

Appendix 1

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We QMK Liverpool Street Limited

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 13 - 15 Folgate Street			
Post town	London	Post code	E1 6BX

Telephone number at premises (if any)	0207 456 0400
Non-domestic rateable value of premises	£151,000

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick yes

- | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital | <input type="checkbox"/> | please complete section (B) |
| ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/> | please complete section (B) |

- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of Birth old or over			I am 18 years <input type="checkbox"/> Please tick yes		
Nationality					
Current residential address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of Birth old or over			I am 18 years <input type="checkbox"/> Please tick yes		
Nationality					
Current residential address if different from premises address					

Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)			

(B) OTHER APPLICANTS

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

Name QMK Liverpool Street Limited
Address 3rd Floor 247-249 Cromwell Road, London, SW5 9GA
Registered number (where applicable) 07623619
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year	
A	S	A	P		

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

Day		Month		Year	

A

Please give a general description of the premises (please read guidance note1)

The premises operates as a hotel. The premises licence will apply to the ground floor bar and restaurant area.

There are no external areas for the consumption of food and drinks and there will be no mini bars within the hotel rooms.

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

N/A

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			

Mon			<u>Please give further details here</u> (please read guidance note 4)
Tue			
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Sat			
Sun			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					

Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Sat			
Sun			

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed					
Thur			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Fri					
Sat					
Sun			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	23:00	<u>Please give further details here</u> (please read guidance note 4) Recorded Music		
Tue	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	23:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5) N/A		
Fri	11:00	00:00			
Sat	11:00	00:00			
Sun	11:00	22:30	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) N/A		

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon						
Tue						
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)			
Thur						
Fri						
Sat			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			<u>Please give a description of the type of entertainment you will be providing</u>			
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
Mon					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)			
Wed						
Thur						
Fri			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)			
Sat						
Sun						
			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	11:00	23:00			
Tue	11:00	23:00			
Wed	11:00	23:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Thur	11:00	23:00			
Fri	11:00	00:00			
Sat	11:00	00:00			
Sun	11:00	22:30			

State the name and details of the individual whom you wish to specify on the licence as premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Matthew Moffatt
<div style="background-color: black; width: 100px; height: 15px;"></div>

Address [REDACTED]	
Postcode	[REDACTED]
Personal Licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9)</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	00:00	00:00	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
Tue	00:00	00:00	
Wed	00:00	00:00	
Thur	00:00	00:00	
Fri	00:00	00:00	
Sat	00:00	00:00	
Sun	00:00	00:00	

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 10)

<p>The applicant has considered the licensing objectives and proposed a full schedule of conditions to uphold the licensing objectives.</p>

b) The prevention of crime and disorder

1. The Premises Licence holder shall ensure that CCTV cameras and recorders are installed at the main entrance to the premises and are of a standard acceptable to and approved by the Police. The CCTV shall be maintained in good working order at all times the premises is open to the public, be fully operational covering both internal and external areas of the reception area which the public have access.
2. The CCTV camera views are not to be obstructed.
3. At least one CCTV camera is to be placed no more than seven feet above floor level near to the exit in order to capture clear facial images of all persons leaving the premises.
4. The medium on which CCTV images are recorded shall be of evidential quality, stored securely; shall be retained for a period of 31 days and be available for inspection by the Police or Local Authority upon request.
5. At all times when the premises are open for the purposes of licensable activities a suitably trained member of staff shall be present to assist the Police or an authorised officer in obtaining the CCTV footage.
6. The facility to transfer the images to a compatible removable format shall be held on the premises.
7. The sale of alcohol is restricted to hotel residents and their bona fide guests
8. All off sales of alcohol shall be sold in sealed containers.
9. The premises licence holder shall risk assess the need for SIA security staff and take advice from police in the case of any local special event or specific concerns regarding trading.
10. When the venue is open for licensable activities , the toilets are to be checked by staff at least every two (2) hours and these checks are to be documented on each visit.
11. Notices shall be displayed within the premises warning customers about personal thefts; and to be vigilant.
- 12.

c) Public safety

13. Staff shall be fully trained on safety issues including fire safety and management shall carry out regular inspections of the premises.

d) The prevention of public nuisance

14. The premises Licence holder shall ensure that all litter and waste outside the premises (and connected to the premises) is removed and disposed of with other waste from the premises.

e) The protection of children from harm

15. The premises Licence holder shall operate a Challenge 25 age verification policy.

Please tick yes

- I have made or enclosed payment of the fee or ☒
- I have not made or enclosed payment of the fee because the application has been made in relation to the introduction of the late night levy ☐
- I have enclosed the plan of the premises ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable ☒
- I understand that I must now advertise my application ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒
- ***[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships]*** I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15). ☐


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

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

Part 4 – Signatures (please read guidance note 11)



Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Declaration	<ul style="list-style-type: none">• [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
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	<p>if I cease to be entitled to live and work in the UK (please read guidance note 15)</p> <ul style="list-style-type: none"> 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, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	13/06/2023
Capacity	Poppleston Allen – Solicitors for and on behalf of the applicant

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Poppleston Allen Solicitors The Stanley Building 7 Pancras Square			
Post town	London	Post code	N1C 4AG
Telephone number (if any) 			
If you would prefer us to correspond with you by e-mail your e-mail address (optional) 			

Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.

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

- any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.
 15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership which is not a limited liability 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 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 which an applicant may provide to demonstrate their entitlement to work in the UK (which

- do not need to be certified) that are published on GOV.UK and in guidance issued under section 182 of the Licensing Act 2003.
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)

Home Office online right to work checking service

As an alternative to providing a copy of original documents, 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 check 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 copies of documents as set out above.

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.

Appendix 2

Drawing Title
Premi

Drawing No. **23L20.00**

Scale **100@A1**

15 Countess Road, London, N

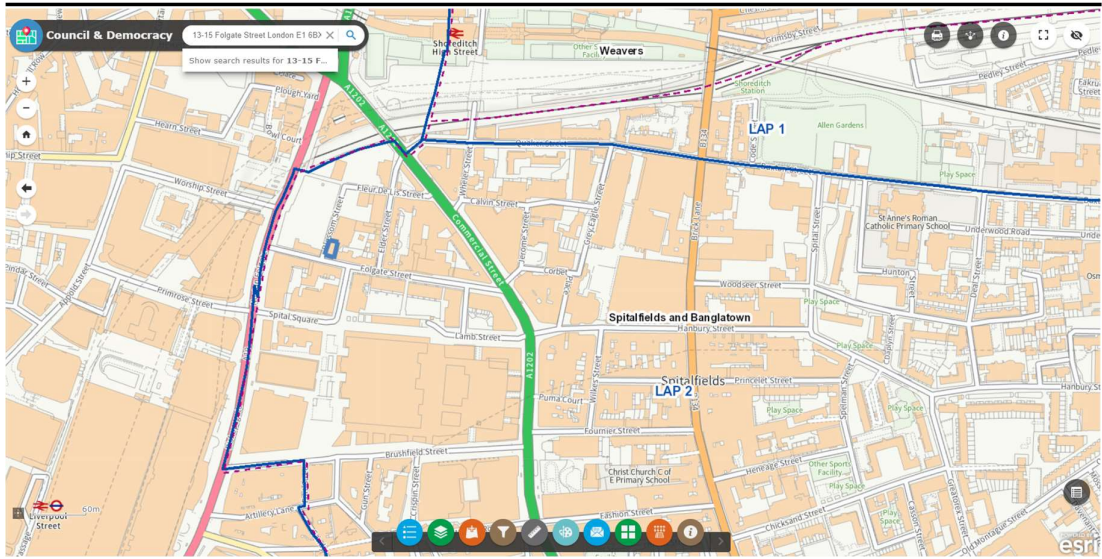
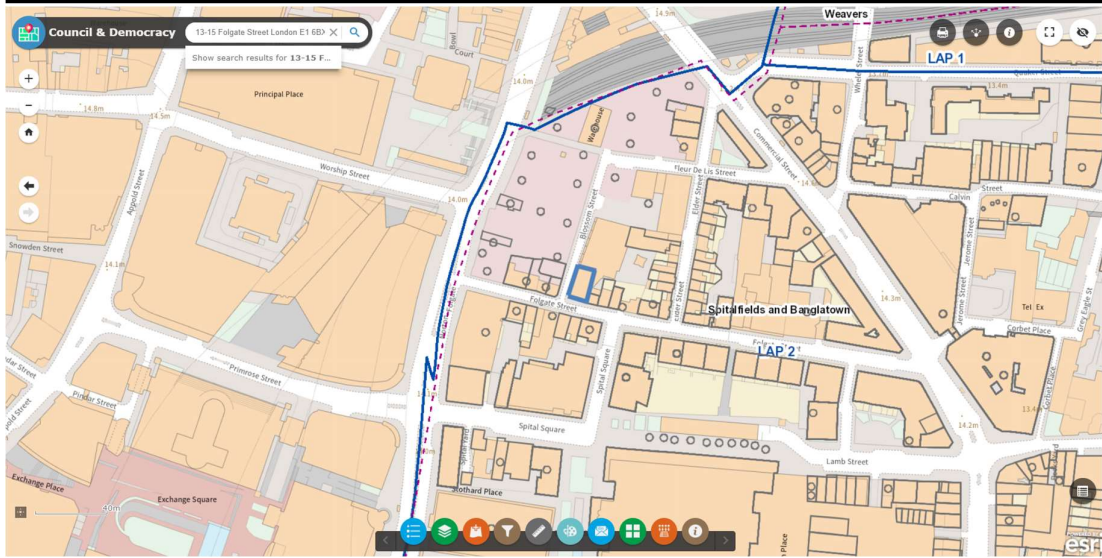
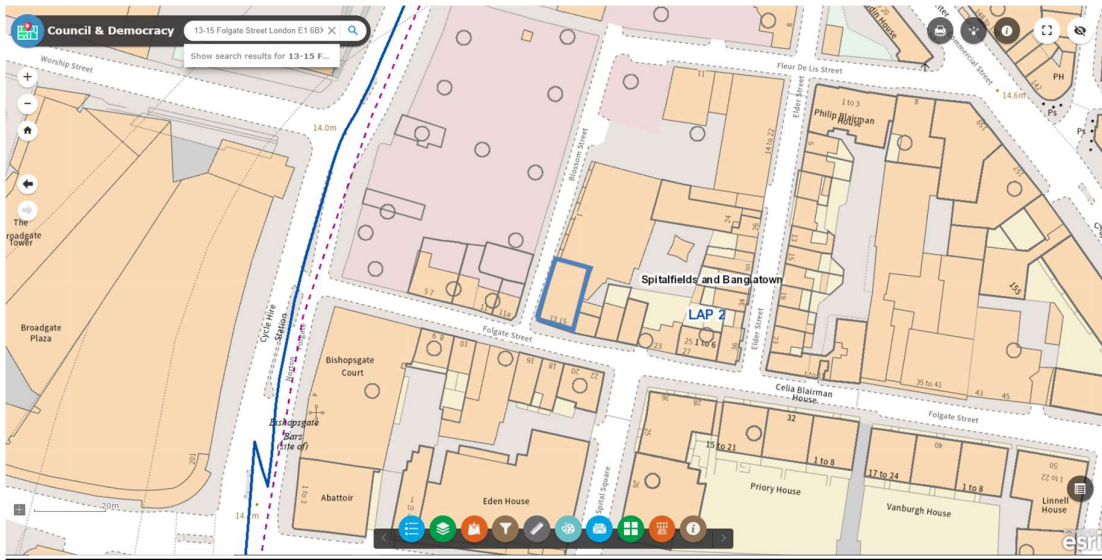
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Drawing No.	23L20.01 Licence	
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[k.co.uk](http://www.k.co.uk)

