company](#)

[File for this company \(https://beta.companieshouse.gov.uk/company/13558667/authorise?return\\_to=/company/13558667\)](https://beta.companieshouse.gov.uk/company/13558667/authorise?return_to=/company/13558667)

Registered office address

16 Beaufort Court Admirals Way, Canary Wharf, London, United Kingdom, E14 9XL

Company status

Active

Company type

Private limited Company

Incorporated on

10 August 2021

## Accounts

First accounts made up to **31 August 2022**  
due by **10 May 2023**

## Confirmation statement

Next statement date **31 July 2023**  
due by **14 August 2023**

Last statement dated **31 July 2022**

## Nature of business (SIC)

- 56101 - Licensed restaurants
- 56290 - Other food services

## Previous company names

Name	Period
CABBY'S KITCHEN & BAR LIMITED	10 Aug 2021 - 06 May 2022

[Tell us what you think of this service \(https://www.smartsurvey.co.uk/s/getcompanyinformation/\)](https://www.smartsurvey.co.uk/s/getcompanyinformation/) [Is there anything wrong with this page? \(/help/feedback?sourceurl=https://find-and-update.company-information.service.gov.uk/company/13558667\)](/help/feedback?sourceurl=https://find-and-update.company-information.service.gov.uk/company/13558667)

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HAVENS YARD LIMITED

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Date	Type	Description	View / Download
01 Aug 2022	CS01	<b>Confirmation statement</b> made on 31 July 2022 with updates	(4 pages)
06 May 2022	CERTNM	Company name changed cabby's kitchen & bar LIMITED\certificate issued on 06/05/22 <ul style="list-style-type: none"> <li>NM01 - <b>Change of name</b> by resolution</li> <li>RES15 - <b>Change company name resolution on 2022-05-03</b></li> </ul>	(3 pages)
10 Aug 2021	NEWINC	<b>Incorporation</b> Statement of capital on 2021-08-10 <ul style="list-style-type: none"> <li>GBP 100</li> </ul>	(38 pages)

[Tell us what you think of this service \(https://www.smartsurvey.co.uk/s/getcompanyinformation/\)](https://www.smartsurvey.co.uk/s/getcompanyinformation/) [Is there anything wrong with this page? \(/help/feedback?sourceurl=https://find-and-update.company-information.service.gov.uk/company/13558667/filing-history\)](#)

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HAVENS YARD LIMITED

Company number **13558667**

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- [Officers](#)
- [Persons with significant control \(/company/13558667/persons-with-significant-control\)](/company/13558667/persons-with-significant-control)

## Filter officers

Current officers

Apply filter

**1 officer / 0 resignations**

**WHISKEY, Bianca Alexis**

Correspondence address **16 Beaufort Court, Admirals Way, Canary Wharf, London, United Kingdom, E14 9XL**

Role Active **Director**



Appointed on **10 August 2021**

Nationality **British**

Country of residence **United Kingdom**

Occupation **Director**

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[Tell us what you think of this service \(https://www.smartsurvey.co.uk/s/getcompanyinformation/\)](https://www.smartsurvey.co.uk/s/getcompanyinformation/) [Is there anything wrong with this page? \(/help/feedback?sourceurl=https://find-and-update.company-information.service.gov.uk/company/13558667/officers\)](/help/feedback?sourceurl=https://find-and-update.company-information.service.gov.uk/company/13558667/officers)

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# Appendix 8



Tom Lewis  
Head of Licensing  
Tower Hamlets Council

**HT - Tower Hamlets Borough**

Licensing Office  
Stoke Newington Police Station

Email: [REDACTED]  
[www.met.police.uk](http://www.met.police.uk)

28/08/2022

Dear Sir,

Central East Police Licensing formally object to the application of the Premises Licence for Arch 410, Haven Mews, St Paul's Way, London, E3 4AG.

The objection is on the grounds of both preventing crime and disorder, prevention of public nuisance and public safety.

As with all applications submitted, Central East Police Licensing look at the requested hours and conditions offered by the applicant and will tailor conditions to manage any risks. The applicant has requested to supply alcohol until 2330hours from Monday – Thursday and midnight on Friday & Saturday. They have not requested late night refreshment.

