

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 the applicant would prefer not to be contacted by telephone

Is the applicant:

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

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

Continued from previous page...

Address

* Building number or name

* Street

* City or town

County or administrative area

* Postcode

* Country

Agent 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:

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

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

Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

* City or town

County or administrative area

* Postcode

* Country

Continued from previous page...

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	<input type="text" value="Block C,24"/>
Street	<input type="text" value="Stoneway walk"/>
District	<input type="text" value="Tower Hamlets"/>
City or town	<input type="text" value="London"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="E3 5SH"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="20,750"/>

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

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INDIVIDUAL APPLICANT DETAILS

Applicant Name

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

- Yes No

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

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

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

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

Yes No

Building number or name

City or town

County or administrative area

Country

Applicant Contact Details

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

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

Yes No

Telephone number

Other telephone number

* Date of birth

* Nationality

Right to work share code

[Documents that demonstrate entitlement to work in the UK](#)
[Right to work share code if not submitting scanned documents](#)

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OPERATING SCHEDULE

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

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

Provide a general description of the premises

Continued from previous page...

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

Cafe & Restaurant

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

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Continued from previous page...

Will you be providing recorded music?

- Yes No

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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

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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

Continued from previous page...

FRIDAY

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

SATURDAY

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

SUNDAY

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

N/A

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.

N/A

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

Continued from previous page...

Enter the contact's address

Building number or name

City or town

County or administrative area

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

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ADULT ENTERTAINMENT

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

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.

Continued from previous page...

TUESDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="22:30"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

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

N/A

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

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

N/A

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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)

Continued from previous page...

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

The standard practices listed below will be maintained at all times. All reasonable steps will be taken to ensure that the premises will have a positive impact upon the local environment and it's residents at all times.

b) The prevention of crime and disorder

CCTV shall be installed operated and maintained in agreement with the police. The system will enable a frontal head and shoulders image of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised officer, a Police Officer or a Policer within 24 hours of any request.

c) Public safety

Appropriate fire safety procedures are in place along with appliances including fire extinguishers (Foam, Ho2 and Co2), fire blankets, internally illuminated fire exit signs, smoke detector and emergency lighting. All appliances are checked annually and comply with the relevant British Standards. All fire escape/escaperoutes will be clearly marked and kept free from obstructions at all times.

d) The prevention of public nuisance

Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

e) The protection of children from harm

To protect the children from harm we have following steps taken.

- 1- The premises are affectively and responsibly managed,
- 2- Provision of a sufficient number of people employed or engaged,
- 3- Appropriate instruction, training and supervision of those employed or engaged.
- 4- Follow challenge 25 rules.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

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.

Continued from previous page...

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

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PAYMENT DETAILS

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

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

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

Band A - No RV to £4,300 = £100.00

Band B - £4,301 to £33,000 = £190.00

Band C - £33,001 to £8700 = 315.00

Band D - £87001 to £12500 = £450.00*

Band E - £125001 and over = 635.00*

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

Band D - £7001 to £12500 = £900.00

Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 = £1,000.00

Capacity 10000 -14999 = £2,000.00

Capacity 15000-19999 = £4,000.00

Capacity 20000-29999 = £8,000.00

Capacity 30000-39000 = £16,000.00

Capacity 40000-49999 = £24,000.00

Capacity 50000-59999 = £32,000.00

Capacity 60000-69999 = £40,000.00

Capacity 70000-79999 = £48,000.00

Capacity 80000-89999 = £56,000.00

Capacity 90000 and over = £64,000.00

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

Continued from previous page...

* Fee amount (£)

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

Cohan Zedek

* Capacity

Agent

* Date

13 / 04 / 2023
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

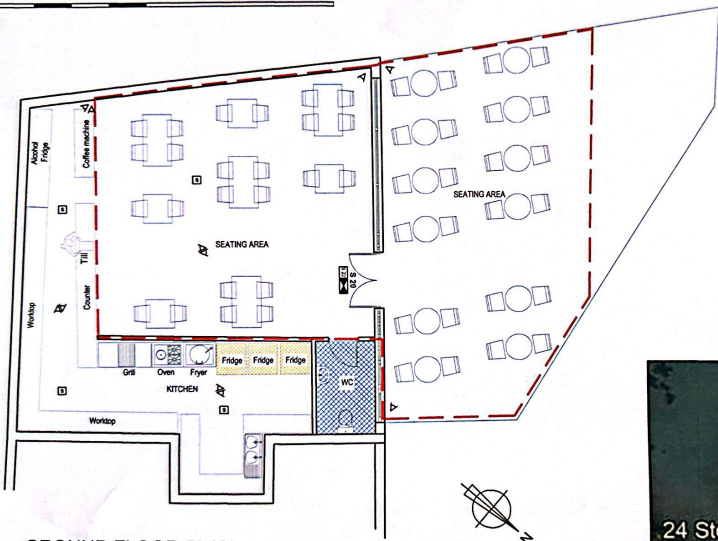
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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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Appendix 2

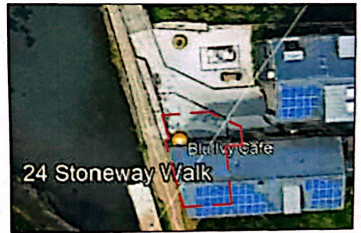
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LEGEND

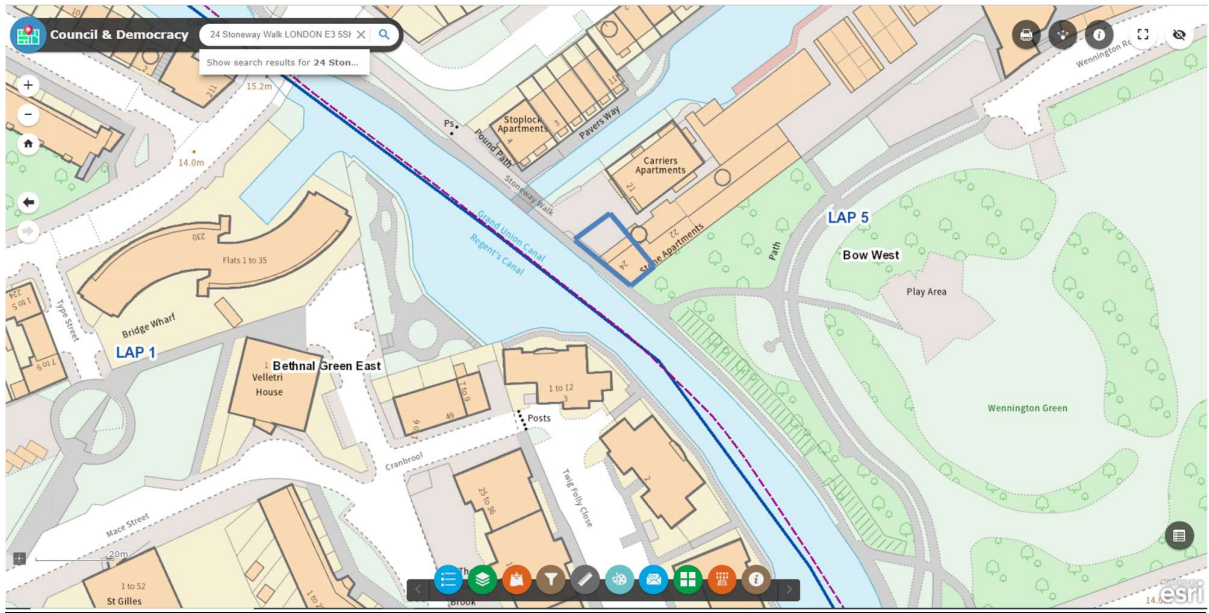
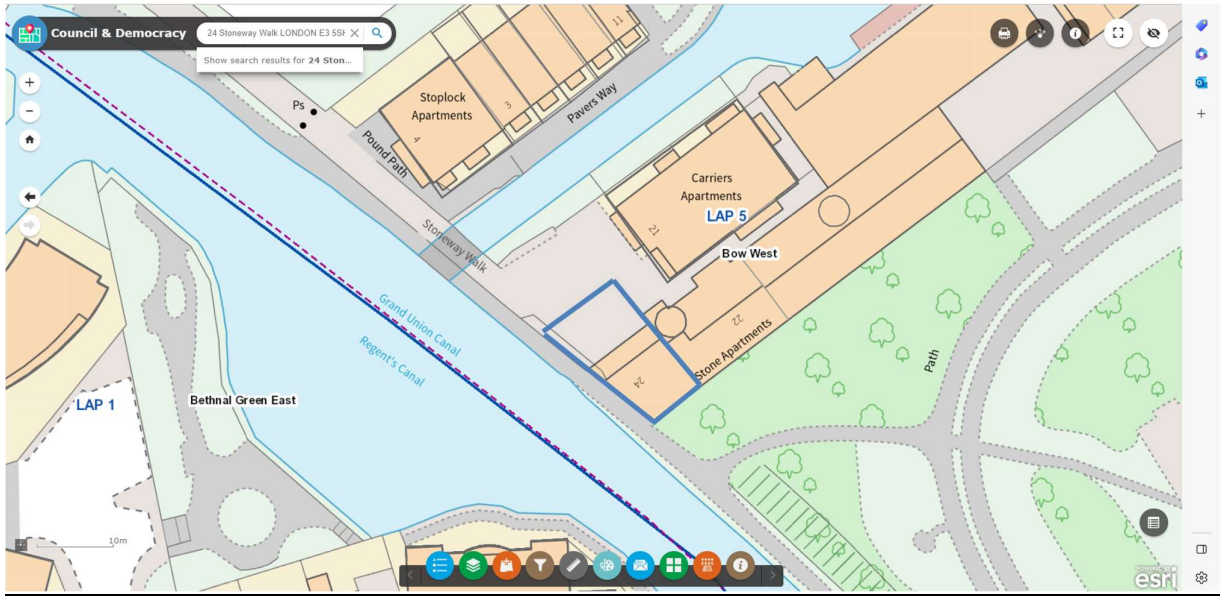
-  ALCOHOL
-  WC AREA
-  FRIDGE
-  AMBIT OF LICENSED PREMISES
-  SAFETY LIGHTS
-  SMOKE DETECTOR
-  CCTV
-  S 20 FIRE ESCAPE KEEP CLEAR
-  INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)