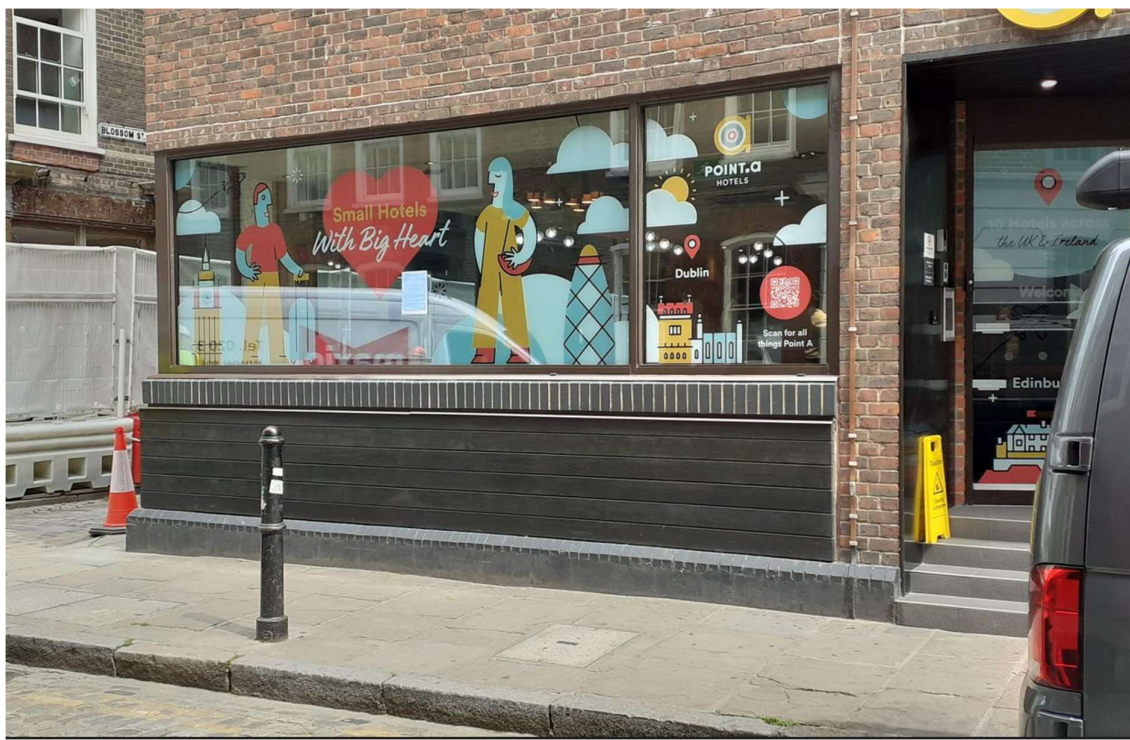
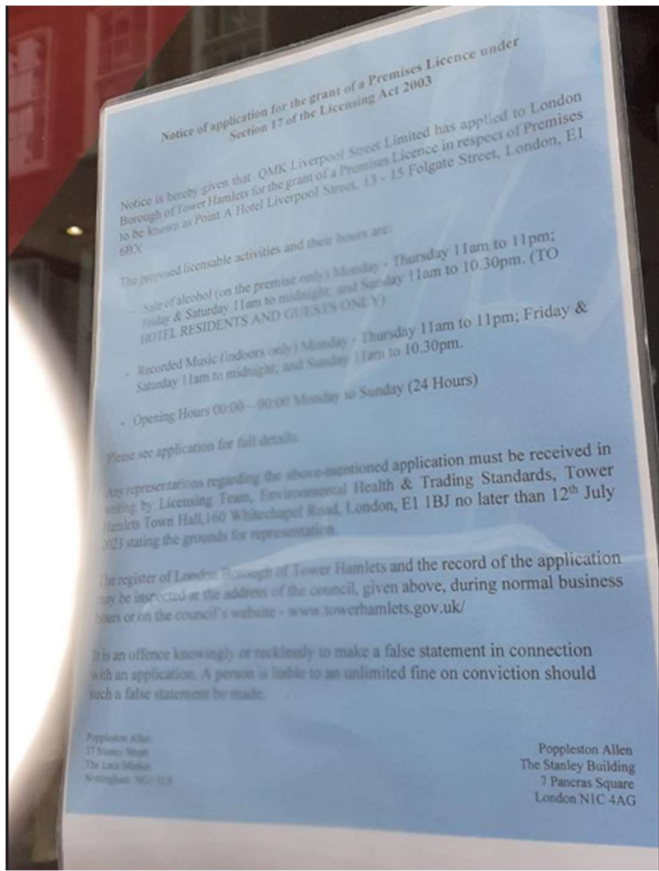
Appendix 3

MAPS – 13-15 Folgate Street

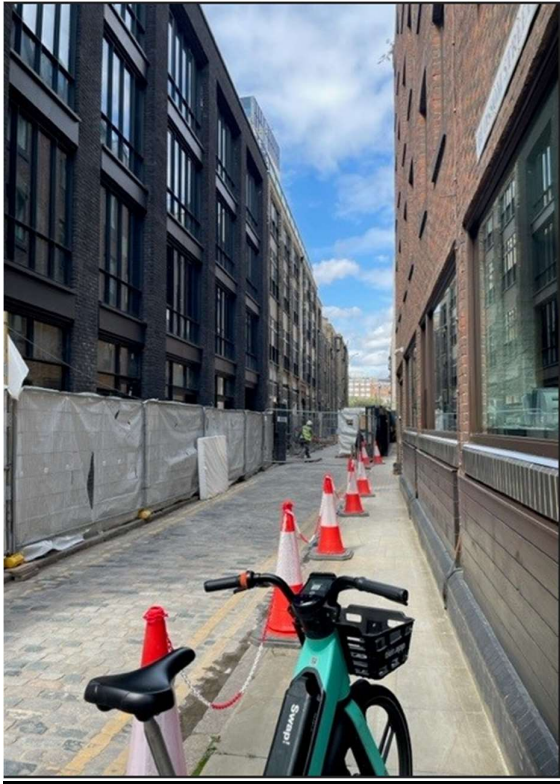


Appendix 4

Photos – 13 Folgate Street









Appendix 5

Address	Licensable activities/times	Opening hours
(Batty Langley's) 12-14 Folgate Street	<u>Sale of Alcohol (on sales only)</u> <ul style="list-style-type: none"> Monday to Sunday from 10:00hrs to midnight <u>The Provision for Late Night Refreshment (indoors)</u> <ul style="list-style-type: none"> Monday to Sunday from 23:00hrs to midnight 	There are no restrictions on opening hours (Monday to Sunday – 24 hours)
(ITSU) 30 Spital Square	The sale by retail of alcohol (on sales) Daily 10:00 hours to 21:00 hours	Daily 07:00 hours to 21:30 hours
(Galvin) St Botolph's Hall 35 Spital Square	<u>The sale of alcohol by retail (on & off sales)</u> Monday to Thursday 08:00 hours – 23:00 hours Friday 08:00 hours – midnight Saturday 09:00 hours – midnight Sunday 09:00 hours – 22:00 hours <u>Late Night Refreshment</u> Friday & Saturday 23:00 hours – midnight. <u>Regulated entertainment.</u> (Live music, recorded music, provision of facilities for dancing, Monday to Thursday 08:00 – 23:30 Friday & Saturday 08:00 – midnight Sunday 09:00 – 22:00	Monday to Thursday 08:00 hours – 23:30 hours Friday & Saturday 08:00 hours – 00:30 hours Sunday 09:00 hours – 22:30 hours
(Carluccios) 27 Spital Square	<u>The sale of alcohol by retail</u> <u>On sales</u> <ul style="list-style-type: none"> Monday to Saturday, 08:00 hours to 23:00 hours Sunday and Bank Holidays, 09:00 hours to 19:30 hours <u>Off sales</u> <ul style="list-style-type: none"> Monday to Saturday, 08:00 hours to 23:30 hours Sunday and Bank Holidays, 09:00 hours to 20:00 hours 	Monday to Saturday, 08:00 hours to 23:30 hours Sunday and Bank Holidays, 09:00 hours to 20:00 hours

Appendix 6

Licensing Authority :
[REDACTED]

CC: Poppleston Allen Solicitors
[REDACTED]

PLACE Directorate
Public Realm

Head of Environmental Health
& Trading Standards: David
Tolley

Enquiries to: Mohshin Ali

Tel: [REDACTED]

Email: [REDACTED]

www.towerhamlets.gov.uk

12th July 2023

Your reference

My reference: EHTS/LIC/L1U:160512/MA

Dear Licensing Authority,

Licensing Act 2003

New premises licence application: Point a Hotels Liverpool Street Restaurant, 13 - 15 Folgate Street - M/160512

The Licensing Authority (acting as a Responsible Authority) is making a representation in relation to the above application.

Special Cumulative Impact Policy for the Brick Lane

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

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

The Licensing Authority is of the view that the number, type and density of premises selling/supplying alcohol for consumption on and off the premises and/or the provision of late night refreshment in the Brick Lane is having a cumulative impact on the licensing objectives. Therefore, it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives. Thus, it has declared a cumulative impact assessment within these areas.



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Tower Hamlets Town Hall
160 Whitechapel Road
London
E1 1BJ

This Policy will be strictly applied and where relevant representations are received and it is the view of the Council that the application will be refused. Applicants will need to demonstrate that there are exceptional circumstances and that granting their application will not negatively add to the cumulative effect on the Licensing Objectives within the Brick Lane CIA if they wish to rebut this presumption.