We are concerned that the applicant has failed to explain who their customers will be or how the venue will operate. The venue is away from the main night time economy area and therefore passing trade is limited. Are the operators expecting this to be a destination venue? Without explaining the target demographic it becomes very difficult to risk assess the operation of the premises.

Regardless of this, we have basic concerns that have not been answered in the application. Firstly, the applicant has themselves identified that nearby public transport links are around 15 minutes' walk away. Given our experience of customers of cocktail bars it is unlikely that the majority of customers will walk 15 minutes to a Tube station. Therefore how will the proposed maximum of 270 customers leave the venue, will they drive or take a taxi, if so how will that be managed without causing nuisance to local

residents, or without accidents taking place? There is no dispersal plan for us to consider.

The applicant has stated that the venue will operate as a 'restaurant/bar selling gourmet burgers, high quality cocktails and craft beers. The applicant has provided capacities of 80 people seated, 100 standing and 90 people outside which means the potential of 270 people, yet there is no security plan. This is very concerning, especially when you consider that the venue is split into 3 areas. How will the applicant monitor the three areas to spot the early signs of alcohol related crime and disorder that invariably occurs when people are drinking alcohol, let alone deal with any disorder, or violence that take place? We do not know because no security plan has been included in this application.

The location is in close proximity to many residential properties. The area has very little, if any other licensed venues, so there is no background noise to absorb the inevitable disturbance from customers when they leave the premises. Again we do not know how the applicant plans to mitigate the inevitable nuisance caused to local residents because the applicant has failed to include a noise management plan.

Public safety is paramount to operating a licensed venue. Reviewing the plans submitted by the applicant it is apparent there is one entry and exit point into the premises. This is directly next to the kitchen area. Should the need for an emergency evacuation arise, 180 customers and staff are going to all have to evacuate through a single point. How is this to be accomplished? We do not know because the applicant has not supplied an evacuation plan.

What we do know is that when a similar premises operated in the vicinity that there were residents' complaints of customers urinating in doorways, of loud noises from cars and customers as they left the venue, of alcohol related crime and disorder. We believe that this venue would cause the same problems, and sadly the applicant has failed to address these basic concerns. We therefore have no other course but to object to this application.

Kind Regards

Michael Rice

# Appendix 9

Dear Ms Driver,

Thank you for your letter in regards to Premises License Arch 410 Haven Mews, St Pauls Way, London E3 4AG REF: 151308

In reviewing your concerns for a premises license of arch 410 Haven mews E3 4AG. We would like take this chance to work with licensing authority to come to an agreement and A plan for the premises license of arch 410, Haven Mews E3 4AG.

The licensed premises situated in Unit 411 was sub letted from Moses Odong who was the owner/DPS and license holder of premises license of arch 411 of Taxi Spirit Co Ltd. In support we would promote Cabbys Rum spirit brand at our bar and serve the spirits as our house pour. The agreement was to generate revenue as a business and take on the brand name - Cabbys Jerk to support Cabbys Rum spirit as brand association.

With all the complaints that were issued we tried to get Moses Odong to work with departments to gain a good working relationship. Despite we tried to convince Moses Odong this was not a way of conducting business - being really uncooperative with council and police is not the best idea. Since the change in his licensable activity we have relaunch our business by changing our name. I would like to introduce myself as the premises licence holder and director of the business and Filip Puckza as Designated Premises Supervisor and Manager.

Filip Puckza will be the new Designated Premises Supervisor and manager, who has had a wealth of experience in running a large venue in Chelsea - The goat pub for over 10 years. I assure you that guest would be looked after by the team. With full operation of the business we would assure that staffs are fully trained on all plans set up below.

Our venue will serves as a restaurant/bar selling gourmet food and high quality cocktails and craft beer. **We are not a Nightclub** We have requested to supply alcohol until 23:30hrs from Monday - Thursday and Midnight on Friday & Saturday. Our venue would also be of mixed use for a variety of purposes mainly as a venue for the London lion's Professional basketball team who we have just signed a contract with to be there partner venue.

We would also open up for variety of communities within the borough. Our target demographic is very wide from LGBTQ events, business/corporate events as well as cultural funded events. The importance of being accessible to many different communities in such a well diverse borough is very important to us.