GROUND FLOOR PLAN



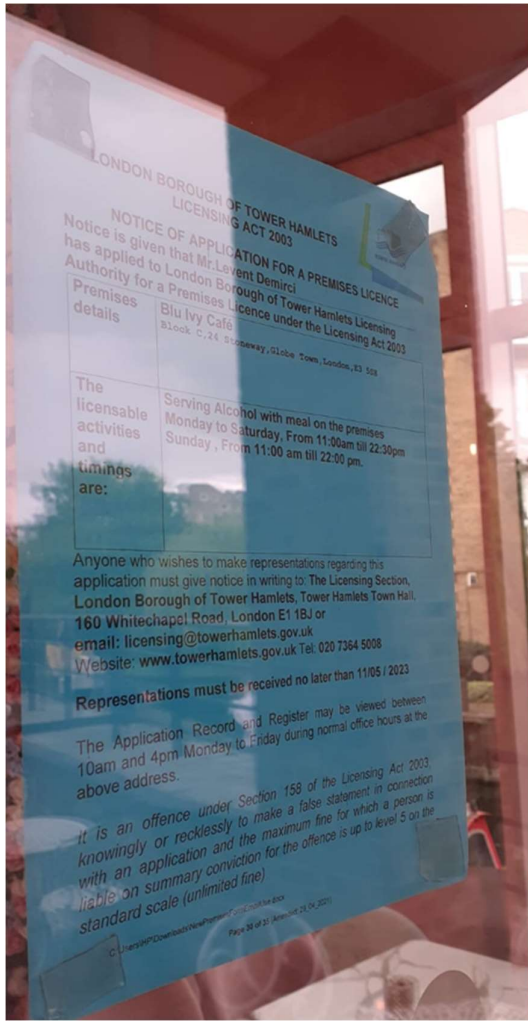
Appendix 3

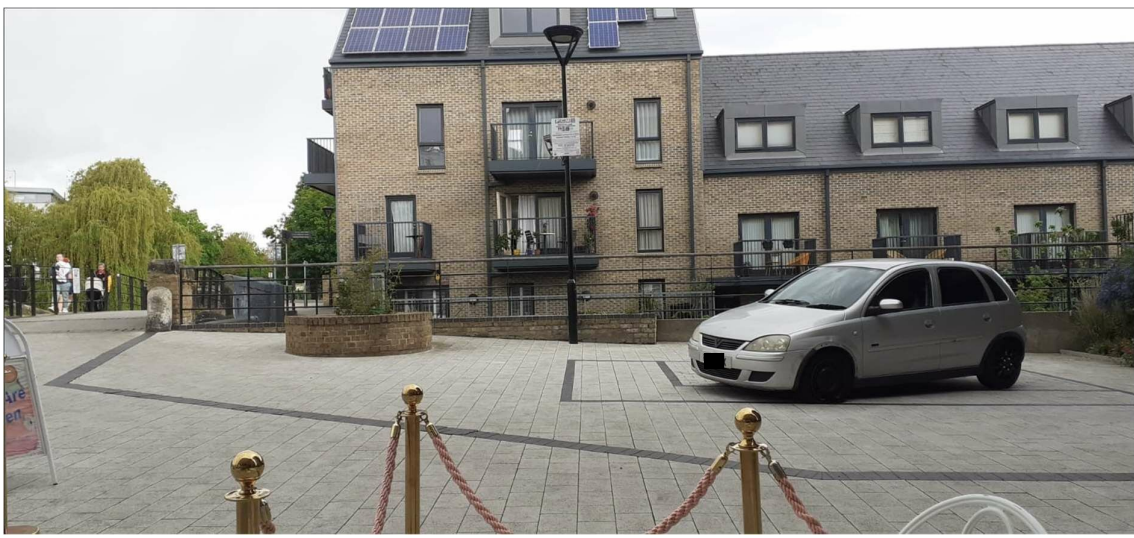
Maps – 24 Stoneway Walk



Appendix 4

Photos - 24 Stoneway Walk







Appendix 5

Address	Licensable activities/times	Opening hours
<p>(Mexican Seoul) Bow Wharf 221 Grove Road</p>	<p><u>The Supply of Alcohol (both on and off sales)</u></p> <ul style="list-style-type: none"> Monday to Sunday from 09:00hrs to 00:00hrs (midnight) <p><u>The Provision of Late Night Refreshment (both indoors and outdoors)</u></p> <ul style="list-style-type: none"> Monday to Sunday from 23:00hrs to 00:00hrs (midnight) <p><u>The Provision of Regulated Entertainment in the form of Films and Recorded Music (indoors)</u></p> <ul style="list-style-type: none"> Monday to Sunday from 09:00hrs to 00:00hrs (midnight) <p><u>Non-Standard Hours</u></p> <ul style="list-style-type: none"> From the end of hours on New Year's Eve to the start of hours on New Year's Day 	<ul style="list-style-type: none"> Monday to Sunday from 09:00hrs to 00:30hrs (the following day) <p><u>Non-Standard Hours</u></p> <ul style="list-style-type: none"> From the end of hours on New Year's Eve to the start of hours on New Year's Day
<p>(The Crown) 223 Grove Road</p>	<p><u>The Sale by retail of alcohol:</u> Sunday to Wednesday from 10:00 hrs to 23:00 hrs Thursday to Saturday from 10:00 hrs to 00:00 hrs (midnight)</p> <p><u>Late Night Refreshment:</u> Sunday to Wednesday until 23:30 hrs</p> <p><u>Regulated Entertainment consisting of Live Music only:</u> Monday to Sunday from 12:00 hrs to 22:30 hrs</p> <p>On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing)</p>	<p>Sunday to Wednesday from 10:00 hrs to 23:30hrs Thursday to Saturday from 10:00 hrs to 00:30 hrs</p> <p>On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p> <p>Note: However, New Years Eve is subject to the Regulatory Reform (Special Occasion Licensing) Order 2002. Which means that while</p>

	Order 2002. Which means that while that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.	that order is in effect the premises may remain open for the twelve hours between 11pm on New Years Eve and 11am on New Years Day.
(Palmers Restaurant) 238 Roman Road	<u>Sale of alcohol (on & off sales)</u> Monday to Friday 12:00 hours to 23:00 hours Saturday and Sunday from 11:00 hours to 23:00 hours	Monday to Friday 12:00 hours to 23:00 hours Saturday and Sunday from 11:00 hours to 23:00 hours

Appendix 6

Corinne Holland

From: Ayse Eren <[REDACTED]>
Sent: 28 April 2023 09:54
To: Licensing
Subject: Blu Ivy Cafe, Block C, 24 Stonewall Walk London E3 5SH

Follow Up Flag: Follow up
Flag Status: Completed

To: Kathy Driver, The Principal Licensing Officer

Re: Licence Application, Licensing Act 2003

Address: Blu Ivy Cafe, Block C, 24 Stonewall Walk, London E3 5SH

Your reference: CLC/EHTS/LIC/158818

Dear Ms. Driver

I would like to register my objection to the licence application for the sale of alcohol at the above premises.

Blu Ivy Cafe has been a welcome addition to date at our residential development, Bow Wharf. However, I feel that the approval of this licence will inevitably have a significant negative impact upon the local environment and its residents.