The Special Cumulative Impact policy creates a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons against applications (Councillors, Members of the Public) within the CIA zones the application will be refused.

Where representations have been received in respect to applications within the CIA zones the onus is on the applicant to adequately rebut the presumption.

This special policy is not absolute and the Licensing Authority recognises that it has to balance the needs of businesses with local residents. The circumstances of each application will be considered on its merits and the Licensing Authority shall grant applications, when representations are not received. The applicant should demonstrate that the operation of the premises will not add to the cumulative impact on one or more of the following licensing objectives:

- *Prevention of Crime and Disorder;*
- *Prevention of Public Nuisance.*

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

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

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

Licensing Authority will not consider the following as possible exceptions:

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

Licensable activities and times

The Licensing Authority has had regard to the Guidance to the Act when determining this policy. The end times set out in the policy are not (and should not be regarded as) the 'usual' or 'normal' terminal hour for licensable activities in the Borough. Instead, the 'framework hours' serve to identify cases where the Licensing Authority will pay particular regard to the likely effect on the local neighbourhood of carrying out the proposed licensable activities during the hours applied for. Applications for hours up to the end of the Framework Hours will not automatically be granted. This policy will be applied only where relevant representations are made. Each case will be considered on its merits.

- Sunday – 06:00 hours to 22:30 hours
- Monday to Thursday – 06:00 hours to 23:30 hours
- Friday and Saturday – 06:00 hours to 00:00 hours (midnight)

Applications in respect of premises licences and club premises certificates to authorise licensable activities outside the framework hours, and in respect of which relevant representations are made, will be decided on their own merits and with particular regard to the following.

- a) The location of the premises and the general character of the area in which the premises are situated. (i.e. does the area include residential or business premises likely to be adversely affected).
- b) The proposed hours during which licensable activities will be take place and the proposed hours during which customers will be permitted to remain on the premises.
- c) The adequacy of the applicant's proposals to address the issues of the prevention of crime and disorder and the prevention of public nuisance.
- d) Where the premises have been previously licensed, the past operation of the premises.
- e) Whether customers have access to public transport when arriving at or leaving the premises at night time and in the early hours of the morning.
- f) The proximity of the premises to other licensed premises in the vicinity and the hours of those other premises.

The Home Office guidance

under Section 182 of the Licensing Act 2003 (8.42) says:

"Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;
- any risk posed to the local area by the applicants' proposed licensable activities; and
- any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks."

The applicant has not stated what the capacity of the premises is. There is no explicit reference in the application to the premises being within the CIZ and therefore no additional provisions, on how the applicant intends to uphold the licensing objectives, to demonstrate how the premises will not have a negative effect on the already saturated area.

Also, the applicant has ticked “on the premises” only for the sale of alcohol but has offered a condition relating off sales:

“All off sales of alcohol shall be sold in sealed containers”

I have looked at the history of the premises and there is a previous complaint from 23rd May 2022 alleging that they are having *having deliveries at 6am which is disturbing residents’ sleep*.

On a balance of probability, this Authority is concerned by the addition of another premises selling alcohol, potentially adding to the existing anti-social issues in the area, particularly through access and egress. The addition of alcohol to the existing premises could change the dynamic of customers in high spirits and therefore potentially undermining the licensing objectives.

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

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” of alcohol at the premises.*
3. *There shall be no “off sale” of alcohol from the premises.*
4. *When the designated premise supervisor is not on the premises any or all persons authorised to sell alcohol will be authorised by the designated premises supervisor in writing. This shall be available on request by the Police or any authorised officer.*

Yours sincerely



Mohshin Ali - Senior Licensing Officer
Licensing & Safety Team
Environmental Health & Trading Standards

Appendix 7

Corinne Holland

From: Nicola Cadzow
Sent: 12 July 2023 14:22
To: Licensing; Corinne Holland
Cc: MARK.J.Perry [REDACTED]; Mohshin Ali; s.taylor [REDACTED]
Subject: 160512 MAU REPRRESENTATION Premises license application Point a Hotels Liverpool Street Restaurant

Dear Licensing,

I have considered the new premise licence application Point a Hotels Liverpool Street Restaurant and the potential impact of public nuisance and measures to prevent noise generated from within the premises and the external area, which could cause disturbance to people in the vicinity, with particular consideration that the premises is in Brick Lane Cumulative Impact Zone.

Whilst the premises is not proposing licensable activities of greater hours than framework hours;

There is insufficient information in the operating schedule of the licence application to show how the applicant will promote the licensing objective for the prevention of public nuisance. Only condition under prevention of public nuisance *"The premise license holder shall ensure that all litter and waste outside the premises (and connected to the premises) is removed and disposed of with other waste from the premises"* There is not a noise condition to show how the promotion of the licensing objective for the prevention of public nuisance will be met, and no consideration has been given to the access and egress from the premises, patrons in high spirits etc, and consideration that the premises is in Brick Lane Cumulative Impact Zone

Noise Sensitive premises: residential premises in close proximity to the premise.

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

- Noise breakout from the venue affecting neighbouring residents,
- Access & egress to and from the venue, of patrons, especially due to patrons likely to be in high spirits

CONCLUSION

Environmental Protection **does not** support the premise license application for Point a Hotels Liverpool Street Restaurant for the following reasons:-

- The applicant has not provided sufficient information in the operating schedule to show how they will promote the licensing objective for the prevention of public nuisance.
- The premise is in Brick Lane Cumulative Impact Zone

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


1. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
2. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
3. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 3 persons at any one time.

4. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a public nuisance.

5. Hotel residents shall be limited to 3 bona fide guests

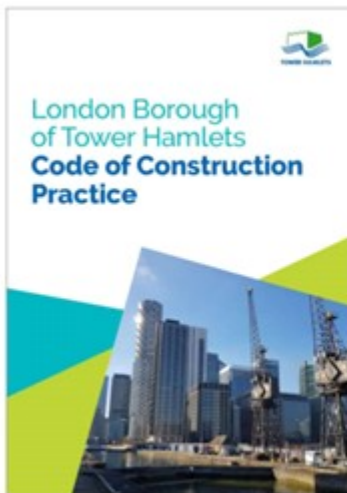
Kind regards

Nicola Cadzow
Environmental Protection Officer
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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Construction Code of Practice 2023

- Development with Planning Permission granted and subject to Planning Conditions is adoption of the new Code will continue to operate under the conditions for working hours of **Code of Construction Practice 2006**.
Permitted to work Saturdays without s61 Agreement (8am to 1pm only)
- Development granted Planning Approval **after the 26th April 2023** and subject to Plan required to adhere to working hours as set out above and in the **Code of Construction Practice 2023**.
s61 Agreement required for works on Saturdays, Sundays, Bank Holidays, or Public Holidays
- Developments seeking amendments to Planning Approvals issued prior to 26th April 2023 Working Hours imposed if relevant to the details being amended.
- For more information, please click on the cover page of the Code of Construction Practice 2023

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

Appendix 8

Corinne Holland

From: Licensing
Sent: 12 July 2023 11:40
To: Corinne Holland
Subject: FW: Objection – Ref: CLC/EHTS/LIC/160512 Point a Hotels Liverpool Street, 13-15 Folgate Street, London E1 6BX

From: Annila Abbas [REDACTED]
Sent: Wednesday, July 12, 2023 10:56 AM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Objection – Ref: CLC/EHTS/LIC/160512 Point a Hotels Liverpool Street, 13-15 Folgate Street, London E1 6BX

Re: Objection – Ref: CLC/EHTS/LIC/160512
Point a Hotels Liverpool Street, [13-15 Folgate Street, London E1 6BX](#)

Objection to Liquor Licence at Point A Hotel (13 to [15 Folgate Street](#))

I am a student and the noise and disruption from drunk hotel guests already interferes with my sleep and studies. A liquor licence will make it worse.

There are often people in Folgate Street smoking and drinking. They cause a noise nuisance, leave their drinks on my window ledge, drop cigarette butts and other litter in the street. The hotel does not clean this up after their guests. Of more concern I do not believe the hotel night staff are able to prevent antisocial behaviour as there are only one or two people on site at night. Guests get into the hotel garden late at night and cause disruption and on occasion have entered our residents garden via the access gate. This potentially puts our safety and security at risk

I believe that we are within the Brick Lane Cumulative Impact Zone which limits the number of licences that are awarded. The hotel has no need for a licence as there will soon be a bar next door to the hotel and restaurants in Blossom St.

Yours Sincerely

Annila Abbas
[REDACTED]

Appendix 9

Corinne Holland

From: Nasir Elmi <[REDACTED]>
Sent: 05 July 2023 16:21
To: Licensing
Subject: Point A Hotel license objection

Follow Up Flag: Follow up
Flag Status: Completed

Point a Hotels Liverpool Street, [13-15 Folgate Street, London E1 6BX](#)

I would like to object to the Point A Hotel Liverpool Street licensing application.

There is already a lot of noise from drunks in the street. They return from clubbing at 3am staying at the hotel and stand outside the hotel shouting.

To allow the hotel to sell alcohol would be a bad thing for our neighbourhood.

Yours Sincerely

Abdinasir Abdi

[REDACTED]

Appendix 10

Corinne Holland

From: Alex Flynn <[REDACTED]>
Sent: 10 July 2023 08:02
To: Licensing
Subject: Point A Alcohol License Folgate Street

Follow Up Flag: Follow up
Flag Status: Completed

I am writing to strongly object to this licensing application.

As a neighbour of the hotel, I have experienced the staff's inability to maintain order on the premises. This is before the hotel adds even more capacity to imbibe alcohol and create disorder. Drunken guests regularly cause a nuisance outside in the street and gain access to the garden after the agreed closing time of 9:30pm. To make matters worse, drunken hotel guests are frequently in the street into the night and early hours of the morning.

I believe that Folgate Street is located within the CIZ and there are already many venues available to obtain alcohol and food in the location. Once the Blossom St development is complete, I expect there will be even more provision directly on the doorstep of the hotel. There is no mention of the CIZ or the requirement for basic age checks in the licensing application.

I am concerned that the mention of a recorded music licence implies the hotel will be running the downstairs reception area as a bar. The combination of music and alcohol would very much change the nature of the venue.

The application is to cover the ground floor bar and restaurant. There are so many dining options in this location therefore, I can see no need for the hotel to provide a restaurant. At present the hotel only provides pre-packed breakfasts that are delivered by van. The hotel is a popular location for stag and hen nights with the ensuing high jinx that implies. Is the idea of the so-called restaurant to give the impression that it will not be just another party bar. I note that when the Water Poet pub, next door to the hotel, was in operation it needed extra security on the door to maintain order. However, I doubt the hotel will employ any security staff.