With regards to concerns of customers leaving our venue. We have a plan in place to have:

- o SIA accredited door supervisor staff who will be visible throughout the venue and on the door to conduct security checks on guest.
- o Street marshals to assist with guest arrivals and dispersal.
- o Inside our venue we will have a SLM meter install to measure the correct sound output at all times.
- o In addition we shall also install sound limiters. We will seek assistance from environmental health department of the council to set the appropriate sound limit.
- o A list of local mini cabs companies close to our venue. With the main road - Burnett Road only less than a 5 minute walk, this has access to main bus links to transport.

- o With technology being so accessible. We know that most people now have taxi service eg Uber, Addison Lee, free now and bolt downloaded to their mobile device which would be most guests go to type of transport. Our street marshal will help keep the noise to a minimal and help guest leave in a way that causes minimum disturbance or nuisance to local residents.
- o We will use the bus stop on St. Paul's way as a pick up point for private hire and taxi vehicles.
- o Notices shall be prominently displayed at all exits requesting guest to respect the needs of local residents and businesses and leave the area quietly.

## Security Plan

In our plan:

- o We shall install and maintain a comprehensive CCTV system. All areas and entry/exit points will be covered enabling frontal identification of every person entering venue. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times. All recordings shall be stored for a minimum of 28 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of police or authorise officer throughout the entire 28 days period.
- o All staff member from premises who conversant with the operation of the CCTV system shall be on the venue at all times when venue is open. Staff member will always provide a police or authorise council officer with copies of recent CCTV images or data with the absolute minimum of delay when requested.
- o There shall be a designated premises supervisor on duty on the premises at all times when the premises is authorise to sell alcohol. When a DPS is not on the premises, any or all person authorised to sell alcohol will be authorised by the DPS in writing. This shall be available on request for the police or any authorise officer.
- o There will be maximum of 2 SIA accredited door supervisors used on the premises. Who will be able to spot any early signs of alcohol related crime or disorder that could happen. If a guest appears to be intoxicated they would be offered a seat and water and help to call a taxi.
- o A record will be kept of their SIA registration number and dates and times they are on duty.
- o The premise management shall risk assess and plan for safe running of each event. The risk assessment and plans shall be made available to police upon request.
- o A challenge 25 proof of age scheme shall be operated at the premises. We would only accept recognise photographic identification cards such as driving License, passport or proof of age card with the PASS Hologram.
- o We will also keep a record of all refused sales of alcohol and incidents. The records will include the date and time of the refusal sale of alcohol or incident and the name of the member of staff who refused the sale of alcohol or incident. The records shall be made available for police or an authorised officer at times whilst the premises are open which will include the following:
  - All crimes reported to the venue
  - All ejection of guest
  - Any complaints received concerning crime and disorder.
  - Any incidents of disorder

- Any refusal of the sale of alcohol
- Any visit by a relevant authority or emergency service.

Public safety is very important to us and we take this very seriously, and the safety of each guest that comes to our venue. As our venue was only built with one entrance/exit point we would monitor the entry/exit point carefully. As our kitchen area is close to our entry/exit point we would always keep this area clear.

- o Our kitchen would only offer a table service
- o Food will only be serve to guest seated at the table area.  
This will keep the entry/exit area cleared in case of any emergency.

### **Evacuation plan**

- o Fire doors and fire exit doors clearly marked
- o All exits are keep clear at all times
- o Provide emergency lighting on escape routes on exit point.
- o Reducing the probability of a fire starting we would ensure that all guest are alerted and can leave the premises safely in the event of fire.
- o We will enforce a no smoking policy in the premises.
- o All staff members are kept updated with evacuation plan.
- o Designate a safe assembly point for employees to gather.

We want to be a venue that is enjoyed by the community and local residents. With respect to our local residents we would want to work closely with environmental Health on keeping noise levels down.

With complaints of guest urinating in doorways we would provide WC to our guests to use so we would find it hard to believe that our guest would be urinating in-doorways of local residents. With the similar premises that was operating it was told that the skate park on the other side of the bridge have no WC facilities to use they are also closer to residents doorway to cause that problem.

Objecting the premises license would stop the operation of this business. Jobs are dependant of this business therefore we urge you to consider your decision. We want to work with police and licensing department to come to an agreement and impost any conditions for the safe runnings of our business.