I hope the Licensing Authority applies a common sense approach, in particular taking into consideration of what is warranted in the public interest, having regard to the twin considerations of *prevention and deterrence*, given that the likelihood of the licence granted will cause a great deal of public nuisance to the residents and the local area through late night noise, antisocial behaviour, public disorder and increased crime.

In particular;

1. The premises is situated within a residential estate built in 2018, containing 3 blocks of flats built around a square where Hertford Union and Regent canals meet each other. A cafe adds value on this site but a bar, serving alcohol for almost 12 hours each day is a recipe for trouble.
2. The premises is not large inside and most patrons prefer using the spacious outside sitting area with tables and chairs enjoying the canal views and open air. It is not feasible containing any noise inside the premises. Furthermore, with the existence of water, the noise from music and people will be amplified and therefore impacting much larger area.
3. The premises is located on the edge of the water with the wider section of the canal open. This, with the combination of all day and night access to alcohol is likely to pose real risk to public safety as well as increased crime and vandalism in the area.
4. This is a quiet residential area with a strong community feel, welcoming families with young kids during day time, particularly after school en route home. The cafe turning into a bar will displace this group and change the very fabric of this vibrant and peaceful community, becoming a constant battle for the residents against public nuisance from noise to antisocial behaviour and increased crime.
5. The problems caused directly by the sale of alcohol and permitting the premises trade more like a bar will put the applicant in direct conflict with its very neighbours with whom he shares the estate and prevent his neighbours from quiet enjoyment they are entitled under their leases.

6. I strongly feel that if the licence is granted, very soon both the council and the police will be inundated with reports of antisocial behaviour, noise and public disorder, making the lives of the residents of the wider area a misery and adding additional pressure on the already stretched public services.

In view of the above, I would urge the Licensing Authority to refuse this application.

Yours sincerely,

Ayse Eren

A solid black rectangular redaction box covering the signature area.

Appendix 7

Corinne Holland

From: Ana Luiza Ferreira <[REDACTED]>
Sent: 18 April 2023 16:09
To: Licensing
Subject: License application Blu Ivy Cafe, Block C 24 Stoneway Walk, London E35SH

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam,

I hope you are well.

I am writing about a license application filed by the Blu Ivy Cafe, located at Block C 24 Stoneway Walk, London E35SH.

I cannot access the consultation on your licensing webpage, therefore I am writing directly to you.

I strongly oppose to the granting of this license. This business is located on the margin of the canal, where several birds live and nest. It is not acceptable to grant a license for alcohol selling until late at night given the disturbance to wildlife.

This cafe is also at the bottom of a residential block, and on the immediate side and in front of another residential block, in which I am a leaseholder. This area has a history of antisocial behaviour, crime and disturbance of peace. It is unacceptable that this business sells alcohol or opens until late night, bringing noise disturbance to a mostly silent area. This café will become a hub and meeting point for petting criminals, which will surely enough linger at the place even after the cafe is closed.

Please do not grant this license. It will bring great disturbance to residents and wildlife.

Ana Luiza Pinto Ferreira
[REDACTED]

London

Appendix 8

Corinne Holland

From: Amber Humphrey <[REDACTED]>
Sent: 11 May 2023 14:18
To: Licensing
Subject: Re: Licence Application, Licensing Act 2003 – Reference: CLC/EHTS/LIC/158818

Follow Up Flag: Follow up
Flag Status: Completed

To: Licensing@towerhamlets.gov.uk
Kathy Driver, Principal Licensing Officer

Re: Licence Application, Licensing Act 2003
Address: Blu Ivy Cafe, Block C, 24 Stoneway Walk, London E3 5SH
Reference: CLC/EHTS/LIC/158818

Dear Ms. Driver

We would like to register our objection to the licence application for the sale of alcohol at the above premises.

Though Blu Ivy Cafe has brought some positive additions to our residential development, Bow Wharf, we believe that the approval of the requested licence will inevitably have a significantly negative impact upon the local surrounds and its residents.

We hope that the Licensing Authority will take particular consideration to what is warranted in the public interest in its response to this application, having regard to the twin considerations of prevention and deterrence, given the increased likelihood of public nuisance to the residents and surrounding area through late night noise, antisocial behaviour, public disorder and increased crime should the licence be granted.

Specifically;

1. The premises is situated at the centre of a residential estate build in 2018, containing three blocks of flats which are built around a square where Hertford Union and Regent's canals meet each other. Blu Ivy Cafe is located within this central square.
2. The premises has a relatively small indoor space, and even in cooler months most patrons prefer to sit in the more spacious outdoor area to enjoy canal views and fresh air (this of course increases further during warmer months). It is therefore not possible to contain noise inside the premises. Furthermore, with the existence of water on two sides of the square, noise from music and people becomes amplified and impacts a much larger surrounding area.
3. Further to Point 2, even within the bounds of its current licence, customer preference to sit outside often results in cafe patrons choosing to sit or stand elsewhere in the square (outside of the cafe's permitted area). As residents of a ground floor flat with a terrace that borders the square, we are often disturbed by patrons sat directly outside our home, despite being situated diagonally opposite Blu Ivy Cafe on the square. While we appreciate the difficulty Blu Ivy Cafe may have in preventing its patrons from doing this, we anticipate the issue to only become worse with extended operating hours and the sale of alcohol for almost 12 hours per day, seven days a week.
4. As mentioned in Point 1, the premises is located on the edge of water on two sides. This, with the combination of all day and night access to alcohol is likely to pose real risk to public safety, as well as increased crime and vandalism in the area.
5. Further to Point 4, both ground floor flats (G01 and G02 Carriers Apartments) have experienced multiple instances of trespassing on our private terraces, in addition to some members of the public climbing down onto the locked and gated canalside bank that front the two private terraces. There is no barrier between the canalside and water. We believe that the sale of alcohol will only increase the frequency of these activities taking place, which not only increases the risk of crime, but also poses a real threat to the safety of those who might attempt to reach the water's edge following the consumption of alcohol.

6. Bow Wharf is a quiet residential area with a strong community feel, welcoming families with young children during the day time, particularly en route to and from school (the nearest of which is located just 0.2 miles away). Turning the cafe into a bar will displace this group and change the fabric of this peaceful community, and will likely become a constant battle for the residents against public nuisance from noise, antisocial behaviour and increased crime.
7. The problems caused directly by the sale of alcohol and permitting the premises trade as a bar will put the applicant in direct conflict with its very neighbours with whom he shares the estate and prevent his neighbours from the quiet enjoyment they are entitled to under their leases.
8. We strongly believe that if the licence is granted, it will not be long before both the council and the police will be inundated with reports of antisocial behaviour, noise and public disorder, making the lives of the residents of the surrounding area a misery and add additional pressure to the already stretched local public services.

In view of the above, we urge the Licensing Authority to please refuse this application.

Yours sincerely,

Ms. Amber Humphrey & Mr. Jamie Dickson



Appendix 9

Corinne Holland

From: Anneliese Ward <[REDACTED]>
Sent: 10 May 2023 16:52
To: Licensing
Subject: Licensing Application - Blu Ivy Cafe, Block C, 24 Stoneway Walk, E3 5SH (Reference: CLC/EHTS/LIC/158818)

Follow Up Flag: Follow up
Flag Status: Completed

Dear Kathy Driver, Principal Licensing Officer,

I am writing in order to make a representation with regards to the licensing application in relation to the sale of alcohol at Blu Ivy Cafe.

I wish to strongly object to the granting of a licence to sell alcohol into the evenings at the premises, on multiple grounds. I have set out the main issues that I hope the council will take into consideration when assessing this application.

Objections

Prevention of Crime/Disorder

- The café is situated in a quiet residential area, with the main access routes being along the canal or through a park. Although the applicants have noted that they will have CCTV recording covering the entrance to the café, the access routes to the area (which are also the access routes used by the residents of the surrounding apartments) are generally very poorly lit, not covered by CCTV, and run alongside the canal – which invites the risk of increased crime under cover of darkness. As a young female, it can at times already feel intimidated walking home through the park/along the canal due to the lack of lighting. This will only be exacerbated by the increased likelihood of coming across inebriated persons leaving the café late at night and potential anti-social behaviour.

Prevention of Public Nuisance

- As noted, the café occupies a site that is surrounded by residential buildings, and next to the canal and canal path – which is a popular walking route during the day. By encouraging people to congregate at the café in the evening, and to consume alcohol until late at night, the café would certainly promote noise disturbance, as well as increased littering, vandalism, pollution of the canal, and damage to the terrace which the café opens on to. The residential flats are located directly above and alongside the café, so noise disturbance is likely to be very significant (especially given that sound will reflect off the water in the canal and so be exacerbated). Further, littering, vandalism and damage will detract from the character of the area – which is valued by the many walkers, cyclists and visitors to Victoria Park, who use the canal path during the day. Pollution of the canal will also cause disturbance to the canal ecosystem and thus damage the wildlife populations that occupy the canal itself and the banks of the canal - which include a number of different bird species.