Also, of concern there is mention that "all off-sales of alcohol shall be sold in sealed containers". This implies it will not just be guests of the hotel buying alcohol.

I would like to note that we can hear the guests when they make noise in their rooms. Add the ability to create an alcohol fuelled room party, this can only give rise to more commotion. Our buildings do not have double glazing and the hotel and garden directly back on to the Folgate St terrace.

For all the above reasons I strongly object to this proposal and believe that it should not be granted as it would increase noise and public nuisance in the street.

Yours Sincerely

Appendix 11

Lavine Miller-Johnson

From: Alex Gordon Shute <[REDACTED]>
Sent: 29 June 2023 10:20
To: Licensing
Subject: Licensing application: Point A Hotel, 13-15 Folgate St (closing date 14/07/2023)

Dear Licensing Team

I am writing to object to the licensing application by Point A hotel, 13-15 Folgate Street. I am a long term Spitalfields resident and for the last 2 years have been resident in Folgate Street, directly across the road from the hotel – so I have detailed, current knowledge of the hotel's attitude to anti-social behaviour and other aspects which (I hope) may impact your desire to grant them this licence.

There are several background factors which are relevant:

1. This hotel has a history of being (at best) disinterested in their local resident neighbours' safety and right to a peaceful life. The hotel has never responded positively to any attempt to get them to control or curtail the night-time antics of their hotel guests. They take no action unless enforcement authorities arrive. They are not a 'good neighbour' to the mostly residential community on Folgate St. The noise levels from their guests at night are often so high as to wake other residents up or stop them getting them to sleep.
2. Spitalfields is now a highly desirable location for property developers who want to put hotels into the area. The two styles of hotel which work best in Spitalfields are 'high end' luxury (such as Batty Langley's, opposite the Point A hotel), and minimalist hotels which just provide budget-end bed and shower facilities (like the Hub hotels on Brick Lane and in other parts of Spitalfields). With both types of hotel, they do NOT generally provide food or drink, because the area is so rich in night-time economy food and drink options for their guests, that they don't need to. This is better for the night-time economy providers of facilities in the area and means both them and the hotels can provide jobs and a rate of return whilst happily co-existing. It also means that a wider circle of businesses benefits from the money being spent in the area by hotel visitors – not just the hotel itself. This is an economic pattern Tower Hamlets should be encouraging in Spitalfields.
3. The big British Land development on Blossom Street, Folgate St, Norton Folgate and Fleur de Lys Street will provide some restaurants and bars for this side of Spitalfields (and the pub which was on the corner of Fleur de Lys and Folgate Street, will be reinstated - the pub is the direct next-door neighbour of Point A's hotel). This big development will be finished within a year, and then the food and drink (including alcohol) outlets will be operating soon afterwards. The last thing that Folgate Street needs is any more provision, when all this development is giving the area a lot of NEW provision already. In addition, Spitalfields Market is increasing their provision of food and drink at the moment (the new 'red' building on the Folgate Street side of the market is entirely for food and drink outlets) – again, this significantly increases the food and drink provision within 500 yards of the Point A hotel. The area does not need more inside Point A.

Specifically, the application from Point A is for an on-sales alcohol licence, but there is also reference in the application to **"all off-sales of alcohol shall be sold in sealed containers"**. The application is for hotel residents and their guests although off-sales immediately assumes that alcohol will be taken from the premises, and my personal experience of Point A gives me no confidence that they would stick to their licence condition of only selling to 'hotel residents and their guests' for off sales. There is also an application for a recorded music licence for the same hours as the alcohol licence – more noise when there is already too much from Point A. The application makes no mention of the CIZ or even basic age checks – which seems to reinforce the view that Point A do not care about their neighbours or the delicate, stretched fabric of the local area.

So, with this background, my specific objections to the application are:

The Prevention of Crime and Disorder and Public Safety

Spitalfields is already number one for various kinds of street crime amongst the wards in Tower Hamlets – increasing alcohol provision in Folgate Street, which is close to Spitalfields Market and is already a hot-spot, will only exacerbate this. The level of 'drunk and disorderly' behaviour from Point A residents in the street (outside the hotel and causing noise disturbance for other local residents) is **ALREADY** high – probably once or twice a week, local residents have their sleep disturbed by Point A residents. Again, the provision of alcohol will make this worse.

The Prevention of Public Nuisance

Point A already makes no effort to stop hotel residents and their guests from causing public nuisance in Folgate Street. There is late night voice noise (shouting, laughing, singing), there is the rattling of wheelie luggage suitcases on the cobbles (surprisingly noisy!) through the night, there is the getting in and out of Ubers and other mini cabs with noisy, raucous behaviour through the night... All of this will be worse with the provision of alcohol. The hotel is one of the cheapest in Spitalfields, so its guests are usually young and enjoying getting drunk and being in 'party mood' when they stay. It is not a 'sophisticated' clientele who are likely to respect the right to a quiet life of their Folgate St neighbours.

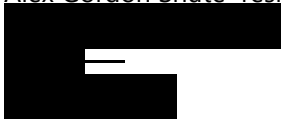
The Protection of Children from Harm

Folgate Street is a largely residential street. The row of houses immediately next door to Point A (on its other side from the pub) is for housing association residents, with a number of families with children living there. The bad behaviour from intoxication from Point A's residents is already a stress to these families, especially as most of them are of Bangladeshi heritage and therefore alcohol is not part of their culture. The rest of Folgate Street is 90% residential too, with other children resident as well. There is also a children's nursery with its entrance on Lamb Street, just one block over towards Spitalfields Market from Folgate Street. So there is a high concentration of children in the area. More intoxicated people on the streets is likely to cause increased harm and disturbance to these children, who already have to contend with very little green space and more noise than most parents would want for their kids.

Please reject this application, for both on and off sales and also reject the music licence.

Best wishes

Alex Gordon Shute (resident)

A large black rectangular redaction box covering the signature of Alex Gordon Shute.

Appendix 12

Corinne Holland

From: Alan Williams <[REDACTED]>
Sent: 02 July 2023 10:53
To: Licensing
Subject: Licensing application: Point A Hotel, 13-15 Folgate Street ("the Hotel")

Dear Licensing Team

I wish to object to the **Hotel's** licensing application. I have lived in Spitalfields for nearly forty years, and for more than two-thirds of that time, I lived in Elder Street, just around the corner from the **Hotel**.

Why do I object?

The **Hotel** provides, and seemingly rather well, a budget-end bed and shower facility. It does not provide food or drink. The area is already rich in food and drink options for their guests, and so they do not need to.

The nighttime noise levels from the **Hotel's** guests are already often too high for a residential area; and the **Hotel** does not appear to be too interested in controlling the night-time antics of their guests. They take no action unless the police arrive; and I would not call them a 'good neighbour'.

The British Land development on Blossom Street, Folgate Street, Norton Folgate and Fleur de Lys Street is scheduled to be finished within a year. It will provide some restaurants and bars for this side of Spitalfields (and the pub which was on the corner of Fleur de Lys and Folgate Street, is to be reinstated - it will be a direct next-door neighbour of the **Hotel**). The food and drink (including alcohol) outlets will be operating soon afterwards. We do not need in Folgate Street any more provision, of alcohol. Spitalfields Market, just 500 yards round the corner has many more food and drink outlets.

The **Hotel's** application is for an on-sales alcohol licence, but there is also reference in the application to "**all off-sales of alcohol shall be sold in sealed containers**". Although the application is for the **Hotel's** residents and their guests, am I wrong to assume that alcohol will be taken from the premises? How will the **Hotel** control this licence condition of only selling to 'hotel residents and their guests' for off sales?

The application includes a request for a recorded music licence for the same hours as the alcohol licence – more noise when there is already too much from the **Hotel**. The application makes no mention of the CIZ or even basic age checks – which seems to reinforce the view that the **Hotel** has not considered the effect on their immediate surroundings.

And so to my specific objections to the application, which are:

The Prevention of Crime and Disorder and Public Safety

Spitalfields is already top for various kinds of street crime amongst the Tower Hamlets wards – increasing alcohol provision in Folgate Street, which is close to Spitalfields Market and is already a hot-spot, will only exacerbate this. The level of 'drunk and disorderly' behaviour from the **Hotel's** residents in the street (outside the **Hotel** and causing noise disturbance for other local residents) is already high – probably once or twice a week, local residents have their sleep disturbed by the **Hotel's** residents. Again, the provision of alcohol will make this worse.

The Prevention of Public Nuisance

The **Hotel** already makes no effort to stop their residents and guests from causing public nuisance in Folgate Street. There is late night voice noise (shouting, laughing, singing), there is the rattling of wheellie luggage suitcases on the cobbles (surprisingly noisy!) through the night There is the getting in and out of Ubers and other mini cabs with noisy, raucous behaviour through the night. All of this will be worse with the provision of alcohol. The **Hotel** is one of the cheapest in Spitalfields, so its guests are usually young and enjoying getting drunk and being in 'party

mood' when they stay. It is not a 'sophisticated' clientele who are likely to respect the right to a quiet life of their Folgate Street neighbours.

The Protection of Children from Harm

Folgate Street is a largely residential street. The row of houses immediately next door to the **Hotel** (on its other side from the pub) is for housing association residents, with a number of families with children living there. The bad behaviour from intoxication from the **Hotel's** residents must already a stress to these families, especially as most of them are of Bangladeshi heritage and therefore alcohol is not part of their culture. The rest of Folgate Street is 90% residential too, with other children resident as well. More intoxicated people on the streets is likely to cause increased harm and disturbance to these children, who already have to contend with more noise than most parents would want for their children.

Please reject this application, for both on and off sales and also reject the music licence.

Yours faithfully

Alan Williams



PS Please redact my address and url from any online publication of this objection.

Appendix 13



Licensing Section
Tower Hamlets Town Hall
4th Floor
160 Whitechapel Road
London E1 1BJ

7TH July 2023

Dear Licensing,

Batty Langley's Representation in respect of Point A's application to obtain a premises licence.

This is a representation in respect of Point A's application to obtain a premises license - 13-15 Folgate Street E1 6BX – REF: CLC/EHTS/LIC/160512

By way of background, Batty Langley's is a 29-bedroom hotel on Folgate St, opposite the Point A hotel. Many of our bedrooms and suites overlook Folgate Street. Batty Langley's has an incredible reputation, winning an award as one of the 'best new hotels on the planet' – Travel & Leisure magazine in 2016, the first full year of trading. Since then we have been very fortunate to run at high occupancy and achieve higher than average room rates, which has been achieved based on our reputation and glowing press reviews.

