

This form should be completed and forwarded to: London Borough of Tower Hamlets, Licensing Section, Tower Hamlets Town Hall, 160 Whitechapel Road, London E1 1BJ or by email to <u>licensing@towerhamlets.gov.uk</u> with the correct fee. Payments can be by phoning 020 7364 5008 or on-line: <u>www.towerhamlets.gov.uk/payit</u>

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 The Ragged School Museum Trust

(Insert name(s) of applicant) 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							
The Ragge 46/50 Copj Mile End	The Ragged School Museum 46/50 Copperfield Road Mile End						
Post town London Postcode E3 4RR							

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£16,700

Part 2 - Applicant details

statutory function or

a function discharged by virtue of Her Majesty's prerogative

Please	Please state whether you are applying for a premises licence as Please tick as appropriate							
a)	an i	ndividual or individuals *		please complete section (A)				
b)	a pe	erson other than an individual *						
	i	as a limited company/limited liability		please complete section (B)				
	li	partnership as a partnership (other than limited liability)		please complete section (B)				
	lii	as an unincorporated association or		please complete section (B)				
	lv	other (for example a statutory corporation)		please complete section (B)				
c)	a re	ecognised club		please complete section (B)				
d)	a cł	narity	\checkmark	please complete section (B)				
e)	the	proprietor of an educational establishment		please complete section (B)				
f)	a he	ealth service body		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 in Wales							
ga)	a person who is registered under Chapter 2 of Part D please complete section (B) 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England							
h)	the chief officer of police of a police force in England and Wales							
* If yo belov		e applying as a person described in (a) or (b) plea	ase coi	nfirm (by ticking yes to one box				
	I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or							
lam	I am making the application pursuant to a							

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr 🗌	Mrs 🗌	Miss 🗌	Ms	Other Title (for example, Rev)	
Surname			First n	ames	
Date of birth		I am 18	years old or ove	Please tick	yes
Nationality					
Current resid address if diff premises add	erent from	1			
Post town				Postcode	
Daytime con	tact telep	hone number			
E-mail addre (optional)	SS				
				lome Office online rig by that service (pleas	

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr 🗌	Mrs		Miss		Ν	/ls	Other Title example,		
Surname						First na	mes		
Date of birth				l am	18 year	s old or o\	/er	Plea	ase tick yes
Nationality									
	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)								
Current resid address if diff premises add	erent fr	om							
Post town							Post	code	
Daytime con	Daytime contact telephone number								
E-mail addre (optional)	E-mail address (optional)								

 $Z: \label{eq:linear} Similar (Similar) and \label{eq:linear} Similar) and \label{eq:linear} Simila$

(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 The Ragged School Museum Magnus Von Wistinghausen (C	
Address	
The Ragged School Museum,	
46/50 Copperfield Road, London E3 4RR	
Registered number (where applicable)	
Charity No 800538 Comp	any Number 02308621
Description of applicant (for example, partnership,	company, unincorporated association etc.)
Charity	
(if any)	
Part 3 Operating Schedule	
When do you want the premises licence to start?	DD MM YYYY 0 8 1 1 2 0 2 3

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

Three adjoining Victorian Wharehouses on Copperfield Road backing onto the Regent's Canal. Once a Barnado's School and now the restored Ragged School Museum with a visitor cafe, visitor facilities, museum, victorian classrooms, workshops event and community space.

The premises will primarily operate as a museum, education centre, communiuty space and cafe but just occasionally be used for small classical music concerts, theatre, dance and film as well as small events, meetings and parties.

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

not applicable

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

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

Pro	vision 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)	\square					
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)	\checkmark					
g)	performances of dance (if ticking yes, fill in box G)	\square					
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)						
<u>Pro</u>	Provision of late night refreshment (if ticking yes, fill in box I)						
<u>Sup</u>	oply of alcohol (if ticking yes, fill in box J)						

In all cases complete boxes K, L and M

Plays Standard days and timings (please read			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
	ce note 7)		()	Outdoors	
Day	Start	Finish		Both	
Mon	10.00	22.00	Please give further details here (please read guida	,	
			Occasional performance produced by outside o may include live or recorded music.	rganisations v	vhich
Tue	10.00	22.00			
Wed	10.00	22.00	State any seasonal variations for performing pla guidance note 5)	ys (please read	b
			None planned		
Thur	10.00	22.00			
Fri	10.00	22.00	Non standard timings. Where you intend to use the performance of plays at different times to th		
			column on the left, please list (please read guida		<u></u>
Sat	10.00	22.00	None planned		
Sun	11.00	18.00			

Films Standard days and timings (please read			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
	cë note 7)			Outdoors	
Day	Start	Finish		Both	
Mon	10.00	22.00	Please give further details here (please read guida Occasional film showing which may be part of a educational project community event or similar	,	
Tue	10.00	22.00	· · · · · · · · · · · · · · · · · · ·		
Wed	10,00	22.00	State any seasonal variations for the exhibition of read guidance note 5) none planned	o f films (please	;
Thur	10,00	22.00			
Fri	10.00	22.00	Non standard timings. Where you intend to use the exhibition of films at different times to those column on the left, please list (please read guidant)	listed in the	f <u>or</u>
Sat	10.00	22.00	none planned		
Sun	11.00	18.00			

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4) None
Day	Start	Finish	
Mon			-
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			-
Thur			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 (please read guidance note 6)
Fri			-
Sat			
Sun			

Boxing or wrestling entertainments Standard days and		-	Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
timings	(please r ce note 7)	ead	None	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guida	ance note 4)	
Tue					
Wed			State any seasonal variations for boxing or wres entertainment (please read guidance note 5)	tling	
Thur					
Fri			Non standard timings. Where you intend to use boxing or wrestling entertainment at different tim in the column on the left, please list (please read	nes to those lis	sted
Sat					
Sun					

Live music Standard days and timings (please read			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
	ce note 7)		()	Outdoors	
Day	Start	Finish		Both	
Mon	10.00	22.30	Please give further details here (please read guida Music as part of a theatre school or community Classical concerts such as Ragged Music Fes	y event.	
Tue	10.00	22.30	Music at private events. Some music will be unapplified others amplified		
Wed	10.00	22.30	State any seasonal variations for the performance (please read guidance note 5) none planned	ce of live musi	<u>c</u>
Thur	10.00	22.30			
Fri	10.00	23.00	Non standard timings. Where you intend to use the performance of live music at different times the column on the left, please list (please read gu	to those listed	lin
Sat	10.00	- 23.00	none planned		
Sun	10.00	22.30			

Е

Standa	Recorded music Standard days and imings (please read		Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
guidan	ce note 7)			Outdoors	
Day	Start	Finish		Both	
Mon	10.00	22.30	Please give further details here (please read guida Mainly background music	ŗ	
Tue	10.00	22.30	Mainly but not exclusively in cafe and event sp	ace	
Wed	10.00	- 22.30	State any seasonal variations for the playing of r (please read guidance note 5) None planned	ecorded musi	<u>c</u>
Thur	10.00	22.30			
Fri	10 .00	23.00	Non standard timings. Where you intend to use the playing of recorded music at different times the column on the left, please list (please read gu	to those listed	lin
Sat	10.00	23.00	None planned		
Sun	10.00	22.30			

Standa	rformances of dance andard days and nings (please read		Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
	ce note 7)			Outdoors	
Day	Start	Finish		Both	
Mon	10.00	- 22.00	Please give further details here (please read guida	ance note 4)	
			Very occasional Dance Events which may be p program or a touring company. Not part of core	part of the sch	ools
Tue	10.00	- 22.00	program of a toaring company. Not part of con-		
Wed	10.00	22.00	State any seasonal variations for the performance (please read guidance note 5) None planned	ce of dance	
Thur	10.00	22.00			
Fri	10.00	22.00	Non standard timings. Where you intend to use the performance of dance at different times to t column on the left, please list (please read guida	hose listed in	
Sat	10.00	22.00	None planned		
Sun	10.00	22.00			