Protection of Children from Harm

- Many of the flats in the vicinity of the café are home to young families, who would be subject to the noise disturbance mentioned above – as well as unsightly littering/damage in the area. It is also worth noting that there is a childrens' playground in the park that is directly adjacent to the café. The playground and park is currently very well used by children and a valuable facility for those in the surrounding area who do not have private outside space. In attracting customers to the area and encouraging consumption of alcohol into the evening, there is an increased risk of vandalism, anti-social behaviour and damage to the playground and the park. This would be detrimental to the

children who currently benefit from this facility, and could even pose danger, if, for example, broken glass or dangerous substances are left in the area.

Public Safety

- As mentioned above, there are significant public safety concerns in encouraging persons to congregate in a quiet, residential area that is poorly lit and directly adjacent to a canal (with no fence/boundary between the towpath and the water). There are also concerns around the access routes to the café, since these are not covered by CCTV and are away from main roads/streetlights and therefore pose a safety concern and heightened risk of anti-social behaviour, intimidation and crime.

In light of the objections above, I would ask the council to refuse the licensing application.

Kind regards,

Anneliese Ward



Appendix 10

Corinne Holland

From: Licensing
Sent: 09 May 2023 19:43
To: Corinne Holland
Subject: FW: Licence Application, Licensing Act 2003 Address: Blu Ivy Cafe, Block C, 24 Stoneway Walk, London E3 5SH

From: Chris Woodley <[REDACTED]>
Sent: Tuesday, May 9, 2023 7:31 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Licence Application, Licensing Act 2003 Address: Blu Ivy Cafe, Block C, 24 Stoneway Walk, London E3 5SH

Re: Licence Application, Licensing Act 2003
Address: Blu Ivy Cafe, Block C, 24 Stoneway Walk, London E3 5SH

Your reference: CLC/EHTS/LIC/158818

Dear Ms. Driver

I really hope the Licensing Authority seriously considers the ramifications of moving forward with granting Blu Ivy a license. Having lived above the premises since the business opened in 2020 I have some very serious concerns. They are as follows:

Blue Ivy's a small cafe situated within an estate containing residential housing and very often their customers choose to sit outside. If they are going to sell alcohol on site it will cause a great deal more noise, disruption outside and overflowing under the neighbours windows and homes until late into the night.

Having a license will bring even more antisocial behaviour to the area outside the café and next to the bench area, where often recreational drugs are taken when the staff leave in the evening. This has been reported to the community police officers on a number of occasions.

In the past loud music from the café is often played and residents have continually had to ask the casually-employed staff to turn it down. The design of the square area outside means any amplified music bounces over to all of the flats. Blu Ivy staff have shown no regard for the neighbours right to peace and quiet in the past since occupying the site. This has included through-the-night building and refurbishment works of the café (most recently in April 2023).

If a licence is granted this will add to more nuisance and continual noise from customers and staff. Families with young children would find themselves living directly above a late night venue, which was not the terms of the lease they bought into. I really want to stress that the area is a residential area. Residents are entitled to the quiet enjoyment of their evening under their leases, the move for a late licence goes against this.

Blu Ivy is located on the edge of the water with the wider section of the canal open. This, with the combination of all day and night access to alcohol is likely to pose real risk to public safety as well as increased crime and vandalism in the area. People will continue to gather and make noise after the café has shut, well into the early hours of the morning during summer weekends.

I am also concerned about the level of litter left by patrons of the café. Currently I regularly remove Blu Ivy branded coffee cups, straws, napkins, and takeaway containers etc from around the whole square including the bench and public seating areas and all along the bridge. With extended hours the volume of litter will increase dramatically. This will also harm the wildlife living along the canal.

I also strongly feel that if the licence is granted, very soon both the council and the police will be inundated with reports of antisocial behaviour, noise and public disorder, making the lives of the residents of the wider area a misery and adding additional pressure on the already stretched public services.

In view of the above, I would urge the Licensing Authority to refuse this application.

Yours sincerely,

Christopher Woodley

[REDACTED]

--

Chris Woodley (he/him)

Writer re resentation:

[REDACTED]

Appendix 11

Corinne Holland

From: Daphne Genee <[REDACTED]>
Sent: 10 May 2023 21:58
To: Licensing
Subject: Licence Application, Livensing Act 2003 - Blu Ivy Cafe

Re; Licence Application, Licensing Act 2003
Address: Blu Ivy Cafe, Block C, 24 Stoneway Walk, London E3 5SH
Your reference: CLC/EHTS/LIC/158818

Dear Ms Driver,

I am writing to express my opposition to the licence application for the sale of alcohol at the Bow Wharf residential development. The Blu Ivy Cafe has been a positive addition to the area since it opened; however, I am concerned that the granting of this licence would have a detrimental effect on the local environment and its inhabitants.

I implore the Licensing Authority to take a practical approach, considering the public interest, and implementing strategies of prevention and deterrence to counter any potential negative consequences, such as late night noise, increased crime, antisocial behaviour, and public disorder.

To expand further on my points:

1. The cafe is situated on the border of two canals, with a square of flats constructed around it. While a cafe is a beneficial addition to the area, a bar serving alcohol for extended hours could be a recipe for disaster.
2. The inside of the premises is not large, and many customers prefer to take advantage of the open-air seating area with tables and chairs overlooking the canals. With the close proximity to the water, any noise from music and people would be amplified and travel farther.
3. The bar would be located on the edge of the water, with open access to the wider section of the canal. This combined with unrestricted access to alcohol is likely to lead to a decrease in public safety and an increase in crime and vandalism in the area.
4. The area is presently a tranquil residential area, visited by families with young children in the day, particularly after school as they make their way home. A change in the make-up of the area, caused by the cafe becoming a bar, would displace this group and drastically alter the atmosphere of the otherwise vibrant and peaceful community.
5. The applicant stands to be in direct conflict with his neighbours if the licence is granted, compromising the quiet enjoyment they are entitled to under their leases.
6. I have no doubt that if the licence is approved, the council and police will be inundated with reports of noise and antisocial behaviour, making the lives of local residents unbearable and placing greater strain on public services.

In light of the above, I strongly urge the Licensing Authority to reject this application.

Thank you for your attention.

Kind Regards,

Daniel Majeed & Daphne Genee
[REDACTED]

Spokesperson: Eram [REDACTED]

Appendix 12

Corinne Holland

From: Licensing
Sent: 02 May 2023 10:00
To: Corinne Holland
Subject: FW: Objection to the granting of an alcohol licence to Blu Ivy Cafe, Block C, 24 Stonewall Walk, London E3 5SH

From: Denis Knockton <[REDACTED]>
Sent: Tuesday, May 2, 2023 9:47 AM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objection to the granting of an alcohol licence to Blu Ivy Cafe, Block C, 24 Stonewall Walk, London E3 5SH

To: Kathy Driver, The Principal Licensing Officer

Re. Address: Blu Ivy Cafe, Block C, 24 Stonewall Walk, London E3 5SH

Your reference: CLC/EHTS/LIC/158818

Dear Ms. Driver

I would like to register my objection to the licence application for the sale of alcohol at the above premises.

Blu Ivy Cafe has been a welcome addition to date at our residential development, Bow Wharf. However, I feel that the approval of this licence will inevitably have a significant negative impact upon the local environment and its residents.

Bow Wharf is only a small development as opposed to a sprawling site where a bar will not be noticed. The commercial premises is a big thing on a small site like this, where crowds and the noise from it in a small courtyard will be a very significant thing.

I hope the Licensing Authority applies a common sense approach, in particular taking into consideration of what is warranted in the public interest, having regard to the twin considerations of *prevention and deterrence*, given that the likelihood of the licence granted will cause a great deal of public nuisance to the residents and the local area through late night noise, antisocial behaviour, public disorder and increased crime.

In particular;

1. The premises is situated within a residential estate built in 2018, containing 3 blocks of flats built around a square where Hertford Union and Regent canals meet each other. A cafe adds value on this site but a bar, serving alcohol for almost 12 hours each day is a recipe for trouble.
2. The premises is not large inside and most patrons prefer using the spacious outside sitting area with tables and chairs enjoying the canal views and open air. It is not feasible containing any noise inside the premises. Furthermore, with the existence of water, the noise from music and people will be amplified and therefore impacting much larger area.

3. The premises is located on the edge of the water with the wider section of the canal open. This, with the combination of all day and night access to alcohol is likely to pose real risk to public safety as well as increased crime and vandalism in the area.

4 .This is a quiet residential area with a strong community feel, welcoming families with young kids during day time, particularly after school en route home. The cafe turning into a bar will displace this group and change the very fabric of this vibrant and peaceful community, becoming a constant battle for the residents against public nuisance from noise to antisocial behaviour and increased crime.