The basis of our objection is to protect this hard-won reputation. We are in the business of selling a good night's sleep albeit in very grand surroundings. If we fail to meet this very basic expectation due to external public nuisance then our guest experience will have been compromised alongside our reputation.

12 Folgate Street, Spitalfields, London E1 6BX

T: 020 7377 4390 F: 020 7377 4391 E: reservations@battylangleys.co.uk www.battylangleys.com

Batty Langley's Ltd. Registered in England no. 05996625 | Registered address: 12 Peter's Lane, Cowcross Street, London EC1M 6DS

We have concerns about public nuisance as we cannot see any mention of how Point A's management has identified the risk that guests may wish to take their alcoholic beverage outside and sit on the steps to smoke, drink, chat. Therefore our objections are as follows:

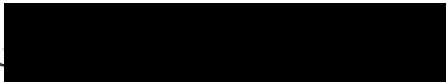
- Noise escape from guests sitting drinking, smoking, chatting on the steps – or generally outside of the hotel

Under licensing objections:

- Point 14: Waste removable outside the premises: Why is this expected, if only to permit guests to take their drinks outside?
- Point 10: Licensable activities – we seek clarity on what this means and what is intended

We are in full support of all neighbouring businesses however we seek clarity and reassurance on what exactly Point A's intention and resolutions are in managing potential public nuisance.

Yours faithfully,


Carline Conaty
Managing Director

Email: 

Mb: 

Appendix 14

Corinne Holland

From: Licensing
Sent: 12 July 2023 11:39
To: Corinne Holland
Subject: FW: Licensing application: Point A Hotel, 13-15 Folgate St

From: Caroline Hamilton <[REDACTED]>
Sent: Wednesday, July 12, 2023 9:19 AM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Licensing application: Point A Hotel, 13-15 Folgate St

Dear Licensing Team,

I am writing to object strongly to the licensing application by Point A Hotel, 13-15 Folgate Street. This is for the following reasons:

The Prevention of Public Nuisance

Despite the fact that Folgate Street is a largely residential street, Point A is notorious for failing to stop its guests drinking, shouting and singing outside people's houses late at night. The hotel is cheap (by Spitalfields standards) and therefore attracts a lot of young people who come for the express purpose of getting drunk. The problems they cause to the residents will be made considerably worse if Point A has an alcohol licence, especially since it appears they have applied not just for an on-sales licence, but also for off-sales (the application refers to all off-sales being sold in sealed containers).

The Prevention of Crime and Disorder and Public Safety

There are already a very large number of bars and restaurants in the Spitalfields area, and there are planned to be even more. This has led to increased street crime and drunk and disorderly behaviour. The last thing anyone wants is for this crime and disorder to spread further into residential streets such as Folgate Street - yet if Point A is granted an alcohol licence, it is bound to happen.

The Protection of Children from Harm

Folgate Street is home to a large number of families with children, there is also a nursery nearby. If Point A has an alcohol licence, there will inevitably be increased noise and drunkenness in the street, meaning that many children will be kept awake and unable to study. Many of the children are also of Bangladeshi heritage for whom drunken behaviour is particularly offensive and stressful. Their health, education and wellbeing is bound to suffer.

Yours sincerely,

Caroline Hamilton
[REDACTED]

Appendix 15

Corinne Holland

From: cheryl lawrence <[REDACTED]>
Sent: 05 July 2023 16:47
To: Licensing
Subject: Re: Objection – Ref: CLC/EHTS/LIC/160512

Follow Up Flag: Follow up
Flag Status: Completed

Re: Objection – Ref: CLC/EHTS/LIC/160512
Point a Hotels Liverpool Street, 13-15 Folgate Street, London E1 6BX

I would like to object to the licensing application for the Point A Hotel Liverpool Street.

I do not expect the hotel to be able to manage more drunken guests. I am worried how drunken guests will be controlled by the hotel. They do not contain the current level of noise and disorder that occurs. The other week there was a dog barking and running loose late at night in the hotel garden. This was after the garden is supposed to be locked up and clear of guests. I have also been confronted by two hotel guest who drunkenly accessed our private garden from the hotel's garden. They had made their way through the hotel garden gate into our private resident's communal garden. Because they were drunk, they would not easily leave, it took me some time to herd them out into the street. Reception staff are already not able to police disorderly guests and I fear the outcome of the hotel becoming a bar. The addition of a recorded music licence combined with an alcohol licence concerns me due to the atmosphere this could create. How loud will the music and drunk guests become? I can see how this could end up with music blasting out into the garden and not being contained. It is a budget hotel where young people come after clubbing and partying which continues in the rooms. There are also the stag and hen night groups. It can get quite wild in the street outside.

I am frequently disturbed by noise coming from the hotel rooms, from the street when guests assemble at night outside the hotel drinking and shouting and noise from the hotel garden. My studio flat is small and sound penetrates. My windows are only single glazed due to my flat being in a listed building in the Spitalfields conservation zone. I have no escape from external noise and rowdy behaviour. At night drunks hang out outside my windows making noise, smoking, leaving rubbish and on occasion vomiting and urinating.

There are already many places to buy drink and food in Spitalfields. There will be even more places to buy drink and food when the Blossom Street development is complete.

I am against this licensing application as it would have a negative impact on the neighbourhood.

Yours Sincerely

Cheryl Lawrence

[REDACTED]

Appendix 16

Spitalfields Residents Against Anti-Social Behaviour (SPIRE)



29th June 2023

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

Sent via EMail

**Re: Formal objection to the proposed licencing application for Point A hotel, 13-15
Folgate Street, E1 6BX**

Dear Licensing Team

My name is Christopher Lloyd and I am the Vice Chair of Spitalfields Residents Against Anti-Social Behaviour ("SPIRE"), a community group established in 2012, which represents individuals and, at least, six of the largest resident associations including, Exchange Building Residents Association, St George's Residents Association, Spitalfields Community Group (SCG), Spitalfields Market Residents Association (SMRA), Norton Folgate Community Group (NFCG), and Spitalfields Society, in Spitalfields and Banglatown ("the Ward").

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

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

SPIRE is a 'pro-commerce' community group and supports the careful balance of a vibrant, diverse, and commercial ward with the needs of residents and visitors to appreciate a safe, clean, and liveable neighbourhood free from anti-social behaviour and related issues. Consequently, when a formal objection is raised by SPIRE, such as the case detailed below, it has been carefully considered and represents a substantial number of constituents in the Ward.

Formal Objection

SPIRE raises formal objection to the proposed application for licence of **Point A hotel, 13-15 Folgate Street, E1 6BX** ("the Premise").

The Premise is located within the CIA where new and varied premise licences are meant to be limited, if not prohibited, based on the over saturation of businesses involved with the sale of alcohol and entertainment, attributable to the Ward's current issues with antisocial behaviour.

After consultation with the SPIRE committee and many local residents groups SPIRE strongly objects to a new alcohol licence being awarded to Point A hotel. Over recent years residents have had serious ongoing issues with both ASB and noise from the guests staying at Point A hotel which have frequently resulted in police attending.

Folgate Street is predominantly a residential area located within a Tower Hamlets conservation area and the building directly connects to housing association properties all of which have single glazing as do all the residential properties at that part of Folgate Street. Over the years Point A hotel have failed to curtail the noise from their guests in the evening despite countless requests from residents and local residents groups. The addition of an alcohol licence at the premises will undoubtedly make the current situation even worse and would be in contradiction to the Tower Hamlets objectives of prevention of public nuisance.

The application is for an on-sales licence but also makes reference at page 10 to "all off-sales of alcohol shall be sold in sealed containers". Again this is a predominantly residential street with plenty of bars and restaurants within a very short walk and any off-sales at what is a budget hotel would only add to the current noise and anti-social behaviour already causing serious issues to Point A hotel neighbours.

The application is also for residents and their guests for the ground floor restaurant and bar area. Historically Point A hotel have proved to be unable to control "guests" to the hotel and since reopening after Covid there have been numerous incidents when the police have been called. The addition of alcohol on the premises combined with the business track record would severely impact on the lives of the residents who currently have to deal with guests outside late into the evening and early hours of the morning.

In summary the SPIRE committee, local residents and residents groups have a long history of involvement with Point A hotel over many years specifically in relation to noise and ASB. The hotel has proved time and time again that they are not interested in taking any responsibility for their guests' behaviour and the impact it has on their neighbours. Folgate Street residents both housing association tenants and private dwellings have real concerns about an alcohol licence being granted to Point A hotel and the inevitable impact it will have on their daily lives and urge the licensing committee to reject this application and uphold the objectives of preventing crime and disorder and public nuisance.

Please acknowledge that our initial objection has been received and that the contents of this letter will be considered as part of the overall review process.

Yours sincerely

Christopher Lloyd
Vice Chair, SPIRE

9

Appendix 17

Miss F Edwards

3rd July 2023

Kathy Driver
Principal Licensing Officer
Licensing Section
Tower Hamlets Town Hall
4th floor
160 Whitechapel Road
London E1 1BJ

Re: Objection – Ref: CLC/EHTS/LIC/160512

Licensing Act 2003: Point a Hotels Liverpool Street, 13-15 Folgate Street, London E1 6BX

I received your letter of 21 June 2023 regarding Point a Hotel's application for a premises licence. However, I received this letter on 28 June 2023 allowing only a limited time for objections to be made. I am now sending you my letter of objection to the above premises licence.

Point a Hotel is not a restaurant, so I was surprised to see them referring to themselves as being one. They do serve a pre-packed breakfast which is delivered to the hotel. Due to its location of being surrounded by historic residential buildings it closes its garden at 9.30pm to avoid any overspill of noise and disturbance to all the adjoining neighbour's houses overlooking it. There have been numerous incidents with the garden still being occupied hours after 9.30pm, with all the problem this ensues. The occupants of the rooms can also be heard noisily drinking, partying and fornicating. Recently two men with a small yappy dog, not an assisted dog as they later reassured us, managed to access the garden via the emergency fire exit doors whilst the main garden door had been locked. In the past, I have been intimidated by members of a motorbike club staying at the Hotel, who found it amusing to mount their motorbikes on the pavements, some directly outside my window and revving their very loud engines. When I complained to the Hotel, I was rewarded the following morning with coffee poured onto the wall under my windows, as two members of the motorbike club departed. We have already had other problems with Point a Hotel guests: shouting drunkenly in the garden and street; screaming; fighting; cigarette butts littering the nearby pavement; spitting on walls; vomiting; urinating through our communal yard gate and other drunken disorderly behaviour. I cannot see a need for the provision an alcohol licence as the pub previously known as The Water Poet is due to reopen right next door to Point a Hotel. There are also numerous bars, pubs and food venues in every direction right on the doorstep from the hotel and more due to open next year. The staff understandably are unable to control the guests, especially at nights as there is no form of security presence. There are guests already spilling drunkenly out on to the streets at night, playing music, singing and talking loudly, smoking and drinking, due to the hotel's difficulty in containing their guests. Who is controlling this? Add to this the addition of a music licence the further disturbance of local residents will be inevitable. Even if security staff are present, how will they manage to control large numbers of inebriated guests partying in the hotel garden or on the

immediate or surrounding streets? Under these conditions, at what point does Point a Hotel's responsibility end? I used to work nights when it was Tune Hotel a few years after it first opened, so I know how challenging it potentially could be.