G

descri falling (g) Standa timings	ing of a s ption to t within (e ard days a s (please r ice note 7)	hat), (f) or nd ead	Please give a description of the type of entertainment providing none planned	nt you will be	
Day	Start	Finish	Will this entertainment take place indoors or	Indoors	
Mon			outdoors or both – please tick (please read guidance note 3)	Outdoors	
				Both	
Tue			Please give further details here (please read guida	ance note 4)	
Wed			State any seasonal variations for entertainment		
Fri			<u>description to that falling within (e), (f) or (g)</u> (ple note 5)	ease read guida	ince
Sat			Non standard timings. Where you intend to use the entertainment of a similar description to that (f) or (g) at different times to those listed in the operator of the second seco	falling within	<u>(e),</u>
Sun					

Standa	Late night refreshment Standard days and timings (please read		Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
	ce note 7)			Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guida	ance note 4)	
			Weekend extra hour		
Tue					
Wed			State any seasonal variations for the provision of refreshment (please read guidance note 5)	f late night	
Thur			None planned		
Fri	23.00	00.00	Non standard timings. Where you intend to use the provision of late night refreshment at different		
			listed in the column on the left, please list (pleas		
Sat	23.00	00.00	note 6) None planned		
Sun					

I

Supply of alcohol Standard days and timings (please read		nd	Will the supply of alcohol be for consumption <u>– please tick</u> (please read guidance note 8)	On the premises	
	ce note 7)			Off the premises	
Day	Start	Finish		Both	N
Mon	11.00 -	23.00	State any seasonal variations for the supply of a read guidance note 5)	Icohol (please	
Tue	11.00 ·	23.00	None Planned		
Wed	11.00 ·	23.00			
Thur	11.00 ·	23.00	Non standard timings. Where you intend to use the supply of alcohol at different times to those column on the left, please list (please read guidar	listed in the	<u>or</u>
Fri	11.00	23.00	These are standard times , on the few occasion earlier licence is required an extension will be		or
Sat	11.00	- 00.00			
Sun	11.00	- 00.00			

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

Name TyD a vid Trie vor Highes
Date of birth
Address
Postcode
Personal licence number (if known)
Issuing licensing authority (if known) London Borough of Enfield EN13XY

 $Z: \label{eq:linear} Similar (Similar) and \label{eq:linear} Z: \label{eq:linear} Similar (Similar) and \label{eq:linear} Similar) and \la$

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).

No adult entertainment

L

open t Standa timings	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) None planned
Day	Start	Finish	
Mon	09.00	- 23.00	
Tue	09.00	- 23.00	
Wed	09.00	- 23.00	Non standard timings. Where you intend the premises to be open
Thur	09.00	23.00	to the public at different times from those listed in the column on the left, please list (please read guidance note 6) None planned
Fri	09.00	- 24.00	
Sat	09.00	-24.00	
Sun	10.00 -	23.00	

 $Z: \label{eq:linear} Simple Control Control$

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

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

Premises is a local museum with cafe, coffee shop and bar with the emphasis on food. The main focus of the food and drink operation will be in the LGF cafe spaces. Other parts of the building will from time to time be used for events and performances. Maintenance of the street, pavements and towpath adjacent to the premises. The building has security cameras on the access doors and the cafe areas. Exterior Lighting Good neighbourhood relations. Staff trained for best practice management. Complaint & concern register on premises

b) The prevention of crime and disorder

- 1. 1.Registered SIA Door Supervisors for larger events
- 2. 2.Governed by industry best practice.
- 3. 3.Crime prevention notices on the premises
- 4. 4.Food is available during opening hours.
- 5. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
- 6. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- 7. 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.
- 8. 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:
 - all crimes reported to the venue;
 - all ejections of patrons;
 - any complaints received concerning crime and disorder
 - any incidents of disorder;
 - all seizures of drugs or offensive weapons;
 - any faults in the CCTV system, searching equipment or scanning equipment;
 - any refusal of the sale of alcohol;
 - any visit by a relevant authority or emergency service.

continued

In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that the police (and, where appropriate, the London Ambulance Service) are called without delay;

9. All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police and the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

Protection of Children from Harm

- 10. 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.
- 11. 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.

c) Public safety

- 1. Fully refurbished building
- 2. In-house operations managers monitoring the building
- 3. Fire inspection.
- 4. First aid support.
- 5. Building evacuation plan
- 6. Kitchen Ansul fire system
- 7. Emergency lighting in all areas
- 8. Exit via Copperfield Road after 10pm
- 9. Waiting staff on the floor observing behaviour
- 10. Health & Safety Assessments

d) The prevention of public nuisance

- 1. New extraction system with carbon filters to eliminate smells
- Signage and verbal reminders to leave quietly
- 4.
- 5. Good transport links:
 - Seven minicab companies within one mile,
 - Bus stops night buses
 - Underground station(Mile End) Overground(Limehouse)
 - Uber.
 - Bicycle Park outside.
- 6. Loudspeakers shall not be located in the entrance lobby, or outside the premise building nor on ceilings. And anti-vibration mounts used is speakers attached to the walls.
- 7. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- 8. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 8 persons at any one time.

9.	Calibrated noise meter	in event space with	colour digital war	rning display and	data logging.
----	------------------------	---------------------	--------------------	-------------------	---------------

e) The protection of children from harm

- 1. After 19.00hrs, children will only be allowed into the cafe area when accompanied by an adult
- 2. Museum staff are trained to be aware of children wandering around the premises and ensure they are safe.
- 3. The premises operates a proof of age policy when serving alcohol.
- 4. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

Please tick to indicate agreement

•	I have made or enclosed payment of the fee.	\square
•	I have enclosed the plan of the premises.	\checkmark
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	\square
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	\square
•	I understand that I must now advertise my application.	\square
•	I understand that if I do not comply with the above requirements my application will be rejected.	\checkmark
•	[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. Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

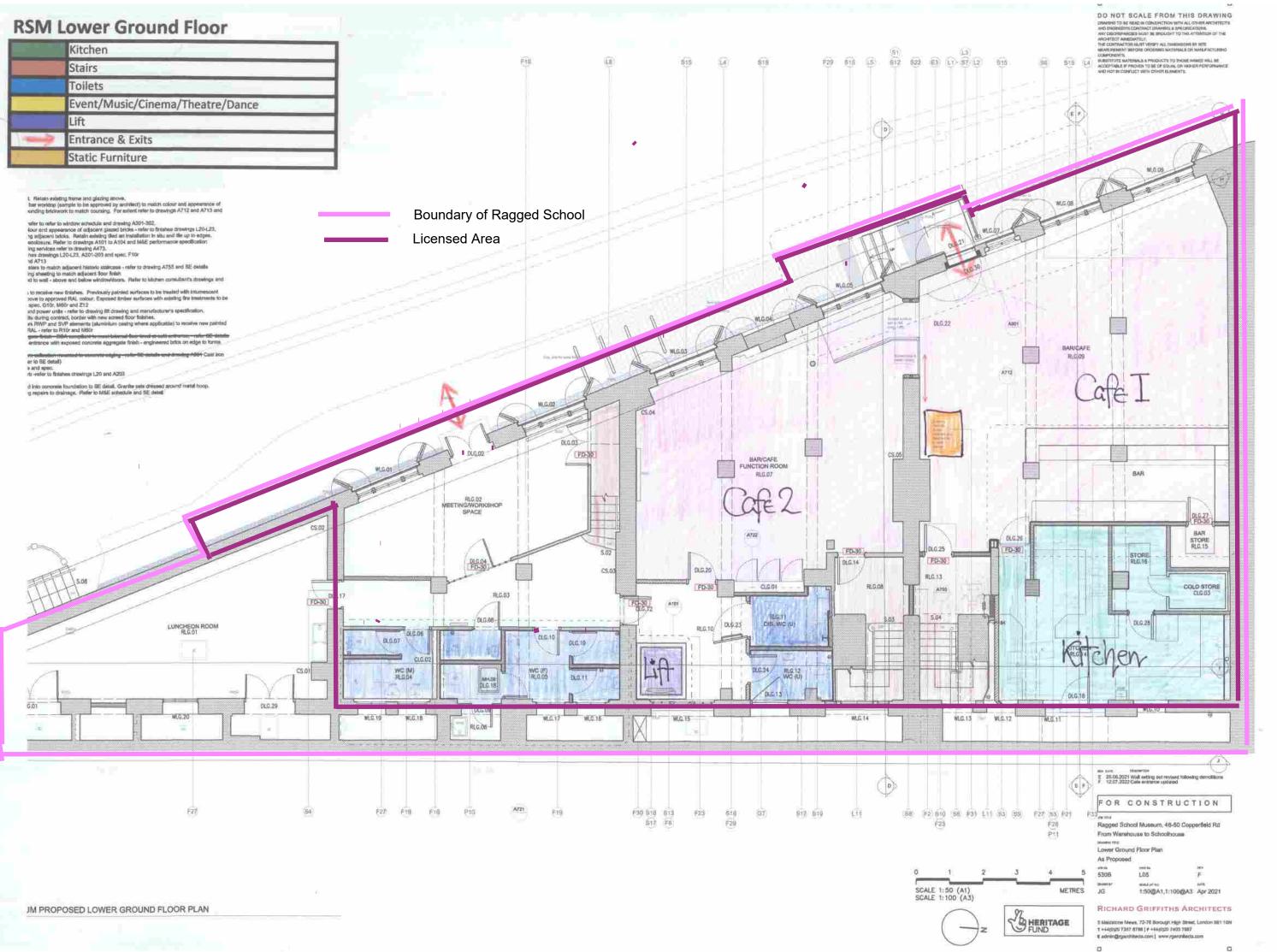
Declaration	 [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work
Signature	checking service which confirmed their right to work (please see note 15) X Magnus Von Wistinghausen Chairman
Date	17/10/2023
Capacity	Chairman Ragged School Museum Trust