5. The problems caused directly by the sale of alcohol and permitting the premises trade more like a bar will put the applicant in direct conflict with its very neighbours with whom he shares the estate and prevent his neighbours from quiet enjoyment they are entitled under their leases.

6. I strongly feel that if the licence is granted, very soon both the council and the police will be inundated with reports of antisocial behaviour, noise and public disorder, making the lives of the residents of the wider area a misery and adding additional pressure on the already stretched public services.

In view of the above, I would urge the Licensing Authority to refuse this application.

Yours sincerely,

Denis Knockton

A solid black rectangular redaction box covering the signature area.

Appendix 13

Corinne Holland

From: Licensing
Sent: 11 May 2023 18:56
To: Corinne Holland
Subject: FW: Licence Application: Blu Ivy Cafe, Block C, 24 Stonewall Walk, London E3 5SH

From: Eram Rizvi <[REDACTED]>
Sent: Thursday, May 11, 2023 3:42 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Licence Application: Blu Ivy Cafe, Block C, 24 Stonewall Walk, London E3 5SH

To: Kathy Driver, The Principal Licensing Officer
Your reference: CLC/EHTS/LIC/158818

Dear Ms. Driver

I would like to object to the license application from the Blu Ivy Café (Stoneway Walk, E3 5SH) to serve alcohol on their premises from 11am to 10:30pm daily (10pm Sundays).

I am a resident of the Bow Wharf Estate, and my home overlooks the café and the pleasant public square located at the junction of the Regents Canal and the Hertford Union Canal - part of the Regent's Canal Conservation Zone. A large amount of footfall passes by here every day as it forms a safe and pleasant walking and cycling corridor away from the busy road-traffic of Roman Road and Old Ford Road. As such, the cafe is ideally located to enhance the feel of this area as people stop for refreshment on the plaza where there is plenty of public seating, to watch the barges go by, and take in the tranquil views along the water.

Granting of the alcohol license will have a direct and harmful impact on myself, the other residents of the Bow Wharf estate, and those who pass through this popular spot, as well as the local wildlife. I have grave concerns that the levels of public nuisance, crime, littering, noise and anti-social behaviour will all increase, and go on late into the evening every night.

People who enjoy this spot (aside from residents) include those walking to and from work, many children going to and from school, and other passers by. The children particularly enjoy playing on the plaza in the summer afternoons and evenings. My concern is for the safety of those children who will be subject to sharing this space with a different type of customer of the cafe and will likely avoid this spot as a consequence of rising anti-social behaviour. This will be a sad loss for the diversity of the population that use this public space.

Being brought up a muslim myself, I know that a significant proportion of the current visitors to the square who are largely from the local population will no longer feel comfortable sharing this public area with those consuming alcohol.

In addition more customers will use the square as a free parking space when they visit the cafe (only one disabled parking bay is permitted, but customers and the cafe staff park here daily). They often accelerate unnecessarily fast when entering the square from the bridge without due regard for others. I have already witnessed two accidents, thankfully only between vehicles, so far. I do not wish the increased vehicle traffic to lead to accidents with children or other people.

The cafe has a capacity for perhaps about 20-30 people seated inside. The outdoor seating area considerably expands this number by almost double. Serving alcohol will dramatically increase the noise levels both inside and outside the cafe. This is further exacerbated by music played inside being heard outside as the door is constantly open. Long queues of customers waiting to be seated will further add to the noise and turn this peaceful plaza into a

busy junction.

More customers and extended opening hours will generate more spilt food and drink, and litter with napkins, cups, straws, etc being left or blown across the plaza and into the water affecting the visual appeal of the location. The waterfowl, foxes, bats and other wildlife that inhabit the area will be subject to a deteriorating local habitat.

Customers already take their drinks across the square to drink, for example to the bridge to watch barges pass by underneath. This will inevitably increase the hazard of broken glass from fallen bottles / glassware that isn't completely cleared up by staff as they may not notice this. This is evidenced by my own observations of staff refusing to clear coffee cups and other litter by the bench as it is 'outside the marked area of the cafe'. I and other residents pick up the cafe's litter daily in an effort to maintain the character and standard of the square. Our efforts, which directly benefit the cafe, will not be enough to keep pace with the increase in litter.

I believe crime and anti-social behaviour will rise as a consequence of granting the alcohol license. After the cafe shuts for business many customers will likely remain on the plaza and continue to talk loudly, play music on their phones, and threaten residents and passers by when asked to lower the noise. I believe this will also allow a small minority of people to participate in drug taking as the spot is not visible from the roadside. If residents call the police, long response times mean that the people will have left by the time police arrive. Many of the residents have reported such instances of late night drug taking on the square frequently in the past. This has gradually subsided, but will rise again immediately if the license is permitted.

There will also be a dramatic rise in vandalism and graffiti. It is only through the concerted action of the residents of the estate that graffiti is swiftly dealt with. We residents paint over graffiti tags within 12 hours of them appearing. More late-night gathering of people will make this much harder to manage, and will be untenable.

Incidences of other crimes will also certainly rise. People on the square will be able to clearly observe the comings and goings of the residents, and where for example bicycles are stored, or which flats are empty. This raises the risk of theft and burglary. Such thefts have already happened, for example accessing the ground floor flats via the south bank of the Hertford Union canal, or climbing up to the first and second floor balconies to steal bicycles, (potentially gaining entry to the flats). The secure bike storage room was broken into last year by thieves with an angle grinder.

By allowing alcohol to be served here the communal social focus that the square provides for the benefit of all will be lost. Residents will no longer be able to have the quiet enjoyment of their homes. Therefore I ask that the Licensing Authority refuse this application.

Yours sincerely,
Prof Eram Rizvi



Appendix 14

Corinne Holland

From: Harsha Perera <[REDACTED]>
Sent: 18 April 2023 18:19
To: Licensing
Subject: Blue Ivy Cafe, E3 5SH

Follow Up Flag: Follow up
Flag Status: Completed

Dear Madam,

Re ref: CLC/EHTS/LIC/158818

As the leaseholder of [REDACTED], I am writing to object to the application for a premises licence for the serving of alcohol and late night refreshments.

Blue Ivy Cafe is situated in a very residential area and the noise from evening entertainment activity is going to be a source of huge disturbance to the residents. Furthermore, alcohol related activities are likely to lead to anti-social behaviour and petty crime (e.g. vandalism, public urination) in an otherwise quiet, residential area. It is unreasonable and irresponsible to introduce such risks to children and families in a quiet neighbourhood.

For these reasons, I strongly object to the granting of the licence.

Kind regards,
Harsha Perera

Appendix 15

To: Licensing@towerhamlets.gov.uk
Kathy Driver, The Principal Licensing Officer

Re: Licence Application, Licensing Act 2003

Address: Blue Ivy Café, Block C, 24 Stoneway Walk, London, E3 5SH

Your reference: CLC/EHTS/LIC/158818

Dear Ms Driver,

I would like to register my objection to the licence application for the sale of alcohol at the above premises.

I strongly believe the sale of alcohol will have an adverse impact on local residents in the Bow Wharf area, because of the following reasons:

1. The café is a small premises with limited indoor space, meaning it is inevitable that patrons will occupy the outside space at the front of the premises, making it impossible for noise to be contained inside the building thus causing significant disruption and nuisance to residents. Given the location of the café and its proximity within a residential complex, which houses many families, the nuisance caused by the unavoidable noise it will bring is not justified or fair on the residents who purchase properties due to the quite nature of the area.
2. Due to the location of the café next to the canal, which is open and unfenced within 50 meters of the café entrance I believe the sale of alcohol at this premises poses significant risk to public safety. The mix of alcohol and the unfenced canal poses a huge risk to public safety and significant risk of incidents occurring due to the lack of any safety precautions around the canal edge
3. As with any premises where alcohol is on sale the rate of crime and anti-social behaviour increases. This will cause an unfair negative impact on all residents in the local area. If the café is allowed to operate more as a bar than café then local residents will be subjected to increased crime as a direct result of this.

I strongly believe if a licence is granted then local residents will be in direct conflict with the café due to the issues mentioned above. This will lead to both the council and police being inundated with reports of anti-social behaviour, putting additional and unnecessary pressure on public services. As such, I object to the application and would urge the Licensing Authority to refuse this application.

Yours sincerely,
Holly Wardale

A large black rectangular redaction box covering the signature area.

Appendix 16

Corinne Holland

From: Jodie Nicholson <[REDACTED]>
Sent: 29 April 2023 14:12
To: Licensing
Subject: CLC/EHTS/LIC/158818

Follow Up Flag: Follow up
Flag Status: Completed

To: Kathy Driver, The Principal Licensing Officer

Re: Licence Application, Licensing Act 2003

Address: Blu Ivy Cafe, Block C, 24 Stonewall Walk, London E3 5SH

Your reference: CLC/EHTS/LIC/158818

Dear Ms. Driver

I would like to register my objection to the licence application for the sale of alcohol at the above premises.