I have to object to Point a Hotel being granted this licence as it will inevitably have a detrimental impact on both the residential community here and the adjoining streets, as well as exacerbate an already challenging problem. Everyone I have so far spoken to in the area, is alarmed by the prospect of this licence.

Yours faithfully,

Miss F Edwards

Appendix 18

Corinne Holland

From: Glenn Leeder <[REDACTED]>
Sent: 05 July 2023 08:22
To: Licensing
Subject: 13 to 15 Folgate Street

Follow Up Flag: Follow up
Flag Status: Completed

Your reference - CLC/EHTS/LIC/160512

We wish to lodge a strong objection to Tower Hamlets granting this licence.

History - Point A Hotel is located in Folgate Street and immediately bordered by housing to the side and rear of their garden. There are also houses and flats opposite the hotel. Folgate Street is a narrow, cobbled street.

There is a history of local residents, including myself, of having to put up with anti-social behaviour from loud, drunk and smoking hotel guests. This is a cheap hotel and many hotel guests come to London to party.

The hotel has a very poor record of closing the hotel garden at 9.30pm. Adjoining neighbours frequently have to complain to hotel staff of noisy guests, partying in the garden past this time. The hotel refuses to appoint security staff to prevent this. Apparently the garden door can be accessed by any guest who chooses to ignore the garden opening times.

Local residents also have the problem of hotel guests and staff smoking and congregating in the street . This contributes to noise, pollution and littering.

Cumulative Impact Zone (CIZ) - Tower Hamlets Council has long promised to help protect the quality of life of residents within the Brick Lane CIZ by limiting the issuing of new liquor licences. Please abide by this promise.

Reasons for my objections -

1. Prevention of Crime and Disorder

Point A Hotel has never employed security staff to prevent disorder. Local residents often have to put up with drunk and unruly hotel guests partying, drinking and smoking in the street. This antisocial behaviour has never been addressed by hotel management. I fear it will only get worse with alcohol sales more readily available from the hotel itself.

During the 2020 and 2021 lockdowns, the hotel lowered room prices to attract more guests. This resulted in prostitutes using the rooms. The police were called and visited on multiple occasions. Please check the number of times police have been called to the hotel in recent years.

2. Public Safety

The lack of security staff has always caused problems to residents and passersby in Folgate Street. Hotel guests congregate in the street to smoke and drink alcohol. By its nature, the Point Hotel rooms are

extremely small and partying and socialising in rooms is limited by space and one would be forced to literally sit on the bed. This fact forces groups out into the street or into the garden which should be closed at 9.30pm

3. The Prevention of Public Nuisance

The Point A hotel management and staff have been unable to manage noise pollution in both Folgate Street and also frequently in their own garden after 9.30pm. Folgate Street is a narrow, cobbled street and noise carries into the homes of residents, particularly in summer when windows are kept open. Similarly, the garden is surrounded by houses and flats with bedroom windows facing the garden of the hotel. Management and staff have been unable or unwilling to stop guests from partying in the garden after 9.30pm. This is an ongoing issue that will only get worse with the granting of a liquor licence. Cigarette butts on the ground continually blight the lives of pedestrians in Folgate Street. The hotel rarely cleans them up.

4. Protection of Children from harm

The licencing application from Point A hotel mentions nothing about basic age checks for those purchasing alcohol.

As mentioned previously, we are concerned about access and use of the garden after 9.30pm. Currently the hotel does not actively police this unless there is a complaint from neighbours.

There is a Right of Way running through our gardens to the hotel garden. This right of way is accessible by hotel guests for emergency evacuation. We are worried that drunk guests, in the garden, will have access to our gardens, where children live.

We believe Tower Hamlets Council is duty-bound to protect its residents from antisocial behaviour. Living in Folgate Street has its challenges. Drunk people in the street cause noise pollution and disruption to residents and we often find litter and vomit in the street. Granting more liquor licences in the Cumulative Impact Zone will only increase this problem. Please help protect local residents.

Thank you

Glenn Leeder
AND Giacomo Baraldi

[REDACTED]
[REDACTED]

Appendix 19

Corinne Holland

From: Jasper Joffe [REDACTED]
Sent: 07 July 2023 13:59
To: Licensing
Subject: Point a Hotels Liverpool Street Restaurant 13-15 Folgate Street

Follow Up Flag: Follow up
Flag Status: Completed

Jasper Joffe
[REDACTED]

public nuisance issue

I am writing to object to this license. The hotel guest often smoke and chat loudly outside my house at all hours (after 2am on occasion) causing noise and nuisance and keeping me awake. If alcohol is served to guests then that can only make this situation worse. There are many residential properties surrounding the hotel.

Jasper Joffe

Joffe Books
[REDACTED]

Appendix 20

Corinne Holland

From: JT Lo w en [REDACTED]
Sent: 04 July 2023 16:28
To: Licensing
Subject: Objection –Ref: CLC/EHTS/LIC/160512 Point a Hotels Liverpool Street, E1 6BX

Follow Up Flag: Follow up
Flag Status: Completed

Re: Objection – Ref: CLC/EHTS/LIC/160512
Point a Hotels Liverpool Street, 13-15 Folgate Street, London E1 6BX

I am writing to strongly object to this licensing application.

As a neighbour of the hotel, I have experienced the staff's inability to maintain order on the premises. This is before the hotel adds even more capacity to imbibe alcohol and create disorder. Drunken guests regularly cause a nuisance outside in the street and gain access to the garden after the agreed closing time of 9:30pm. There was a recent incident of guests letting their small dog run around barking at around 11pm at night. I had to go over to the hotel to complain. To underline my mistrust of the ability of staff to manage difficult situations, I had a distressing experience back in February this year. It was an extremely bad incident involving a member of staff. I went to make a request over a minor and easily resolved issue – the reception staff member's behaviour was shocking. He was immediately confrontational and the conversation deteriorated quickly to the point where he was disturbingly physical. To make matters worse a drunken hotel guest arrived and decided to join in. I should point out I'm a small female in my 60's. I made an official complaint and although the manager apologised, I received no apology from that staff member although I had requested it. From this experience I would say there is a lack of staff training and accountability. If you would like more information and documentation on this incident, I am happy to provide it.

I believe that Folgate Street is located within the CIZ and there are already many venues available to obtain alcohol and food in the location. Once the Blossom St development is complete, I expect there will be even more provision directly on the doorstep of the hotel. There is no mention of the CIZ or the requirement for basic age checks in the licensing application.

I am concerned that the mention of a recorded music licence implies the hotel will be running the downstairs reception area as a bar. The combination of music and alcohol would very much change the nature of the venue.

The application is to cover the ground floor bar and restaurant. There are so many dining options in this location therefore, I can see no need for the hotel to provide a restaurant. At present the hotel only provides pre-packed breakfasts that are delivered by van. The hotel is a popular location for stag and hen nights with the ensuring high jinx that implies. Is the idea of the so-called restaurant to give the impression that it will not be just another party bar. I note that when the Water Poet

pub, next door to the hotel, was in operation it needed extra security on the door to maintain order. However, I doubt the hotel will employ any security staff.

Also, of concern there is mention that "all off-sales of alcohol shall be sold in sealed containers". This implies it will not just be guests of the hotel buying alcohol.

I would like to note that we can hear the guests when they make noise in their rooms. Add the ability to create an alcohol fuelled room party, this can only give rise to more commotion. Our buildings do not have double glazing and the hotel and garden directly back on to the Folgate St terrace.

For all the above reasons I strongly object to this proposal.

Yours Sincerely

Jeannie Lowen



Appendix 21

From: mark fisher <[REDACTED]>
Sent: 12 July 2023 18:07
To: Licensing
Subject: Licensing application: Point A Hotel, 13-15 Folgate St (closing date 14/07/2023)

Dear Licensing Team

As a resident in Folgate Street and director of the Spital Square Residents Association, I am writing to object to the licensing application by Point A hotel, 13-15 Folgate Street. Our building is immediately opposite the hotel and I have seen first-hand the impact of the hotel's inadequate approach to anti-social behaviour which has worsened significantly since the lifting of pandemic restrictions.

My objection is based on three relevant points.

1. The prevention of crime and disorder and public nuisance

The hotel has never responded positively to complaints about the drunk and disorderly behaviour of its guests. There has never been any attempt to manage anti-social behaviour, noise and nuisance caused by hotel guests or even to listen to residents' concerns or complaints. This is a budget hotel appealing to a young clientele, often using the hotel as a base for clubbing in the area. Getting drunk is usually high on the agenda and the provision of a licence for on- and off-sales and a music licence will only exacerbate what is already a regularly unacceptable situation for residents.

2. Public safety

The hotel makes no effort at all in managing the chaotic scenes as multiple mini cabs drop off and pick up guests in this residential street. Laundry service lorries and private waste collection lorries that are far too large to navigate this narrow street regularly cause nuisance and danger as they pick up and drop off laundry/waste at either very early or late times of the day. Local residents' calls for a smaller van to provide this service have been ignored.

3. The protection of children from harm

Folgate Street is a largely residential area, with a high concentration of children resident. The noise and anti-social behaviour that would increase with more opportunity for late night drinking and music will further disrupt the lives and sleep of children and families who have a right to live in peace in a residential area.

There is already an intense concentration of restaurants, pubs, clubs and bars across Spitalfields supporting a burgeoning night-time economy so the granting of this application is superfluous on that score.

I urge you to reject the application from Point A, for on- and off-sales of alcohol and the music licence.