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.

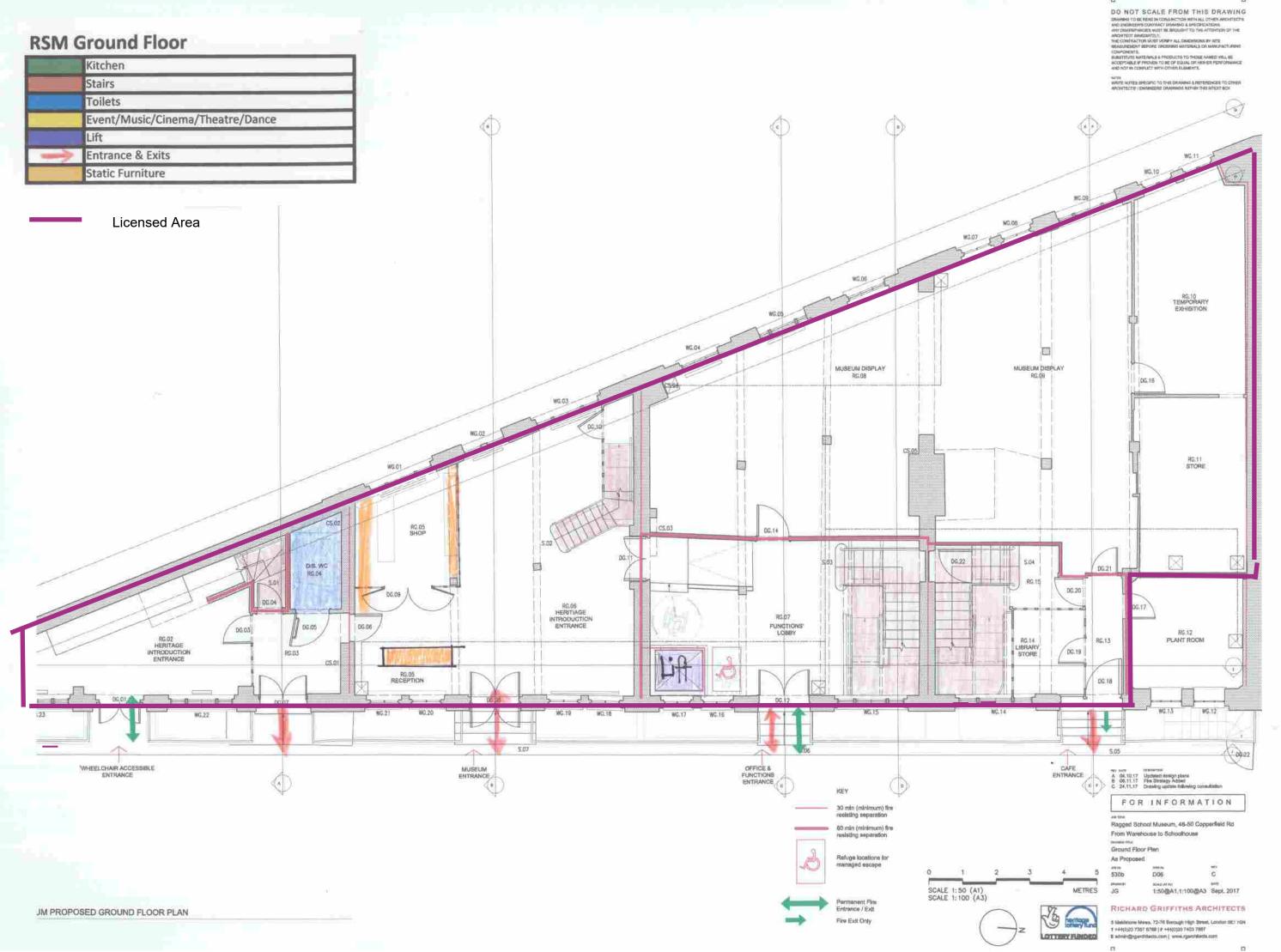
Signature	Not applicable
Date	
Capacity	

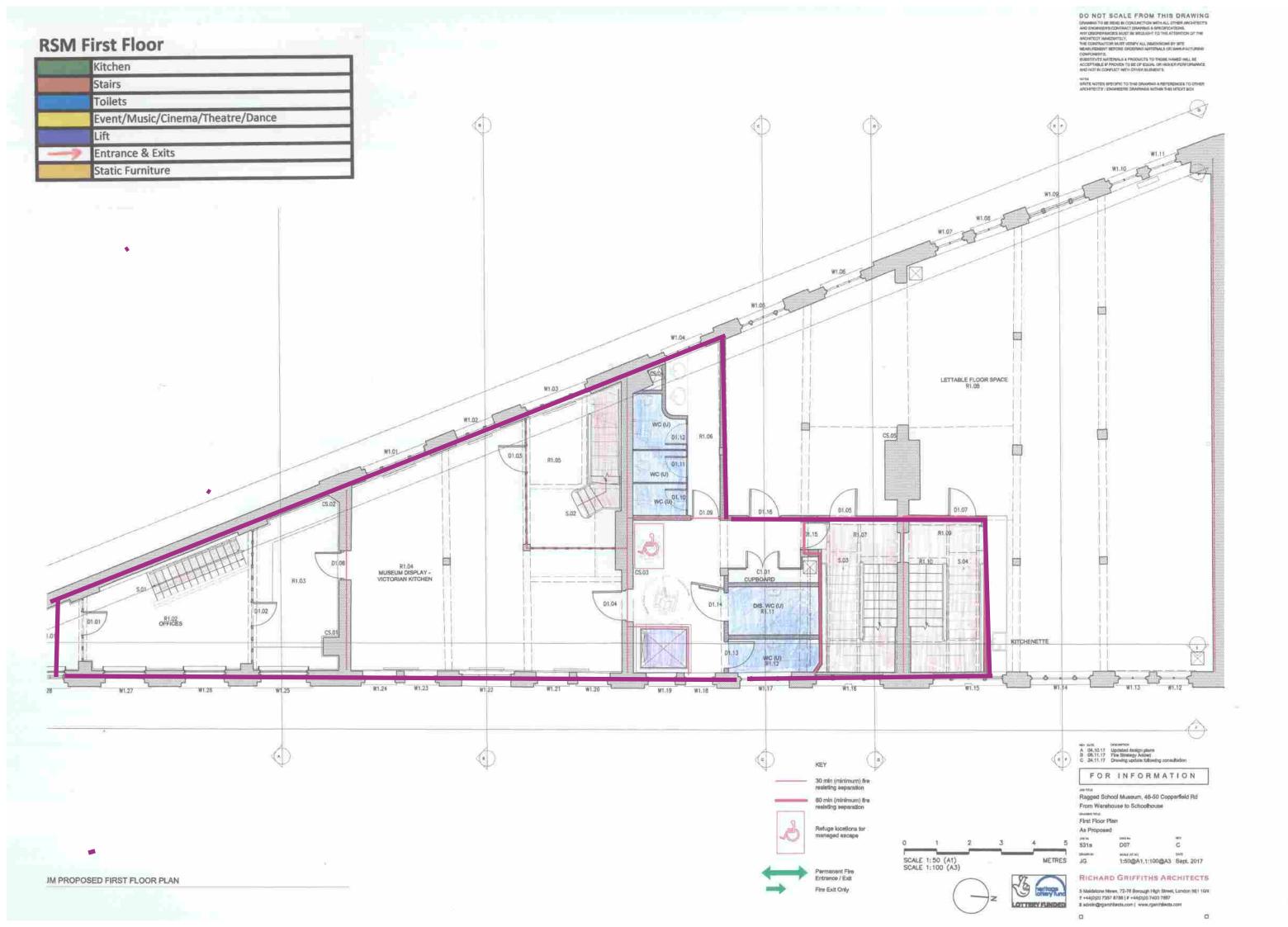
(please read Erica Davies The Director	guidance note 14) School Museum	al address for correspondence associated with this application
Post town	London	E3 4RR
Telephone nu	umber (if any)	
lf you would	prefer us to correspond with you by e-	nail, your e-mail address (optional)