Blu Ivy Cafe has been a welcome addition to date at our residential development, Bow Wharf. However, I feel that the approval of this licence will inevitably have a significant negative impact upon the local environment and its residents.

We live in the block opposite the cafe and my concern is if the licence is granted it will cause a great deal of public nuisance to the residents and the local area through late night noise, antisocial behaviour, public disorder and increased crime.

In particular;

1. The premises is situated within a residential estate built in 2018, containing 3 blocks of flats built around a square where Hertford Union and Regent canals meet each other. A cafe adds value on this site but a bar, serving alcohol for almost 12 hours each day is a recipe for trouble.
2. The premises is not large inside and most patrons prefer using the spacious outside sitting area with tables and chairs enjoying the canal views and open air. It is not feasible containing any noise inside the premises. Furthermore, with the existence of water, the noise from music and people will be amplified and therefore impact a much larger area.
3. The premises is located on the edge of the water with the wider section of the canal open. This, with the combination of all day and night access to alcohol is likely to pose real risk to public safety as well as increased crime and vandalism in the area.
4. This is a quiet residential area with a strong community feel, welcoming families with young kids during day time, particularly after school en route home. The cafe turning into a bar will displace this group and change the very fabric of this vibrant and peaceful community, becoming a constant battle for the residents against public nuisance from noise to antisocial behaviour and increased crime.
5. The problems caused directly by the sale of alcohol and permitting the premises trade more like a bar will put the applicant in direct conflict with its very neighbours with whom he shares the estate and prevent his neighbours from enjoying the quiet they are entitled under their leases.

6. I strongly feel that if the licence is granted, very soon both the council and the police will be inundated with reports of antisocial behaviour, noise and public disorder, making the lives of the residents of the wider area a misery and adding additional pressure on the already stretched public services.

In view of the above, I would urge the Licensing Authority to refuse this application.

Yours sincerely,
Jodie

--

Jodie Nicholson



Appendix 17

Corinne Holland

From: Katie Stanton <[REDACTED]>
Sent: 18 April 2023 15:35
To: Licensing
Subject: Objection of premises licence: Blu Ivy Cafe, Block C 24 Stoneway Walk, London E3 5SH

Follow Up Flag: Follow up
Flag Status: Completed

Hello

I would like to please submit my objection to the premises licence of: Blu Ivy Cafe, Block C 24 Stoneway Walk, London E3 5SH on the following grounds:

- Antisocial behaviour
- Noise nuisance
- Crime and disturbance of a heavily residential area

I live right beside Blu Ivy Cafe and having a premises licence where the cafe can sell alcohol until 22:30 most nights is unacceptable due to the noise and overall disturbance this will create in a heavily residential area. There are children that also live nearby and selling alcohol near their homes will cause an unsafe environment.

My address: [REDACTED]

Thank you
Katie

Appendix 18

Corinne Holland

From: Licensing
Sent: 09 May 2023 15:17
To: Corinne Holland
Subject: FW: Kathy Driver, The Principal Licensing Officer - objections to alcohol licence for Blu Ivy Cafe

From: Magdalena Mirowska <[REDACTED]>
Sent: Monday, May 8, 2023 1:40 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Kathy Driver, The Principal Licensing Officer - objections to alcohol licence for Blu Ivy Cafe

Re: Licence Application, Licensing Act 2003
Address: Blu Ivy Cafe, Block C, 24 Stoneway Walk, London E3 5SH
Your reference: CLC/EHTS/LIC/158818

Dear Ms. Driver,

Below are my formal objections and representations relating to the licence application by Blu Ivy Café for the above premises to sell alcohol and provided regulated entertainment.

I feel that the approval of this licence will inevitably have a significant negative impact upon the local environment and its residents following Public Nuisance and Public Safety issues.

I hope the Licensing Authority applies a common sense approach, in particular taking into consideration of what is warranted in the public interest, having regard to the twin considerations of prevention and deterrence, given that the likelihood of the licence granted will cause a great deal of public nuisance to the residents and the local area through late night noise, antisocial behaviour, public disorder and increased crime.

In particular;

1. Due to topographical features of the area, the premises is situated within a residential estate built in 2018, containing 3 blocks of flats built around a square where Hertford Union and Regent canals meet each other. Having a bar, serving alcohol for almost 12 hours each day is a significant hazard to public safety and families living in close proximity.
2. The premises is not large inside and most patrons prefer using the spacious outside sitting area with tables and chairs enjoying the canal views and open air. It is not feasible containing any noise inside the premises. Furthermore the noise from music and people will be amplified and therefore impacting our living and working area.
3. The premises is located on the edge of the water with the wider section of the canal open. This, with the combination of all day and night access to alcohol is likely to pose real risk to public safety as well as increased crime and vandalism in the area.
4. This is a quiet residential area with a strong community feel, welcoming families with young kids during day time, particularly after school en route home. The cafe turning into a bar will displace this group and change the very fabric of this vibrant and peaceful community, becoming a constant battle for the residents against public nuisance from noise to antisocial behaviour and increased crime.
5. The problems caused directly by the sale of alcohol and permitting the premises trade more like a bar will put the applicant in direct conflict with its very neighbours with whom Blu Ivy Café shares the estate. Stone Apartments building and its residents are already effected by the business having to endure disorder caused by Blu Ivy Café. Furthermore antisocial behaviour and vandalism will expose families living with small children to harm.

6. I strongly feel that if the licence is granted, very soon both the council and the police will be inundated with reports of antisocial behaviour, noise and public disorder, making the lives of the residents of the wider area a misery and adding additional pressure on the already stretched public services.

In view of the above, I would urge the Licensing Authority to refuse this application.

Your sincerely,

Magdalena Mirowska

██████████
██████████████████
████████████████████
██████████
██████████

Yours sincerely,

Appendix 19

Corinne Holland

From: Licensing
Sent: 02 May 2023 09:43
To: Corinne Holland
Subject: FW: Licence Application, Licensing Act 2003

From: Sae-Won Lee <[REDACTED]>
Sent: Sunday, April 30, 2023 7:33 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Re: Licence Application, Licensing Act 2003

Blu Ivy Cafe, Block C, 24 Stonewall Walk, London E3 5SH

Your reference: CLC/EHTS/LIC/158818

Dear Ms. Driver

As the spouse of the leaseholder of [REDACTED] would like to register my objection to the licence application for the sale of alcohol at the above premises.

Blue Ivy Cafe is situated in a quiet residential block and night time activity is going to severely affect the local area through late night noise, antisocial behaviour, public disorder, public urination and increased crime.

In particular;

1. The premises is situated within a residential estate built in 2018, containing 3 blocks of flats built around a square where Hertford Union and Regent canals meet each other. A cafe adds value on this site but a bar, serving alcohol for almost 12 hours each day is a recipe for trouble.
2. The premises is not large inside and most patrons prefer using the spacious outside sitting area with tables and chairs enjoying the canal views and open air. It is not feasible containing any noise inside the premises. Furthermore, with the existence of water, the noise from music and people will be amplified and therefore impacting much larger area.
3. The premises is located on the edge of the water with the wider section of the canal open. This, with the combination of all day and night access to alcohol is likely to pose real risk to public safety as well as increased crime and vandalism in the area.
4. This is a quiet residential area with a strong community feel, welcoming families with young kids during day time, particularly after school en route home. The cafe turning into a bar will displace this group and change the very fabric of this vibrant and peaceful community, becoming a constant battle for the residents against public nuisance from noise to antisocial behaviour and increased crime.
5. The problems caused directly by the sale of alcohol and permitting the premises trade more like a bar will put the applicant in direct conflict with its very neighbours with whom he shares the estate and prevent his neighbours from quiet enjoyment they are entitled under their leases.
6. I strongly feel that if the licence is granted, very soon both the council and the police will be inundated with reports of antisocial behaviour, noise and public disorder, making the lives of the residents of the wider area a misery and adding additional pressure on the already stretched public services.

In view of the above, I would urge the Licensing Authority to refuse this application.

Thank you,
Sae-Won Lee

Appendix 20

To: Licensing@towerhamlets.gov.uk
Kathy Driver, The Principal Licensing Officer

Re: Licence Application, Licensing Act 2003
Address: Blu Ivy Cafe, Block C, 24 Stoneway Walk, London E3 5SH
Your reference: CLC/EHTS/LIC/158818

Dear Ms. Driver

I would like to register my objection to the licence application for the sale of alcohol at the above premises.

Blu Ivy Cafe has been a welcome addition to date at our residential development, Bow Wharf. However, I feel that the approval of this licence will inevitably have a significant negative impact upon the local environment and its residents.