Best wishes

Mark Fisher
(resident & director, 15 Spital Square Residents Association)

[Redacted signature]

[Redacted contact information]

Appendix 22

[REDACTED]
Tel. [REDACTED]
Fax. [REDACTED]

3rd July 2023

Dear Madam

RE: Point A Hotel 13-15 Folgate Street Licensing Application
Your ref: CLC/EHTS/LIC/160512

I acknowledge receipt of your letter of 21st June which arrived with me on 28th June. To end the consultation on the 12th July is therefore unreasonable. In addition the heading of the letter is grossly misleading. Liverpool Street is in the City, whereas the hotel referred to is in the Liberty of Norton Folgate, and should be referred to as such.

The licence proposed which includes its garden ground, already reduced in size because of the ground floor extension to the main building, has for many years been overlooked by Grade 2 listed, early 18th century buildings, from both Folgate Street and Elder Street. All are private dwellings in accordance with the Council's policy established many years ago when the area was a Conservation Area. All the listed early 18th century buildings reverted to residential use, while other sites would be designated for small business use.

Since the present owners opened a hotel on this site, they have run it as basic accommodation for tourists visiting London. No food has been prepared on site or alcohol provided. Visitors are expected to eat out at the reasonably priced facilities in the Market, but are allowed to bring alcohol back for their own consumption only.

I object to the grant of this licence, and I imagine that you will be hearing from the Spitalfields Amenity Society, the Manager of the residential block of 9 flats being 20-22 Folgate Street, the Trustees of the Historic Buildings Trust as owners of the Denis Severs House at 18 Folgate Street, the owners of the Batty Langley Hotel and other owners of early 18th century dwellings on that side of Folgate Street, as well as Newlon Housing and their dwelling house residents if a reasonable time is given for a response.

My knowledge of this area is intimate having lived at the above address for more than 50 years.

Yours faithfully,

Martin S. Lane

Ms. K Driver – Principal Licensing Officer
Licensing Section
Tower Hamlets Town Hall
4th Floor
160 Whitechapel Road
London
E1 1BJ

Appendix 23

Corinne Holland

From: Monwara Rahman [REDACTED]
Sent: 05 July 2023 21:25
To: Licensing
Subject: Re: Objection – Ref: CLC/EHTS/LIC/160512

Follow Up Flag: Follow up
Flag Status: Completed

Point a Hotels Liverpool Street, 13-15 Folgate Street, London E1 6BX

I am writing to object to the licensing application for Point A Hotel Liverpool Street.

I live in a one-bedroom flat with my young son. We have no double glazing and noise from outside is very disruptive to his studying and his sleep. I am worried that if you allow the drinks and music licence on the premises this will create a bad environment for my family and my neighbours.

We already suffer from people outside making noise at night in the street. When the windows of the hotel rooms are open there can be a lot of noise from guests in their rooms. Sometimes hotel guests get into the hotel garden late at night and create a disturbance. There have also been occasions when guests have entered our residents garden. I do not think the hotel will be able to look after all the hotel guests along with the added pressure of selling alcohol on the premises. They do not manage to control the guests well at the moment.

My family is opposed to this application.

Yours Sincerely,

Mona Rahman

[REDACTED]

Appendix 24

From: John and Sandy Critchley <[REDACTED]>
Sent: 06 July 2023 10:31
To: Licensing
Cc: Critchley, Sandy; Critchley, main
Subject: Licensing Application: Point A Hotel, 13-15 Folgate Street E1 6BX

Dear LBTH Licensing team,

I am writing to object to the application from Point A Hotel, 13-15 Folgate Street for a licence to sell alcohol on the premises, on the grounds that granting a licence to this hotel would exacerbate existing problems with anti-social behaviour in the Spitalfields neighbourhood. Point A already has a record of excessive noise and disturbance.

I have lived in Spitalfields for 26 years and have extensive experience of the nuisance caused to both residents and visitors by drunkenness and disorder fuelled by alcohol. The hotel location is also within the local Cumulative Impact Zone that aims to reduce problems caused by excessive alcohol consumption. Alcohol is already in ample supply elsewhere in the area and further licensed premises are not needed; we are already saturated with bars and restaurants serving alcohol.

In addition, the granting of a licence to Point A Hotel would undermine the objectives of the Licensing Act 2003:

The prevention of Crime and Disorder, as well as protecting Public Safety

Spitalfields has long suffered from various kinds of street crime, and yet another premises serving alcohol would without doubt add to this problem.

The Prevention of Public Nuisance

This hotel has already proved its inability to control noisy and antisocial behaviour from its guests; neighbours are frequently disturbed by shouting, loud laughter, the banging of taxi doors and generally raucous behaviour. The addition of alcohol would make the situation intolerable.

The Protection of Children from Harm

Bad behaviour from hotel guests is already a source of stress to people who live in Folgate Street, most of which is residential, including a block of social housing with a number of children. Those children, as well as others in homes further towards Commercial Street, already suffer sleeplessness because of noise and other disturbance from Point A; making alcohol available in the hotel would only make matters worse.

I therefore ask the licensing authorities to reject this application; please also reject the application for a music licence.

With best regards,
Sand Critchle
[REDACTED]

Appendix 25

Corinne Holland

From: Licensing
Sent: 12 July 2023 11:34
To: Corinne Holland
Subject: FW: Point A hotel Folgate Street objection

From: Suzi Godson <[REDACTED]>
Sent: Tuesday, July 11, 2023 6:06 PM
To: Licensing <Licensing@towerhamlets.gov.uk>
Subject: Point A hotel Folgate Street objection

Dear Licensing Team

I am writing to object to the licensing application by Point A hotel, 13-15 Folgate Street. I am a long term Spitalfields resident and for the last 2 years have been resident in Folgate Street, directly across the road from the hotel – so I have detailed, current knowledge of the hotel's attitude to anti-social behaviour and other aspects which (I hope) may impact your desire to grant them this licence.

There are several background factors which are relevant:

1. This hotel has a history of being (at best) disinterested in their local resident neighbours' safety and right to a peaceful life. The hotel has never responded positively to any attempt to get them to control or curtail the night-time antics of their hotel guests. They take no action unless enforcement authorities arrive. They are not a 'good neighbour' to the mostly residential community on Folgate St. The noise levels from their guests at night are often so high as to wake other residents up or stop them getting them to sleep.
2. Spitalfields is now a highly desirable location for property developers who want to put hotels into the area. The two styles of hotel which work best in Spitalfields are 'high end' luxury (such as Batty Langley's, opposite the Point A hotel), and minimalist hotels which just provide budget-end bed and shower facilities (like the Hub hotels on Brick Lane and in other parts of Spitalfields). With both types of hotel, they do NOT generally provide food or drink, because the area is so rich in night-time economy food and drink options for their guests, that they don't need to. This is better for the night-time economy providers of facilities in the area and means both them and the hotels can provide jobs and a rate of return whilst happily co-existing. It also means that a wider circle of businesses benefits from the money being spent in the area by hotel visitors – not just the hotel itself. This is an economic pattern Tower Hamlets should be encouraging in Spitalfields.
3. The big British Land development on Blossom Street, Folgate St, Norton Folgate and Fleur de Lys Street will provide some restaurants and bars for this side of Spitalfields (and the pub which was on the corner of Fleur de Lys and Folgate Street, will be reinstated - the pub is the direct next-door neighbour of Point A's hotel). This big development will be finished within a year, and then the food and drink (including alcohol) outlets will be operating soon afterwards. The last thing that Folgate Street needs is any more provision, when all this development is giving the area a lot of NEW provision already. In addition, Spitalfields Market is increasing their provision of food and drink at the moment (the new 'red' building on the Folgate Street side of the market is entirely for food and drink outlets) – again, this significantly increases the food and drink provision within 500 yards of the Point A hotel. The area does not need more inside Point A.

Specifically, the application from Point A is for an on-sales alcohol licence, but there is also reference in the application to **"all off-sales of alcohol shall be sold in sealed containers"**. The application is for hotel residents and their

guests although off-sales immediately assumes that alcohol will be taken from the premises, and my personal experience of Point A gives me no confidence that they would stick to their licence condition of only selling to 'hotel residents and their guests' for off sales. There is also an application for a recorded music licence for the same hours as the alcohol licence – more noise when there is already too much from Point A. The application makes no mention of the CIZ or even basic age checks – which seems to reinforce the view that Point A do not care about their neighbours or the delicate, stretched fabric of the local area.

So, with this background, my specific objections to the application are:

The Prevention of Crime and Disorder and Public Safety

Spitalfields is already number one for various kinds of street crime amongst the wards in Tower Hamlets – increasing alcohol provision in Folgate Street, which is close to Spitalfields Market and is already a hot-spot, will only exacerbate this. The level of 'drunk and disorderly' behaviour from Point A residents in the street (outside the hotel and causing noise disturbance for other local residents) is **ALREADY** high – probably once or twice a week, local residents have their sleep disturbed by Point A residents. Again, the provision of alcohol will make this worse.

The Prevention of Public Nuisance

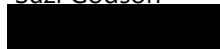
Point A already makes no effort to stop hotel residents and their guests from causing public nuisance in Folgate Street. There is late night voice noise (shouting, laughing, singing), there is the rattling of wheellie luggage suitcases on the cobbles (surprisingly noisy!) through the night, there is the getting in and out of Ubers and other mini cabs with noisy, raucous behaviour through the night... All of this will be worse with the provision of alcohol. The hotel is one of the cheapest in Spitalfields, so its guests are usually young and enjoying getting drunk and being in 'party mood' when they stay. It is not a 'sophisticated' clientele who are likely to respect the right to a quiet life of their Folgate St neighbours.

The Protection of Children from Harm

Folgate Street is a largely residential street. The row of houses immediately next door to Point A (on its other side from the pub) is for housing association residents, with a number of families with children living there. The bad behaviour from intoxication from Point A's residents is already a stress to these families, especially as most of them are of Bangladeshi heritage and therefore alcohol is not part of their culture. The rest of Folgate Street is 90% residential too, with other children resident as well. There is also a children's nursery with its entrance on Lamb Street, just one block over towards Spitalfields Market from Folgate Street. So there is a high concentration of children in the area. More intoxicated people on the streets is likely to cause increased harm and disturbance to these children, who already have to contend with very little green space and more noise than most parents would want for their kids.

Please reject this application, for both on and off sales and also reject the music licence.

Best wishes
Suzi Godson



Sent from my iPhone

Appendix 26

Corinne Holland

From: Z Hudson <[REDACTED]>
Sent: 12 July 2023 20:39
To: Licensing
Subject: Licensing application - Point A Hotel, 13-15 Folgate Street,

As a resident of Spitalfields for over 25 years I am writing to object to this licensing application.

Point A is surrounded by residential property and for some reason attracts guests who frequently exhibit anti-social behaviour. They are noisy and do not respect the local neighbourhood. This is very unpleasant and disturbs the residents in the immediate vicinity.