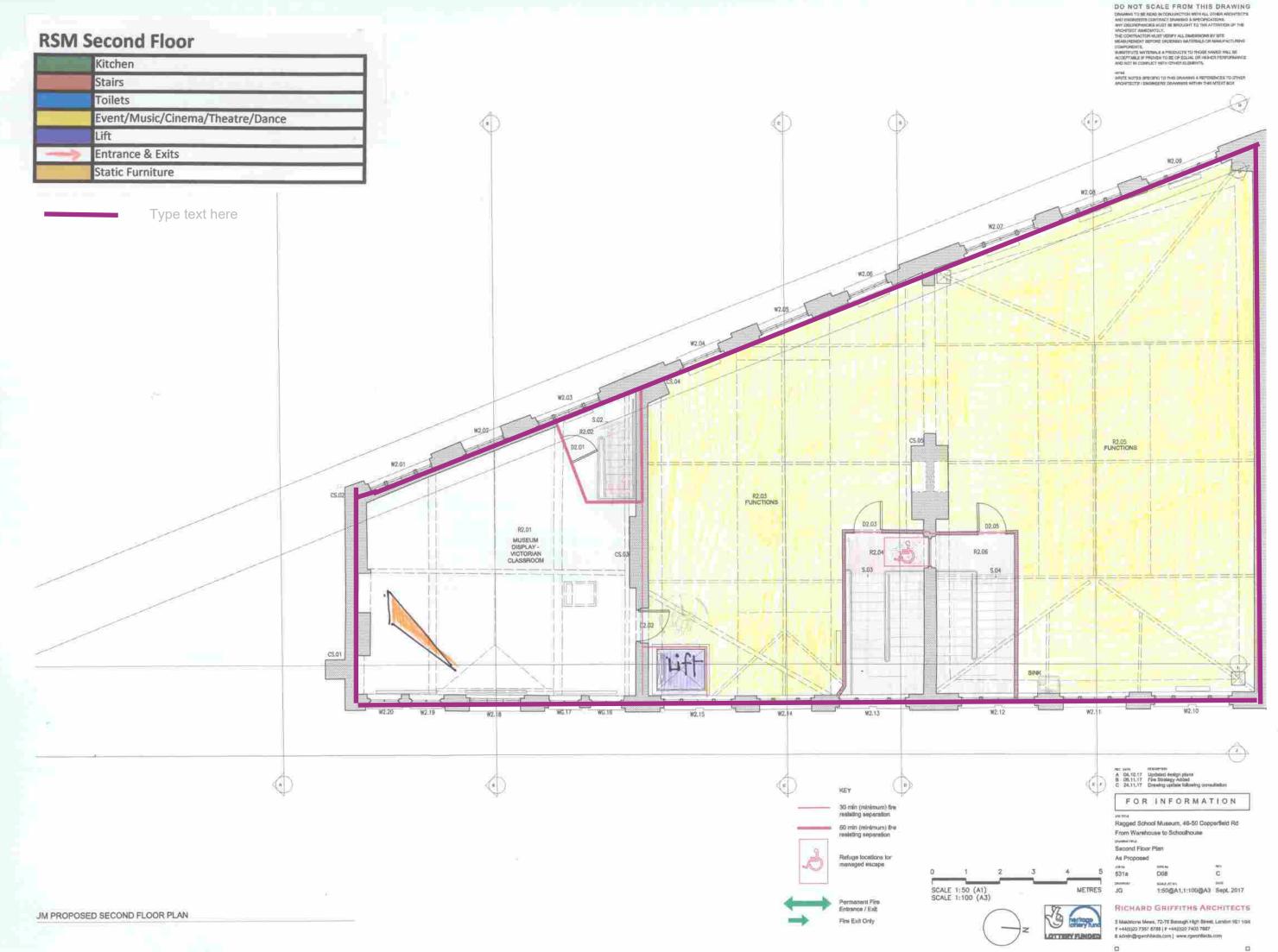
.



C.