Look forward in hearing from you.

Kind Regards  
**Bianca Whiskey**  
**HAVENS YARD LTD**

# Appendix 10



To Mr PC Rice

Dear Sir,

I wanted to write to you in regards to your letter of objections of premise license of Arch 410 haven mews E3 4AG.

I would like to work with central east police licensing team to come to an agreement and put in place plans and conditions to manage any risk of concern.

Late night refreshments – We didn't opt for a late night refreshment activity as our working hours ends only til 23:30

The operation of the venue is not a nightclub. Our venue will serve as a restaurant/bar selling gourmet food and high quality cocktails and craft beer. Our venue would also be of mixed use for a variety of purposes, mainly as a venue for the London lion's basketball team who we have just signed a contract with to be there partner venue. We would also open up for variety of communities within the borough. Our target demographic is very wide from LGBTQ events, business/corporate events as well as cultural funded events. The importance of being accessible to many different communities in such a well diverse borough is very important to us.

With regards to concerns of guest leaving our venue. We have a plan in place to have:

- SIA accredited door supervisor staff who will be visible throughout the venue and on the door to conduct security checks on guest.
- Street marshals to assist with guest arrivals and dispersal.
- Inside our venue we will have a SLM meter install to measure the correct sound output at all times.
- In addition we shall also install sound limiters. We will seek assistance from environmental health department of the council to set the appropriate sound limit.
- A list of local mini cabs companies close to our venue. With the main road - Burnett Road only less than a 5 minute walk, this has access to main bus links to transport.
- With technology being so accessible. We know that most people now have taxi service eg Uber, Addison Lee, free now and bolt downloaded to their mobile device which would be most guests go to type of transport. Our street marshal will help keep the noise to a minimal and help guest leave in a way that causes minimum disturbance or nuisance to local residents.
- We will use the bus stop on St. Paul's way as a pick up point for private hire and taxi vehicles.
- Notices shall be prominently displayed at all exits requesting guest to respect the needs of local residents and businesses and leave the area quietly.

### **Security Plan**

We understand your concern of how our venue is split into 3 areas. In our plan:

- We shall install and maintain a comprehensive CCTV system. All areas and entry/exit points will be covered enabling frontal identification of every person entering venue. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times. All recordings shall be stored for a minimum of 28 days with date and time stamping.

Viewing of recordings shall be made available immediately upon the request of police or authorised officer throughout the entire 28 days period.

- All staff member from premises who conversant with the operation of the CCTV system shall be on the venue at all times when venue is open. Staff member will always provide a police or authorised council officer with copies of recent CCTV images or data with the absolute minimum of delay when requested.
- There shall be a designated premises supervisor on duty on the premises at all times when the premises is authorised to sell alcohol. When a DPS is not on the premises, any or all person authorised to sell alcohol will be authorised by the DPS in writing. This shall be available on request for the police or any authorised officer.
- There will be maximum of 2 SIA accredited door supervisors used on the premises. Who will be able to spot any early signs of alcohol related crime or disorder that could happen. If a guest appears to be intoxicated they would be offered a seat and water and help to call a taxi.
- A record will be kept of their SIA registration number and dates and times they are on duty.
- The premise management shall risk assess and plan for safe running of each event. The risk assessment and plans shall be made available to police upon request.
- A challenge 25 proof of age scheme shall be operated at the premises. We would only accept recognise photographic identification cards such as driving License, passport or proof of age card with the PASS Hologram.
- We will also keep a record of all refused sales of alcohol and incidents. The records will include the date and time of the refusal sale of alcohol or incident and the name of the member of staff who refused the sale of alcohol or incident. The records shall be made available for police or an authorised officer at times whilst the premises are open which will include the following:
  - All crimes reported to the venue
  - All ejection of guest
  - Any complaints received concerning crime and disorder.
  - Any incidents of disorder
  - Any refusal of the sale of alcohol
  - Any visit by a relevant authority or emergency service.

Public safety is very important to us and we take this very seriously, and the safety of each guest that comes to our venue. As our venue was only built with one entrance/exit point we would monitor the entry/exit point carefully. As our kitchen area is close to our entry/exit point we would always keep this area clear.