I hope the Licensing Authority applies a common sense approach, in particular taking into consideration of what is warranted in the public interest, having regard to the twin considerations of prevention and deterrence, given that the likelihood of the licence granted will cause a great deal of public nuisance to the residents and the local area through late night noise, antisocial behaviour, public disorder and increased crime.

In particular;

1. The premises is situated within a residential estate built in 2018, containing 3 blocks of flats built around a square where Hertford Union and Regent canals meet each other. A cafe adds value on this site but a bar, serving alcohol for almost 12 hours each day is a recipe for trouble.
2. The premises is not large inside and most patrons prefer using the spacious outside sitting area with tables and chairs enjoying the canal views and open air. It is not feasible containing any noise inside the premises. Furthermore, with the existence of water, the noise from music and people will be amplified and therefore impacting much larger area.
3. The premises is located on the edge of the water with the wider section of the canal open. This, with the combination of all day and night access to alcohol is likely to pose real risk to public safety as well as increased crime and vandalism in the area.
4. This is a quiet residential area with a strong community feel, welcoming families with young kids during day time, particularly after school en route home. The cafe turning into a bar will displace this group and change the very fabric of this vibrant and peaceful community, becoming a constant battle for the residents against public nuisance from noise to antisocial behaviour and increased crime.
5. The problems caused directly by the sale of alcohol and permitting the premises trade more like a bar will put the applicant in direct conflict with its very neighbours with whom he shares the estate and prevent his neighbours from quiet enjoyment they are entitled under their leases.
6. I strongly feel that if the licence is granted, very soon both the council and the police will be inundated with reports of antisocial behaviour, noise and public disorder, making the lives of the residents of the wider area a misery and adding additional pressure on the already stretched public services.

In view of the above, I would urge the Licensing Authority to refuse this application.

Yours sincerely,

Thierry Pudet, Dominique Pudet

[Redacted signature line]

[Redacted signature]

[Redacted signature]

Appendix 21

Corinne Holland

From: Licensing
Sent: 03 May 2023 11:54
To: Corinne Holland
Subject: FW: Accept conditions for Blu Ivy Cafe

-----Original Message-----

From: MARK.J.Perry@[REDACTED]
Sent: Wednesday, May 3, 2023 9:43 AM
To: cohanzedek@[REDACTED]
Cc: Licensing <Licensing@towerhamlets.gov.uk>
Subject: RE: Accept conditions for Blu Ivy Cafe

Hi Cohan,

Thanks for agreeing conditions, Tower Hamlets Council Licensing please see conditions agreed with the applicant.

Kind Regards

Mark

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

Email [REDACTED]

A: Licensing Office, 1st Floor Stoke Newington Police Station

-----Original Message-----

From: Cohan Zedek <[REDACTED]>
Sent: 28 April 2023 11:12
To: Perry Mark J - CE-CU <[REDACTED]>
Subject: Accept conditions for Blu Ivy Cafe

Dear,Mark J.Perry,

I like to confirm, my client has been accept all condltions you requesting.

Kindly Regards,

Cohan Zedek(agent)

[REDACTED]

Sent from my iPhone

Dear Cohan,

Good to speak to you earlier today, following our conversation please see the below conditions I would like added to the license, if you have any questions or would like to discuss them please feel free to contact me.

If they are acceptable let me know and I will inform Tower Hamlets Council that we have agreed conditions.

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team which will include all areas of the premises where customers are allowed to be, as well as any outside areas customers gather, such as smoking / vaping areas or queues. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available within 24 hours upon the request of Police or authorised officer throughout the entire 31 day period.

2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

3. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:

- a) all crimes reported to the venue;
- b) all ejections of patrons;
- c) any complaints received concerning crime and disorder
- d) any incidents of disorder;
- e) all seizures of drugs or offensive weapons;
- f) any faults in the CCTV system, searching equipment or scanning equipment;
- g) any refusal of the sale of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale, and the outcome, i.e if the person left on their own, were called taxi or left with friends.
- h) any visit by a relevant authority or emergency service.

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

Kind Regards

Mark

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


A: Licensing Office, 1st Floor Stoke Newington Police Station

Appendix 22

Corinne Holland

From: Lavine Miller-Johnson
Sent: 11 May 2023 14:28
To: Cohan Zedek
Cc: Corinne Holland
Subject: RE: 158818 License application for Blue Ivy Café, Block C 24 Stoneway Walk London, E3 5SH

Dear Cohan,

Thank you for your email.

Corinne – Please accept this as withdrawn and add the below conditions if the licence is granted.

1. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
2. There shall be no vertical drinking.

Kind Regards

Lavine Miller-Johnson

Licensing Officer - Licensing and Safety
Environmental Health and Trading Standards
4 th Floor Tower Hamlets Town Hall
160 Whitechapel Road
London E1 1BJ

www.towerhamlets.gov.uk licensing@towerhamlets.gov.uk

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Tower Hamlets is reviewing its Licensing Policy to take part in the consultation visit the below link:
<https://talk.towerhamlets.gov.uk/statement-of-licensing-policy-review-consultation-2023>

From: Cohan Zedek <[REDACTED]>
Sent: Thursday, May 11, 2023 2:12 PM
To: Lavine Miller-Johnson <[REDACTED]>
Subject: Re: 158818 License application for Blue Ivy Café, Block C 24 Stoneway Walk London, E3 5SH

Dear Lavine Miller-Johnson,

I like to confirm my client agree and accepted conditions you are requested.

Kindly Regards,

Cohan Zedek(agent)
[REDACTED]

Sent from my iPhone

On 11 May 2023, at 14:36, Lavine Miller-Johnson <[REDACTED]> wrote:

Dear Applicant,

Please be advised that the Licensing Authority has no objections to the granting of this licence. However I make representation and ask that the following conditions be imposed onto the premises licence if granted along with the ones already agreed with the police and EHO.

1. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
2. There shall be no vertical drinking.

If the two conditions above are agreed, I will withdraw my representation.

Kind Regards

Lavine Miller-Johnson

Licensing Officer - Licensing and Safety
Environmental Health and Trading Standards
Place Directorate
4th Floor Tower Hamlets Town Hall
160 Whitechapel Road
London E1 1BJ

[REDACTED]
www.towerhamlets.gov.uk licensing@towerhamlets.gov.uk

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Appendix 23

Corinne Holland

From: Nicola Cadzow
Sent: 11 May 2023 09:11
To: Cohan Zedek; Licensing
Cc: Corinne Holland
Subject: 158818 License application for Blue Ivy Café, Block C 24 Stoneway Walk London, E3 5SH

Follow Up Flag: Follow up
Flag Status: Completed

Dear Cohan, Licensing,

Thank you for your confirmation.

Licensing, I have no objections to the License application for Blue Ivy Café, Block C 24 Stoneway Walk London, E3 5SH following agreement by the applicant to the following conditions (see email trail):

1. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a public nuisance.
2. The external area shall not be used after 21:00 hours, except for patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, and shall be limited to 10 persons after this time.

Kind regards

Nicola Cadzow
Environmental Protection Officer (Noise Team)
Environmental Health and Trading Standards
4th Floor, Tower Hamlets Town Hall
160 Whitechapel Road
London, E1 1BJ


www.towerhamlets.gov.uk

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

Housing Licensing Consultation

We are currently consulting on the smaller HMO property licensing scheme (additional licensing), whether to renew the designation and extend it boroughwide. Please let us have your views at [Additional Licensing Scheme consultation](#) | [Let's Talk Tower Hamlets](#) and complete the questionnaire – Thank you

From: Cohan Zedek <[REDACTED]>
Sent: Thursday, May 11, 2023 9:07 AM
To: Nicola Cadzow <[REDACTED]>
Subject: Re: 158818 License application for Blue Ivy Café, Block C 24 Stoneway Walk London, E3 5SH

Dear Nicola,

I like to confirm,my client agree and accepted all conditions you are requested,

Kindly Regards,

Cohan Zedek (agent)
[REDACTED]

Good morning Levent Demirci,

I am reviewing your premises license application for Blue Ivy Café, Block C 24 Stoneway Walk London, E3 5SH with particular attention to the licensing objective for the prevention of public nuisance, and wish for the following conditions to apply as below:

1. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
 2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a public nuisance.
-
1. The external area shall not be used after 21:00 hours, except for patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, and shall be limited to 10 persons after this time.

Await your confirmation.

Kind regards

Nicola Cadzow
Environmental Protection Officer (Noise Team)
Environmental Health and Trading Standards
4th Floor, Tower Hamlets Town Hall
160 Whitechapel Road
London, E1 1BJ

[REDACTED]
www.towerhamlets.gov.uk

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

Housing Licensing Consultation

We are currently consulting on the smaller HMO property licensing scheme (additional licensing), whether to renew the designation and extend it boroughwide. Please let us have your views at [Additional Licensing Scheme consultation | Let's Talk Tower Hamlets](#) and complete the questionnaire – Thank you

Appendix 24

Section 182 Advice by the Home Office Updated on December 2022

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 25

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 26

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

Updated December 2022

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 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 27

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 28

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

Updated December 2022

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 evidence of a right to work check, either physical or digital (e.g. a copy of any document checked as part of a right to work check or a clear copy of the online right to work check) are retained at the licensed premises.