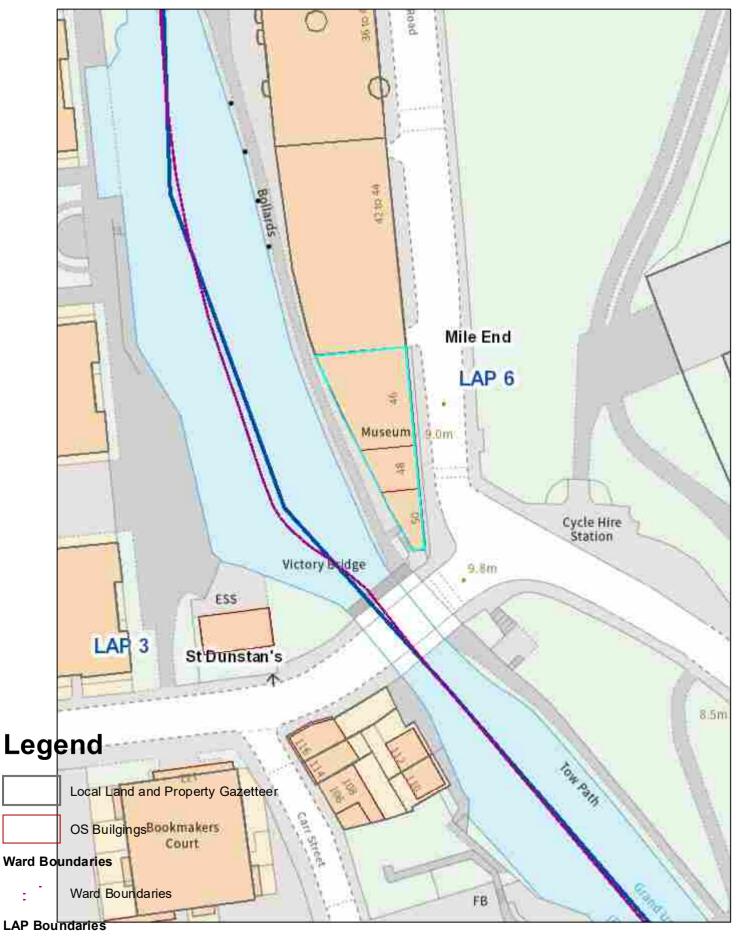






Map1

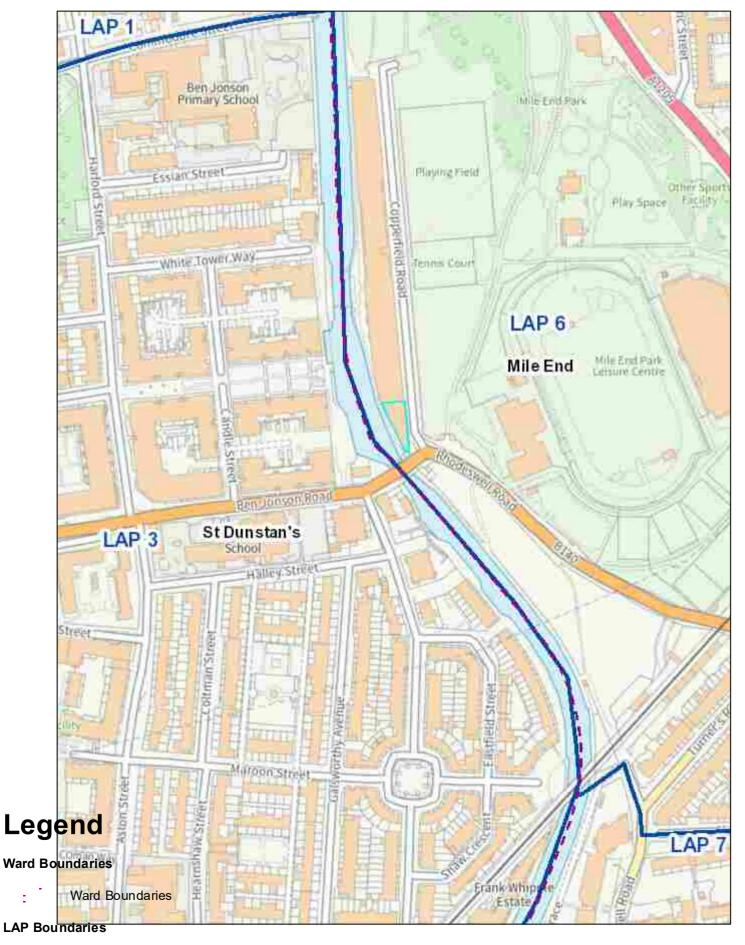






Map2





<u>Nearest licences: (the Ragged School Museum), 46-50 Copperfield Road,</u> London E3 4RR

Name and address	Licensable activities and hours	Opening hours
(Mile End Park Leisure Centre) 190 Mile End Road London E3 4AA	 Sale by retail of alcohol (On sales only) Monday to Saturday, from 11:00 hours to 23:00 hours Sunday, from 12:00 hours to 22:30 hours The provision of regulated entertainment – Outdoors Live Music, Recorded Music and anything of a similar description Monday to Saturday, from 11:00 hours to 23:00 hours Sunday, from 12:00 hours to 22:30 hours 	Monday to Saturday, from 11:00 hours to 23:30 hours Sunday, from 12:00 hours to 23:00 hours
(Cabby's Rum Bar) Railway Arch 411 St Pauls Way London E3 4AG	 The sale by retail of alcohol (off sales only) Monday to Sunday, from 09:00 hours to 23:30 hours 	Monday Sunday, from 09:00 hours to 00:00 hours (midnight)

Section 182 Advice by the Home Office Updated on August 2023

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.

Mohshin Ali

From:	David
Sent:	08 November 2023 21:46
То:	Mohshin Ali; Licensing
Subject:	Re: Representation - The Ragged Cafe - Licensing Act 2003
Follow Up Flag:	Follow up
Flag Status:	Flagged

Representation according to Licensing Act 2003 <u>New premises licence application: The Ragged School Museum, 46-50 Copperfield Road, London E3 4RR</u> London, 8th November 2023

Dear Ali

The Premises have made no contact with me regarding my previous representation. I now note that there is a new announcement of license application by the Premises.

I would like to make the Representation relating to prevention of public nuisance and protection of children from harm.

Prevention of Public Nuisance:

There are number of residential properties in close vicinity of the Premises. Residents have the right for quiet enjoyment of their homes without undue noise nuisance. License granted as requested would create a continuous noise nuisance to number of residential properties.

During work week residents, including young children, require quiet time at end of the day. Weekends are days of rest where residents require rest undisturbed by noise.

I propose to limit license as follows:

Sale of Alcohol on the premises & Recorded and Live Music:

Monday to Friday -13:00 - 20:00

Saturday and Sunday - no Sale of Alcohol on the premieses and no Recorded and Live Music; with exception of occasional Theatre, Cinema or Dance.

Protection of Children from Harm:

There is primary school in close vicinity. The canal walk along the Premises and public park facing it are frequently used by families for recreation. Sale of alcohol off premises would expose children to drunken behaviour and gatherings of intoxicated people in public recreation space. I propose to not grant license for sale of alcohol off premises.

Thank you for considering my representation.

Kind regards, David Tausinger



On Mon, 18 Sept 2023 at 12:33, Mohshin Ali <

> wrote:

Dear David Tausinger,

Licensing Act 2003

New premises licence application: The Ragged School Museum, 46-50 Copperfield Road, London E3 4RR

Thank you for your email. I acknowledge your representation to the above application.

Please note that your representation will become a public document (contact details redacted) and the applicant is entitled to a full, un-redacted copy of your representation. They may wish to contact you to mediate an amendment of their application, in order to address your concerns; with a view to you potentially withdrawing your objection. Should you wish to withdraw, please advise in writing to this email address.

If the representation(s) is not resolved then the matter will be dealt with by way of a public hearing by the Tower Hamlets Licensing Sub-Committee. You will be notified by the Democratic Services of the date, time and venue of the public hearing and invited to attend. If you do not attend the Hearing, the decision may still be made in your absence and the weight of your representation will be considered. Should you wish to make additional comments to the Committee in your absence, please advise Democratic Services and copy us in.

For further details on the hearing, you can contact the Democratic Services on 020 7364 4120. Finally, if I can be of any further help, do not hesitate to contact me.

Kind regards,

Mohshin Ali

Senior Licensing Officer

Licensing and Safety Team

Environmental Health & Trading Standards

Tower Hamlets Town Hall

160 Whitechapel Road

London E1 1BJ

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

Follow us on:	Fol	low	us	on
---------------	-----	-----	----	----

Facebook | Twitter | LinkedIn | Instagram

From: David Sent: Tuesday, September 12, 2023 10:16 PM To: Licensing <<u>Licensing@towerhamlets.gov.uk</u>> Subject: Representation - The Ragged Cafe - Licensing Act 2003

Hello

I would like to make a representation according to Licensing Act 2003 with regards to Application for a Premises License - Sale of Alcohol on and off the Premises.

Premises details:

The Ragged Cafe

The Ragged School Museum

46/50 Copperfield Road

London E4 4RR

Representation:

Proposed hours for Sunday - Thursday are 11:00 - 23:00 hrs. I am a leasholder in a block of flats directly across the canal from the Premises. There were two oaccasions recently when music was performed at the venue and this created signiaficant noise, especially percussions which reverberate due to architectonic nature of the yard. Most bedrooms in the block face the yard and this would make a noise nuisance at late hours.

I suffer from anxiety and noise nuisance when resting for work day ahead would be detrimental to my health.

I would therefore like to propose that license be granted as either:

1) Sunday - Thursday until 22:00 hrs

2) with the limitation that music production ceases at Sunday - Thursday no later than 22:00 hrs.

Thank you for considering my representation.

Kind regards,

David Tausinger

Mohshin Ali Senior Licensing Officer Licensing and Safety Team Environmental Health & Trading Standards Communities Directorate Tower Hamlets Town Hall 160 Whitechapel Road London E1 1BJ



Ragged School Museum 46-50 Copperfield Rd London E3 4RR

Dear Mohshin Ali

New premises licence application, the Ragged School Museum - Response to Mr David Tausinger

We welcome the opportunity to respond to Mr Tausinger's representations and understand his concerns. The Trustees of the Ragged School Museum assure Tower Hamlets councillors we intend to maintain the good relations we have established with neighbours, both residential and commercial, on Copperfield Road and on Grand Union Place as we have for over 30 years.

1. Background.

The Ragged School Museum, an independent charitable trust, opened in 1990. In a typical year around 18,000 KS1 & KS2 primary school children visit for a Victorian Lesson, many schools return year after year. A major renovation, funded by the National Lottery Heritage Fund and other major foundations, was completed in June after 12 years of planning, fund-raising and extensive building works.

- The Museum has no core public funding and the NLHF project created the opportunity to develop two new income streams to support our operations. One was a lettable space now rented out to a local business, the other is the Ragged Café, a small café and bar, a new service for residents and museum visitors.
- The designated premises supervisor, David Hughes is an experienced operative having held his licence since 2003 and has been responsible for several properties including the Chelsea Physic Garden and Brands Museum, both have exterior spaces in residential areas.
- We applied for a licence to cover events to include cinema, dance and music. We have held events for many years including the Ragged Music Festival. They attracted good reviews and no complaints. These events happen occasionally. <u>www.raggedmusicfestival.co.uk/stories</u>.