- Our kitchen would only offer a table service
- Only serve food to guest seated at the table area.  
This will keep the entry/exit area cleared in case of any emergency.

## **Evacuation plan**

- Fire doors and fire exit doors clearly marked
- All exits are keep clear at all times
- Provide emergency lighting on escape routes on exit point.
- Reducing the probability of a fire starting we would ensure that all guest are alerted and can leave the premises safely in the event of fire.
- We will enforce a no smoking policy in the premises.
- All staff members are kept updated with evacuation plan.
- Designate a safe assembly point for employees to gather.

We want to be a venue that is enjoyed by the community and local residents. With respect to our local residents we would want to work closely with environmental Health on keeping noise levels down.

With complaints of guest urinating in doorways we would provide WC to our guests to use so we would find it hard to believe that our guest would be urinating in-doorways of local residents. With the similar premises that was operating it was told that the skate park on the other side of the bridge have no WC facilities to use they are also closer to residents doorway to cause that problem.

Objecting the premises license would stop the operation of this business. Jobs are dependant of this business therefore we urge you to consider your decision. We want to work with police and council to come to an agreement and impost any conditions for the safe runnings of our business.

Kind Regards  
Bianca Whiskey  
**Haven Yard Ltd**

# Appendix 11

## Lavine Miller-Johnson

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**From:** Yale Sherlock  
**Sent:** 23 August 2022 13:29  
**To:** Licensing  
**Cc:** 'Bianca Whiskey'  
**Subject:** RE: 151308 Haven Mews, Railway Arch 410, St Pauls Way, E3 4AG

Dear Licensing Team,

Noise conditions agreed as below:

1. All external doors and/or windows shall be kept closed after 22:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
2. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
3. The premises license holder shall ensure that music and/or patrons sound is not audible at the nearest noise sensitive premises after 22:00 hours.
4. No more than five guests at any one time shall be allowed to smoke outside after 22:00 hours.
5. No alcohol can be consumed in the outdoor area after 22:00 hours.
6. No collections of waste or recycling materials (including bottles) from the premises shall take place between 22:00 hours and 08:00 hours on the following day.
7. No deliveries to the premises shall take place between 22:00 hours and 08:00 hours the following day.

Reason: prevention of potential impact of public nuisance in the locale.

Thanks and kind regards,

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

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Please note: all s61 consents, dispensations and variations must be submitted [online](#).



Click here to see the Tower Hamlets Noise map:

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**From:** Bianca Whiskey [REDACTED]  
**Sent:** 23 August 2022 11:59  
**To:** Yale Sherlock [REDACTED]  
**Subject:** Re: 151308 Haven Mews, Railway Arch 410, St Pauls Way, E3 4AG

Dear Yale Sherlock,

Thank you for your email. Apologies for the delay response.

I agree to all conditions and have no comments at the moment.

Regards  
Bianca Whiskey

On 5 Aug 2022, at 10:55, Yale Sherlock <[REDACTED]> wrote:

Dear Bianca Whiskey,

Thank you for the application which has been reviewed and following are my suggested conditions in relation to Noise:

1. All external doors and/or windows shall be kept closed after 22:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
2. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
3. The premises license holder shall ensure that music and/or patrons sound is not audible at the nearest noise sensitive premises after 22:00 hours.
4. No more than five guests at any one time shall be allowed to smoke outside after 22:00 hours.
5. No alcohol can be consumed in the outdoor area after 22:00 hours.
6. No collections of waste or recycling materials (including bottles) from the premises shall take place between 22:00 hours and 08:00 hours on the following day.
7. No deliveries to the premises shall take place between 22:00 hours and 08:00 hours the following day.

Reason: prevention of potential impact of public nuisance in the locale.

Please kindly let me know if you have any comments on the above suggested conditions.

Yours sincerely,

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

[REDACTED]  
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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.

# Appendix 12

## 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 13

# 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 14

## 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 15

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

Updated April 2018

## Crime and disorder

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

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

# Appendix 16

## 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 17

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

All applications have to be considered on their own merits.

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

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

(see 14.8 of the Licensing Policy)

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

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

(See 14.9 of the licensing policy)

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

- Theatres
- Cinemas
- Premises with club premises certificates



# Appendix 18

## **Planning**

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