Appendix 29

Public Safety

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

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

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

Appendix 30

Public safety

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

Ensuring safe departure of those using the premises

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

Maintenance and repair

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

Safe capacities

- 2.12 “Safe capacities” should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.
- 2.13 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act¹, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of

¹ S 177 of the 2003 Act now only applies to performances of dance.

those premises should be.

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

Appendix 31

Protection of children from harm

- 10.1 The wide range of premises that require licensing means that children can be expected to visit many of these, often on their own, for food and/or entertainment. The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Home Office Guidance also expects Licensing authorities to consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 10.2 Tackling Child Sexual Exploitation (CSE) is a key target both locally and nationally as such the Licensing Authority expects Licence Holders to:
- Understand that there are criminal offences in relation to sexual exploitation of a child,
 - Ensure that they and their employees have a basic awareness of the signs of CSE and how to report it;
 - Report any concerns to the appropriate authorities or to the Licensing Authority can advise them of the appropriate authority to report concerns to.
- 10.3 Applicants are to consult with the Responsible Authority designated for Child Protection listed in appendix 1 - List of Responsible Authorities of this who this Licensing Authority recognises to be competent body to advise on the protection of children from harm.
- 10.4 The Act does not prohibit children from having access to any licensed premises; the Council recognises that limitations may have to be considered where it appears necessary to protect children from harm.
- 10.5 The Licensing Authority will judge the merits of each separate application before deciding whether to impose conditions limiting the access of children to individual premises. The following are examples of premises that will raise concern:-
- Where there have been convictions, Fixed Penalty Notices (FPNs) or formal cautions for serving alcohol to minors or with a reputation for underage drinking

- With a known association with drug taking or dealing
 - Where there is a strong element of gambling on the premises
 - Where entertainment of an adult or sexual nature is provided
 - Where irresponsible drinking is encouraged or permitted.
- 10.6 Where its discretion is engaged, the Licensing Authority will consider any of the following options when dealing with a licence application where limiting the access of children is considered necessary to prevent harm to children:
- Limitations on the hours when children may be present,
 - Limitations on ages below 18,
 - Limitations or exclusion when certain activities are taking place,
 - Requirements for an accompanying adult,
 - Full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 10.7 No conditions will be imposed requiring that children must be admitted to any premises and, where no limitation is imposed, this will be left to the discretion of the individual licensee.
- 10.8 The Act details a number of offences designed to protect children in licensed premises and the Licensing Authority will work closely with the police to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children.
- 10.9 All licence holders will be expected to comply the Portman Group Code of Practice, and in particular the Retailer Alert Bulletin by which the Portman Group informs licensed retailers, which products have been found to be in breach of the code, and should be removed from sale.
- 10.10 The Licensing Authority expects all licensed suppliers of alcohol to have robust measures, effectively managed and monitored, in place to ensure that minors are fully protected from harm. This will require operating plans to specify these measures and management controls taking into account paragraph 10.1 and 10.2 above. Where appropriate a written childcare policy should be available and be incorporated in the induction of staff.

- 10.11 The Licensing Authority will take appropriate and proportionate action where there are serious concerns in relation to the safe guarding of children in connection with a licensed premises, which may include consideration of applying for a review of the licence where there is significant evidence of undermining the licensing objective of the protection of children from harm.
- 10.12 The sale of alcohol to a minor is a criminal offence and Trading Standards will conduct appropriate covert test purchasing exercises and will take account of any complaints and intelligence received. The Act permits the use of children under the age of 18 to undertake test purchases.
- 10.13 Where there are age restrictions imposed by the Act on the licensable activities in respect of children below a certain age, then the licensee will be required to demonstrate that they have age verification systems in place. This Licensing Authority believes that Licensed Premises should have age verification policies to require individuals who appear to the person serving alcohol to be under the age of 25 years of age to produce on request appropriate identification. This is commonly referred to as the "Challenge 25 Scheme". The rationale for this is because it can often be difficult to judge how old teenagers are and "Challenge 25 age verification system" would provide licensed premises with margin of error to prevent underage sales. Thus Challenge 25 can help to empower staff to challenge customers where there is doubt about their age. In turn this is likely to reduce the risk of the owner, or the seller of the alcohol, committing an offence.
- 10.14 Training in age verification systems should be given to all persons who might be in a position to serve or refuse the sale of alcohol to children. The training should include a basic understanding of the law, seeking proof of age, verifying the authenticity of proof of age cards and handling and recording refusals.
- 10.15 Where proportionate and appropriate, and its discretion is engaged, the Licensing Authority will impose the following standard conditions in relation to age verification systems:
- 1) All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
 - 2) A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
 - 3) A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record

shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.

- 4) All staff whose duties include the serving of alcohol must be trained in the requirements of this scheme including the importance of recording any refusals.

11 Access to Cinemas

- 11.1 Films cover a vast range of subjects, some of which deal with adult themes and / or contain, for example, scenes of horror or violence that may be considered unsuitable for children within certain age groups.
- 11.2 In order to prevent children from seeing such films, the Licensing Authority will impose conditions requiring licensees to restrict children from viewing age restricted films classified according to the recommendations of the BBFC, or the Council itself. The Licensing Authority will not consider reclassifying any films already classified by the BBFC. The Council will charge for classifying films, on a full cost recovery basis.
- 11.3 The Licensing Authority will classify films itself where it is satisfied that no BBFC classification exists. It will inform relevant licensee and require such classifications to be clearly contained in any advertising or informative material relating to such films.

12 Children and Public Entertainment

- 12.1 Many children go to see and / or take part in an entertainment arranged substantially for them. Consequently additional arrangements are required to safeguard them at such times.
- 12.2 Where 10.1 applies, and its discretion is engaged, the Licensing Authority will require the following arrangements in order to control their access and egress and to assure their safety:-
 - An adult member of staff to be stationed in the vicinity of each of the exits from any level, subject to there being a minimum of one member of staff per 50 children or part thereof,
 - No child unless accompanied by an adult to be permitted in the front row of any balcony,
 - No standing to be permitted in any part of the auditorium during the Performance.
- 12.3 Where children are taking part in any regulated entertainment, and its

discretion is engaged, the Licensing Authority will require the operating schedule to clearly state the steps taken to assure their safety.

- 12.4 Where its authority is engaged, the Licensing Authority will consider attaching conditions to licences and permissions to prevent harm to children, and these may include conditions drawn from the Model Pool of. Conditions that can be found in the Secretary of State's Guidance.

Appendix 32

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

Updated December 2022

Protection of children from harm

- 2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 2.23 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:
- adult entertainment is provided;
 - a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
 - it is known that unaccompanied children have been allowed access;
 - there is a known association with drug taking or dealing; or
 - in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.
- 2.24 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.

- 2.25 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.
- 2.26 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.
- 2.27 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:
- restrictions on the hours when children may be present;
 - restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
 - restrictions on the parts of the premises to which children may have access;
 - age restrictions (below 18);
 - restrictions or exclusions when certain activities are taking place;
 - requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 2.28 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.

- 2.29 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.
- 2.30 The 2003 Act provides that, where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.
- 2.31 Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.

Offences relating to the sale and supply of alcohol to children

2.32 Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under section 154 of the 2003 Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. Licensing authorities, alongside the police, are prosecuting authorities for the purposes of these offences, except for the offences under section 147A (persistently selling alcohol to children). Where, as a matter of policy, warnings are given to retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be aware of the warnings each of them has given.

Table of relevant offences under the 2003 Act Section	Offence	Prosecuting Authority
Section 145	Unaccompanied children prohibited from certain premises	Police and/or Licensing Authority
Section 146	Sale of alcohol to children	Police, Licensing Authority and/or Local Weights and Measures Authority
Section 147	Allowing the sale of alcohol to children	Police, Licensing Authority and/or Local Weights and Measures Authority
Section 147A	Persistently selling alcohol to children	Police and/or Local Weights and Measures Authority
Section 148	Sale of liqueur confectionery to children under 16. (This offence will be repealed by the Deregulation Act 2015 on 26 May 2015).	Police and/or Licensing Authority
Section 149	Purchase of alcohol by or on behalf of children	Police and/or Licensing Authority
Section 150	Consumption of alcohol by children	Police and/or Licensing Authority
Section 151	Delivering alcohol to children	Police and/or Licensing Authority
Section 152	Sending a child to obtain alcohol	Police and/or Licensing Authority
Section 153	Prohibition of unsupervised sales by children	Police and/or Licensing Authority

Appendix 33

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 34

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.