2. To answer Mr Tausinger's Representations.

- a) "There are number of residential properties in close vicinity of the Premises. Residents have the right for quiet enjoyment of their homes without undue noise nuisance. License granted as requested would create a continuous noise nuisance to number of residential properties."
 - There is no evidence to support this. We have run events, exhibitions, filming and photoshoots without complaints. Since the Café opened in June we did not sell alcohol but we did operate on TENS licences at weekends over last summer with no problem.
 - Now the café is open the increase of activity on the Canal side has made life quieter as
 groups of young people don't gather under 'Victory Bridge'. The Museum has CCTV on the
 front and rear of the building to deter hooliganism. It has a noise monitor to record sound
 level data inside and outside the building. Late evening exit for diners will be via the
 Copperfield Road entrance, and we have also agreed a maximum number of smokers outside
 the premises with the council officers.

- The LBTH Ecology Pavilion is a similar operation in Mile End Park, holding events and weddings for a greater number of guests than the Ragged School Museum. It has an alcohol licence and is available from 9am till 1am in the morning 7 days a week, exceeding the hours of the Ragged School Museum.
- b) "During work week residents, including young children, require quiet time at end of the day. Weekends are days of rest where residents require rest undisturbed by noise".

The Café has been open since June, setting up portable tables on the canal side and there have been no complaints about noise or bad behaviour. During the Winter and early Spring months (November – May) the café will generate little activity on the Canal frontage.

- c) "There is primary school in close vicinity. The canal walk along the Premises and public park facing it are frequently used by families for recreation. Sale of alcohol off premises would expose children to drunken behaviour and gatherings of intoxicated people in public recreation space. I propose to not grant license for sale of alcohol off premises."
 - Schools are found in many urban residential areas, often close to off-licences. The local primary school has four off-licences closer to it than the museum where cut-price alcohol is available.
 - The sale of alcohol by 'off sales' was a service suggested by local residents where café customers can purchase specialist wines and beers to take home. Our pricing level will deter purchases by binge drinkers.

As we've stated earlier, we appreciate Mr Tausinger's range of concerns, but feel they are unfounded as regards the current or past activities of the Ragged School Museum, we know that some problems affect us all but derive from other sources in the area.

Kind Regards

Erica Davies, Director Ragged School Museum

Mohshin Ali

From:	Kieran.Wells
Sent:	13 September 2023 12:40
To:	Licensin
Cc:	Piers Erica
Subject:	FW: Ragged School Museum.
Follow Up Flag:	Follow up
Flag Status:	Completed

Dear Licensing.

As stated below, the applicant is happy for these conditions to be added/amended, based on this we have no objections to the license application for the premises.

Kind Regards,

Kieran.



From: Piers

Sent: 07 September 2023 09:21

To: Wells Kieran - CE-CU

Cc: 'Erica Davies'

Subject: RE: Ragged School Museum.

Dear Kieran

We are happy for these to be included.

The CCTV system is already in place. The incident log is already in place We will update the work practices to ensure all aspects you suggest are in place. Many thanks for your assistance.

Apologies for misdialling you yesterday.





From: Erica Davies
Sent: Wednesday, September 6, 2023 12:50 PM
To:
Subject: FW: Ragged School Museum.

From: <u>Kieran.Wells</u> Sent: Tuesday, September 5, 2023 10:44 AM To: Erica Davies Cc: <u>Licensing@towerhamlets.gov.uk</u> Subject: FW: Ragged School Museum.

Hi Erica,

Following on from our previous conversation yesterday, with regards to your license application and in respect of the licensing objectives, can the following amendments/additions be considered to your current licensing application so that your application is in line with the standards set out by the Licensing Act 2003 and Tower Hamlets Licensing Policy 2018-2023 and meetings the four licensing objectives:

Crime and Disorder

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All

recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.

- 2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- 3. 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.
- 4. 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.
- 5. 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.

Protection of Children from Harm

- 6. 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.
- 7. 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.

If you have no objections to these changes to the application please email back letting me know and if you would like to discuss the wording at all or talk about adding/removing conditions please let me know and I can call/email with regards to the details.

Kind Regards,

Kieran.



NOTICE - This email and any attachments are solely for the intended recipient and may be confidential. If you have received this email in error, please notify the sender and delete it from your system. Do not use, copy or disclose the information contained in this email or in any attachment without the permission of the sender. Metropolitan Police Service (MPS) communication systems are monitored to the extent permitted by law and any email and/or attachments may be read by monitoring staff. Only specified personnel are authorised to conclude binding agreements on behalf of the MPS by email and no responsibility is accepted for unauthorised agreements reached with other personnel. While reasonable precautions have been taken to ensure no viruses are present in this email, its security and that of any attachments cannot be guaranteed.

NOTICE - This email and any attachments are solely for the intended recipient and may be confidential. If you have received this email in error, please notify the sender and delete it from your system. Do not use, copy or disclose the information contained in this email or in any attachment without the permission of the sender. Metropolitan Police Service (MPS) communication systems are monitored to the extent permitted by law and any email and/or attachments may be read by monitoring staff. Only specified personnel are authorised to conclude binding agreements on behalf of the MPS by email and no responsibility is accepted for unauthorised agreements reached with other personnel. While reasonable precautions have been taken to ensure no viruses are present in this email, its security and that of any attachments cannot be guaranteed.

Mohshin Ali

From:	Licensing
Sent:	15 November 2023 12:24
То:	Mohshin Ali
Subject:	FW: 164067-162152 RE: The Ragged School Museum 36/50 Copperfield Road,
	London E3 4RR Premises Licence.

From: Onuoha Olere <		
Sent: Wednesday, November 15	, 2023 8:35 AM	
To: 'Piers		; Licensing <licensing@towerhamlets.gov.uk></licensing@towerhamlets.gov.uk>
Cc: MARK.J.Perry	; Mohshin Ali	; Nicola Cadzow
<		

Subject: RE: 164067-162152 RE: The Ragged School Museum 36/50 Copperfield Road, London E3 4RR Premises Licence.

Dear Licensing

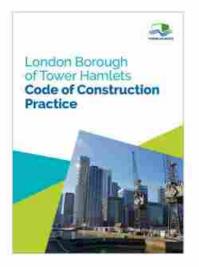
Upon review of the application and my inspection of the area for the license application for The Ragged School Museum 36/50 Copperfield Road, London E3 4RR, with particular attention to the licensing objective for the prevention of public nuisance, <u>I do not object to this application</u>. I am satisfied with the conditions listed therein and the ones subsequently agreed on in the application for the prevention of public nuisance.

Kind regards

Olere

Onuoha OLERE **Environmental Protection Officer** Environmental Health & Trading Standards Communities Directorate 4th Floor, Tower Hamlets Town Hall 160 Whitechapel Road London, E1 1BJ Phone –

For administrative reasons and to help us manage our cases more effectively, please direct future emails to our enquiries email address <u>environmental.protecton@towerhamlets.gov.uk</u> That way, they are logged automatically and we can pick up from within the system. When they come into our Inboxes, our responses are delayed due to other internal email traffic.



Construction Code of Practice 2023

 Development with Planning Permission granted and subject to Planning Conditions issu adoption of the new Code will continue to operate under the conditions for working he 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 Plann required to adhere to working hours as set out above and in the Code of Construction

s61 Agreement required for works on Saturdays, Sundays, Bank Holidays, or Public Holi

- Developments seeking amendments to Planning Approvals issued prior to 26th April 20 Working Hours imposed if relevant to the details being amended.
- · For more information, please click on the cover page of the Code of Construction Pract

Section 61 consent

To apply for all Control of Pollution Act 1974 Section 61 consents, dispensations and variations please apply here: <u>https://www.towerhamlets.gov.uk/lgnl/environment_and_waste/environmental_health/pollution/Guidance-for-Section-61-Applications.aspx</u>

Click here to see the Tower Hamlets Noise

map: <u>https://towerhamlets.maps.arcgis.com/apps/webappviewer/index.html?id=ab567dca90424100b0026259e44</u> 7d911



www.towerhamlets.gov.uk

From: Piers

Sent: Tuesday, November 14, 2023 12:30 PM

To: Onuoha Olere <

Subject: RE: 164067-162152 RE: The Ragged School Museum 36/50 Copperfield Road, London E3 4RR Premises Licence.

We agreed to Nichola Cadzow's request earlier and are still happy to agree. We understand the requirement to avoid public nuisance and have take steps to both monitor noise and mitigate it.