Please do not give them an alcohol licence or do off sales as this will only make the problem worse.

In summary this contravenes 'The Prevention of Public Nuisance' and the 'Protection of Children from harm'.

Thank you

Zoe Hudson

[REDACTED]

Appendix 27

6th July 2023

m

Dear Mrs Driver,
Re: Point A Hotel 13/15 Folgate Street
Licensing Application.
Your Ref CLC/EHTS/LIC/160512.

I am in receipt of your letter dated 21st July 2023. I found the application confusing "Point A Hotel" I thought was in respect of Liverpool Street refurbishment. Then it refers to the Tube Hotel in Folgate Street. The hotel which is at present not licensed. The hotel which was purchased some years ago agreed to no sale of alcohol and no use of garden by public after 9.00pm at night upon opening. These conditions have been respected to date.

I hope you have visited the site of so, you are aware that the gardens adjoin properties in Folgate Street and Elder Street E.I. You point out in your letter that the Licence can include regulated entertainment, late night refreshment after 11pm at night. You personally are very aware that alcohol make people Boisterous.

and the granting of this Licensing would
allow the sale of alcohol.

I have lived at [REDACTED] For
fourty years. This area has always
been a mix of residential and business.
I object to Hotel purchased the
Building, from an Insurance Company.
I worked for many years in the
original fruit and veg market.
I applaud the reinvention of the
market and I am not against
change. "Well maybe the high rise",
buildings". I am in favor of progress.
I also respect history and feel
privileged to live in an area which
was at one stage considered to be
a Conservation Area which ^{also} has 18th
century buildings that are residential
homes.

Having expressed all the above I
strongly object to the granting of this
Licence as it will have a lasting
effect on residents "quality of life"

Yours respectfully [REDACTED]

MsK. Driver Principal Licensing Officer
Tower Hamlets Town Hall

4th Floor Licensing Section

Tower Hamlets Town Hall, London E1 1BJ.

WB. Sorry about written hours read (p) pge 2.

Appendix 28

Corinne Holland

From: MARK.J.Perry@[REDACTED]
Sent: 29 June 2023 17:09
To: f.faulkner@[REDACTED] Licensing
Subject: RE: Premises License Application - Point A Hotel Folgate Street
PCX:000085000000797

Hi Felix,

Thanks for getting back to me and agreeing conditions so quickly.

Tower Hamlets Council Licensing please see conditions agreed below with the applicant.

Kind Regards

Mark



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

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



From: Felix Faulkner [REDACTED]
Sent: 29 June 2023 14:22
To: Perry Mark J - CE-CU <[REDACTED]>
Subject: RE: Premises License Application - Point A Hotel Folgate Street PCX:000085000000797

Hi Mark,

Can you please confirm you are happy with the below?

Many thanks
Felix

Felix Faulkner | Solicitor

Poppleston Allen

E:f.faulkner [REDACTED]

London Office: The Stanley Building, 7 Pancras Square, London, N1C 4AG

Cybercrime notification: Our bank account details will NOT change during the course of a transaction. Please speak to us before transferring any money. We will not take responsibility if you transfer money to an incorrect bank account. If you receive an email from Poppleston Allen requesting your bank details or purporting to amend our bank details, please contact us, or your solicitor, as appropriate, by telephone immediately to clarify.

From: Felix Faulkner

Sent: Monday, June 26, 2023 1:10 PM

To: [MARK.J.Perry](#) [REDACTED]

Cc: Lisa Inzani <[REDACTED]>

Subject: RE: Premises License Application - Point A Hotel Folgate Street PCX:000085000000797

Importance: High

Hi Mark,

I hope you are well.

Following the below, my client has confirmed they are happy to agree to conditions 1-4 being added to the premises licence.

I have copied these below for ease:

1. *A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record must show the outcome of the person who was intoxicated. The record shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.*
2. *An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:*
 - a) *all crimes reported to the venue;*
 - b) *all ejections of patrons;*
 - c) *any complaints received concerning crime and disorder*
 - d) *any incidents of disorder;*
 - e) *all seizures of drugs or offensive weapons;*
 - f) *any faults in the CCTV system, searching equipment or scanning equipment;*
 - g) *any refusal of the sale of alcohol;*
 - h) *any visit by a relevant authority or emergency service.*
3. *In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:*
 - a) *the police (and, where appropriate, the London Ambulance Service) are called without delay;*
 - b) *all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;*
 - c) *the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and*
 - d) *such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.*

4. *Operate 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.*

Please copy me into your correspondence with Tower Hamlets.

Many thanks
Felix

From: [MARK.J.Perry](#) [REDACTED] <[MARK.J.Perry](#) [REDACTED]>
Sent: Thursday, June 22, 2023 1:51 PM
To: Felix Faulkner <[f.faulkner](#) [REDACTED]>
Cc: Lisa Inzani <[L.Inzani](#) [REDACTED]>
Subject: RE: Premises License Application - Point A Hotel Folgate Street PCX:000085000000797

Hi Felix,

[REDACTED]

It was a mistaken duplication by me, please take condition 5 out.

Kind Regards

Mark



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

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



From: Felix Faulkner <[f.](#) [REDACTED]>
Sent: 22 June 2023 13:29
To: Perry Mark J - CE-CU [REDACTED]

Appendix 29

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 30

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 31

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 32

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 33

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 34

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 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 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 35

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 36

Licensing Policy - Appendix 5

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

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

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

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

Review of Cumulative Impact Assessment - Supporting Evidence

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

This evidence is published on our website:

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

Cumulative Impact Assessments (Brick Lane and Bethnal Green)

4. The Licensing Authority is of the view that the number, type and density of premises selling/supplying alcohol for consumption on and off the premises and/or the provision of late night refreshment in the Brick Lane and Bethnal Green Areas (highlighted in Figures One and Two below) is having a cumulative impact on the licensing objectives. Therefore, it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives. Thus, it has declared a cumulative impact assessment within these areas.
5. The Brick Lane and Bethnal Green CIAs aim to manage the negative cumulative impact of the concentration of licensed premises in these areas and the stresses that the saturation of licensed premises has had on the local amenity, environmental degradation and emergency and regulatory services in managing this impact.
6. The effect of this Special Cumulative Assessment Policy will apply to the following types of applications:
 - New Premises Licences applications,
 - New Club Premises Certificates applications
 - Provisional Statements,
 - Variation of Premises Licences and Club Premises Certificate applications (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity).

However, it will only apply where the application seeks to permit the Licensable activities of:

- the sale or supply of alcohol for consumption on or off the premises, and/or,
- the provision of late night refreshment.

7. **This Policy will be strictly applied and where relevant representations are received and it is the view of the Council that the application will be refused. Applicants will need to demonstrate that there are exceptional circumstances and that granting their application will not negatively add to the cumulative effect on the Licensing Objectives within the Brick Lane and Bethnal Green CIAs if they wish to rebut this presumption.**
8. The Special Cumulative Impact policy creates a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons against applications (Councillors, Members of the Public) within the CIA zones the application will be refused.
9. Where representations have been received in respect to applications within the CIA zones the onus is on the applicant to adequately rebut the presumption.

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

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

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

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

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

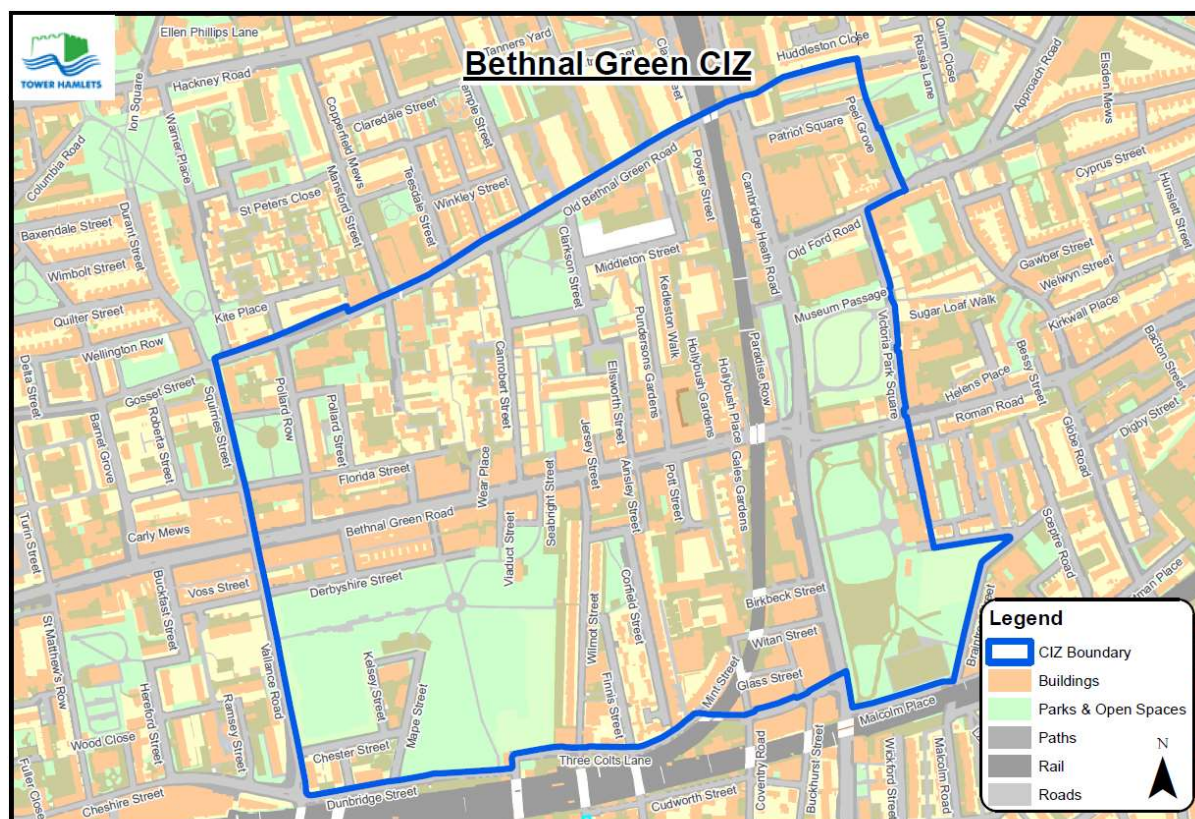
- that the premises will be well managed and run,
- that the premises will be constructed to a high standard,
- that the applicant operates similar premises elsewhere without complaint.

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

Brick Lane area:



Bethnal Green Area



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Appendix 37

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 frame work 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 38

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 or 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.