We are happy that the Sunday hours as you prefer.

Many thanks for your help

Piers

From: Onuoha Olere

Sent: Tuesday, November 14, 2023 11:29 AM

; environmental.protecton@towerhamlets.gov.uk

Cc: Licensing <<u>Licensing@towerhamlets.gov.uk</u>>; <u>MARK.J.Perry@met.police.uk</u>; Mohshin Ali >; Nicola Cadzow

Subject: 164067-162152 RE: The Ragged School Museum 36/50 Copperfield Road, London E3 4RR Premises Licence.

Hi Piers,

To: 'Piers

Thank you for your email.

See my response below -

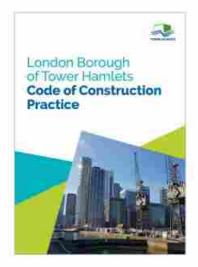
- Are you agreeing to the conditions as per previous application and email with my colleague Nicola Cadzow? Please advise, as we will have to consider a representation to the new application for prevention of public nuisance under the Licensing Act 2003.
- 2. We do not set decibel levels a noise management plan may be necessary as to how you are going to mitigate noise and not create public nuisance. Noise is assessed subjectively, and time of the day are one of the determining factors.

Olere

Onuoha OLERE **Environmental Protection Officer** Environmental Health & Trading Standards Communities Directorate 4th Floor, Tower Hamlets Town Hall 160 Whitechapel Road London, E1 1BJ

Phone –

For administrative reasons and to help us manage our cases more effectively, please direct future emails to our enquiries email address <u>environmental.protecton@towerhamlets.gov.uk</u> That way, they are logged automatically and we can pick up from within the system. When they come into our Inboxes, our responses are delayed due to other internal email traffic.



Construction Code of Practice 2023

 Development with Planning Permission granted and subject to Planning Conditions issu adoption of the new Code will continue to operate under the conditions for working he 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 Plann required to adhere to working hours as set out above and in the Code of Construction

s61 Agreement required for works on Saturdays, Sundays, Bank Holidays, or Public Holi

- Developments seeking amendments to Planning Approvals issued prior to 26th April 20 Working Hours imposed if relevant to the details being amended.
- For more information, please click on the cover page of the Code of Construction Pract

Section 61 consent

To apply for all Control of Pollution Act 1974 Section 61 consents, dispensations and variations please apply here: <u>https://www.towerhamlets.gov.uk/lgnl/environment_and_waste/environmental_health/pollution/Guidance-for-Section-61-Applications.aspx</u>

Click here to see the Tower Hamlets Noise

map: <u>https://towerhamlets.maps.arcgis.com/apps/webappviewer/index.html?id=ab567dca90424100b0026259e44</u> 7d911



www.towerhamlets.gov.uk

 From: Piers

 Sent: Friday, November 10, 2023 2:23 PM

 To: environmental.protecton@towerhamlets.gov.uk; Onuoha Olere

 Cc: Licensing <Licensing@towerhamlets.gov.uk>; MARK.J.Perry

 Subject: The Ragged School Museum 36/50 Copperfield Road, London E3 4RR Premises Licence.

I am responding to your email dated 3rd November 2023. I have been speaking to our solicitors who have asked for some clarification.

You requested an undertaking that

1. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a public nuisance.

And requested clarification.

2. Also, please can you confirm that the sale of alcohol on Sundays is till 23:00 hours? Your application states midnight for the sale of alcohol, however, your closing hours on your application for Sundays is 23:00 hours.

Is there a maximum decibel level that is accepted not to be a public nuisance. If not, how is it monitored? We have noise meters fitted in the building which register internal and external noise. Can we I assume it considers the background noise level and the time of day.

Being a Grade II listed building has meant we were not able use double glazing. I am conscious that even our school parties can make substantial noise.

We are happy to accept either the premises may be open till 00.00hrs or the license is until 23.00hrs. Sunday evenings are not normally popular and we would close even earlier if there are no customers. The intention was to standardise the hours so there were no errors.

Many thanks



PIERS STURRIDGE CONSULTANCY

Mohshin Ali

From: Sent: To: Cc: Subject:	Nicola Cadzow 14 Se tember 2023 15:53 piers Licensing Erica Davies; 162152 New premises license application for Ragged School Museum 46-50 Copperfield Road, London
Follow Up Flag:	Follow up
Flag Status:	Completed

Good afternoon Piers,

Many thanks for your prompt response.

Licensing, please take this as my withdrawing of my holding objection, following agreement by the applicant to the following noise conditions:

- 1. Loudspeakers shall not be located in the entrance lobby, or outside the premise building nor on ceilings. And anti-vibration mounts used is speakers attached to the walls
- 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 8 persons at any one time.

Kind regards

Nicola Cadzow Environmental Protection Officer Communities Directorate

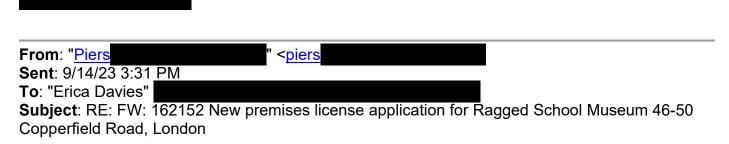
From: Piers		
Sent: Thursday, September 14,	023 3:37 PM	
To: Nicola Cadzow	>; Erica Davies	
<erica.davies< td=""><td>>;</td><td></td></erica.davies<>	>;	
Cc: Erica Davies		
Subject: FWD: RE: FW: 162152	ew premises license application for Ragged School Museum 46-50 Copperfield	

Road, London

Not a problem we are happy to agree to all the below It comes under best practice. Many thanks

Piers Sturridge Ragged School Museum

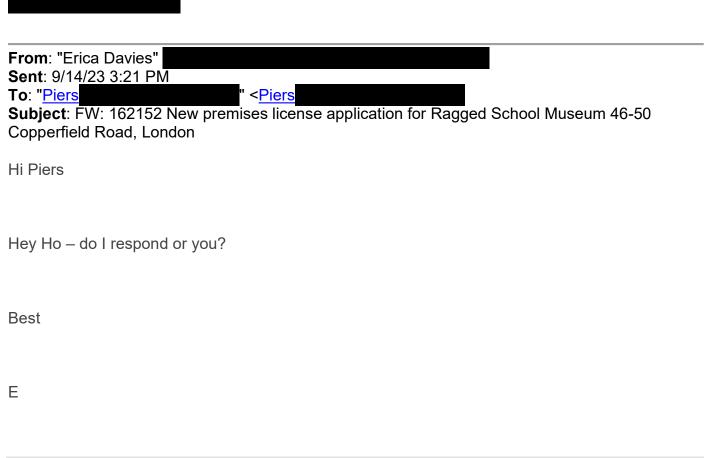
Piers Sturridge Consultancy

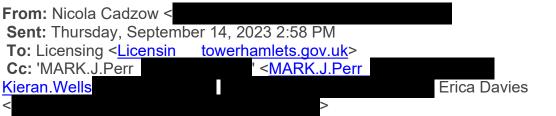


Not a problem we are happy to agree. It comes under best practice. Many thanks

Piers Sturridge Ragged School Museum

Piers Sturridge Consultancy





Subject: 162152 New premises license application for Ragged School Museum 46-50 Copperfield Road, London

Good afternoon Licensing,

Please take this as my holding representation to the new premises license application for Ragged School Museum 46-50 Copperfield Road, London, ref 162152, as there is insufficient conditions in the operating schedule of the license application to show how the applicant will promote the licensing objective for the prevention of public nuisance.

I am willing to withdraw my objection if the applicant can confirm agreement to the following noise conditions:

- 1. Loudspeakers shall not be located in the entrance lobby, or outside the premise building nor on ceilings. And anti-vibration mounts used is speakers attached to the walls
- 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 8 persons at any one time.

Kind regards

Nicola Cadzow

Environmental Protection Officer

Communities Directorate

Environmental Health and Trading Standards

4th Floor, Tower Hamlets Town Hall

160 Whitechapel Road

London, E1 1BJ

Noise while the premise is in use

General Advice

If they conclude this is a problem Members should consider whether it is possible to carry out suitable and proportionate noise control measures so that noise leakage is prevented. In addition Members may consider that only certain activities are suitable.

The hours of operation also need to be considered (see below). If Members believe that there is a substantial problem of noise while the premises are in use and it cannot be proportionately address by licensing conditions they should refuse the application.

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. (See Sections 11.1 of the Licensing Policy). While all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. (See Section 11.4).

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. (See Section 11.2 of the Licensing Policy).

The Licensing Authority will consider attaching conditions to prevent nuisance. In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a "beer garden", or restricted in their use to 9pm or limiting numbers
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly
- Conditions controlling the use of explosives, pyrotechnics and fireworks
- Conditions controlling the placing of refuse
- Conditions controlling noxious smells
- Conditions controlling lighting (this needs to be balanced against potential crime prevention benefits)
- Measures to prevent noise/fumes from engines, drivers (including smoking),
- Measures to prevent obstruct access to properties, pavements. Measure to reduce the impact of people noise on residents

Police Powers

Part 8 of the Licensing Act 2003 enables a senior police officer to close down a premises for up to 24 hrs where public nuisance is being caused by noise coming from the premises and the closure of the premises is necessary to prevent that nuisance.

<u>Guidance Issued under Section 182 of the Licensing Act 2003</u> The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community (2.15).

Licence conditions should not duplicate other legislation (1.16). Necessary and appropriate conditions should normally focus on the most sensitive periods (2.19) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder.

Other Legislation

The Environmental Protection Act 1990, Part 111 gives Environmental Health Officers the power to deal with statutory nuisances.

The Anti-social Behaviour Act 2003, Sections 40 and 41 give Environmental Health Officers the power of closure up to 24 hours in certain circumstances.

Access and Egress Problems

Such as: Disturbance from patrons arriving/leaving the premises on foot Disturbance from patrons arriving/leaving the premises by car Lack of adequate car parking facilities Close proximity to residential properties

Comment

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

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

General Advice

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

The hours of operation also need to be considered.

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

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. (See Section 11 of the Licensing Policy).

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. (See Section 11.2 of the Licensing Policy).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 16.1**).

However, while all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. (**See Section 16.6**)

The Council has adopted a set of framework hours (**See 16.8 of the licensing policy**). This relates to potential disturbance caused by late night trading.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Pool of Conditions (**See Appendix 3 of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

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

Guidance Issued under Section 182 of the Licensing Act 2003

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

Licence conditions should not duplicate other legislation (1.16).

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

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

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks

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

Underage Drinking or Other Harm to Minors

General Advice

If Members hear evidence that gives them cause for concern in relation to the licensing objective of protecting children from harm, and provided it is proportionate they should consider a licence condition that all under 18 year olds are excluded, and that a registered door supervisor is employed to check the age of all customers. This should be done where the activities to be carried on, previous history or lack of effective management justifies it.

There are also other licensing conditions that may be appropriate, as explained below. This may be appropriate where the premises may have children present and it is not primarily a place for consuming alcohol. For example a restaurant or a Cinema.

Of course, it is not necessary to restate the existing law in relation to any licensing conditions.

Licensing Policy

The policy recognises that children need to be protected (See Section 12 of the Licensing Policy).

The policy expects licence holders to tackle child sexual exploitation and ensure they and their employees have basic awareness of the signs of CSE and how to report it.(**12.2**)

The Licensing Policy expects applicants to have sought appropriate advice from the designated Child Protection Agency. (See 12.3).

The following are examples of premises that will raise concern:

- Where there have been convictions 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
- (See 12.5).

The policy expects all licence holders to comply with the Portman Group Code of Practice, and in particular the Retailer Alert Bulletin. (See Section 12.9)

The Licensing Authority expects all applicants who are supplying alcohol to have addressed the issues relating to the protection of children from harm and to have robust measures in place to protect children. (**See Section 12.10**)

The Licensing Authority will consider attaching conditions to protect children and these may include Conditions drawn from the Model Conditions (**See Appendix 3 of the Licensing Policy**). In particular Members may wish to consider the following: (this list is not exhaustive):

- Restricting access to premises where heavy or binge or underage drinking is a problem
- Restricting access where significant gambling, or adult entertainment is an issue
- There is a general presumption that where the public are allowed on a premises after 11pm children under 12 will not be allowed unaccompanied by an adult (for example a supermarket)-the applicant can however rebut this
- Restrictions may be applied at particular times, for example when adult entertainment takes place or "happy hours"
- Age restrictions that apply to cinema performances
- Age restrictions for theatres where the entertainment is "adult"
- Conditions relating to the safety of children at performances, or as performers-such as venue, fire safety, special effects and dangerous equipment
- The Portman Code relating to the naming, packaging and promotion of alcoholic drinks
- Age verification policy
- Online delivery measures

Licensing Act 2003 (Part 7)

The Licensing Act 2003 only permits under 16 years olds onto premises exclusively or primarily used for the supply of alcohol when accompanied by adults.

Children under 16 years old must be accompanied by an adult to be present between midnight and 5am on all premises supplying alcohol.

Restaurants may serve wine, beer or cider for consumption to 16-18 year olds with a meal-this is the only significant exception to the prohibition of selling alcohol to minors, and the purchase itself must be by an adult.

The Licensing Act 2003 makes it a criminal offence to serve alcohol to minors (there is however a defence of due diligence). Applicants are always free to exclude minors if they wish to do so.

Other Legislation

The Children (Performances) Regulations 1968 sets out the requirements for protecting child performers

Inappropriate Underage Admissions

General Advice

No applicant can by forced by the Licensing Authority to admit minors. Some premises that are concerned about underage admissions may adopt, for example over 21 only. This is entirely a matter for the applicant's discretion. Members however should exclude minors where they think the activities on the premises are of an adult nature, or otherwise likely to cause harm to children. Members should also consider effective management of any prohibition, and the extent of any ban.

For example, suppose a public house has a "blue revue" on a Friday night which is not suitable for minors. They should be excluded from a suitable time before the performance, notices put up, and a registered door supervisor employed to check ages. If no such entertainment occurs at other times, however, minors can be admitted again on Saturday.

A "gentleman's club" however should have a permanent, effectively enforced ban on minors.

Note: this must not be an attempt at censorship by the back door.

Licensing Policy

The Licensing Policy expects applicants to have sought appropriate advice from the Area Child Protection Agency. (See 9.3).

The following are examples of premises that will raise concern:

- Where there have been convictions 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 (See 9.4).

The Licensing Authority expects the applicant to have addressed the issues relating to the protection of children from harm, and to have robust measures in place to protect children. (**See Section 9.9**).

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Pool of Conditions relating to the Protection of Children from Harm. (**See Appendix 2 Annex H of the Licensing Policy**). In particular Members may wish to consider the following: (this list is not exhaustive):

- Restricting access to premises where heavy or binge or underage drinking is a problem
- Restricting access where significant gambling, or adult entertainment is an issue
- There is a general presumption that where the public are allowed on a premises after 11pm children under 12 will not be allowed unaccompanied by an adult (for example a supermarket)-the applicant can however rebut this
- Restrictions may be applied at particular times, for example when adult entertainment takes place or "happy hours"
- Age restrictions that apply to cinema performances
- Age restrictions for theatres where the entertainment is "adult"
- Conditions relating to the safety of children at performances, or as performers-such as venue, fire safety, special effects and dangerous equipment
- The Portman Code relating to the naming, packaging and promotion of alcoholic drinks

<u>Cinemas</u>

The Licensing Authority requires that all films shown in Cinemas have an age classification. Normally this will be from the BBFC, but the Licensing Authority will also classify films itself. **(See 10.1-3).**

Licensing Act 2003

The Act, in Section 20 imposes a mandatory term in relation to the exhibition of films, that the admission of children must be restricted as required by the film classification body.

Section 22 specifically prohibits the censorship of plays, (there are similar provisions for clubs).

Guidance Issued under Section 182 of the Licensing Act 2003

The model pool of conditions adopted by the Council's Licensing Policy relating to the protection of children from harm is approved.

The Guidance states :" 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" (2.21)

The Government believes that it is completely unacceptable to sell alcohol to children (2.22).

It is recognised that it may be appropriate, as expressed in Tower Hamlets' Licensing Policy to exclude children in certain circumstances (Annex H of the Policy).

The Government expects that representation from Child Protection bodies or the Police will be given "considerable weight" (2.28).

Films are to be classified and restricted (13.55).

Planning

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

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 16.8 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 16.9 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