

Notice of Meeting

LICENSING SUB-COMMITTEE

**Tuesday, 27 October 2020 - 6:00 pm
Meeting to be held virtually**

Members: Cllr Moin Quadri (Chair); Cllr Faraaz Shaukat and Cllr Peter Chand

Date of publication: 19 October 2020

Claire Symonds
Acting Chief Executive

Contact Officer: Claudia Wakefield
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Please note that this meeting will be webcast, which is a transmission of audio and video over the internet. To view the webcast click [here](#) and select the relevant meeting (the weblink will be available at least 24-hours before the meeting).

AGENDA

- 1. Apologies for Absence**
- 2. Declaration of Members' Interests**

In accordance with the Council's Constitution, Members are asked to declare any interest they may have in any matter which is to be considered at this meeting.

LICENSING MATTERS

The following are to be heard under the Licensing Act 2003 in line with relevant procedure.

Licensing Policy and Statutory Guidance April 2018

Premises Licence Applications and Variations - Procedure

Ward

Thames

3. **Licensing Act 2003 – Tay Tan Caravan Café, 13a (Car Park Bays 1, 2 and 5) River Road, Barking (Pages 7 - 45)**
4. **Any other public items which the Chair decides are urgent**
5. **To consider whether it would be appropriate to pass a resolution to exclude the public and press from the remainder of the meeting due to the nature of the business to be transacted.**

Private Business

The public and press have a legal right to attend Council meetings such as the Licensing Sub-Committee, except where business is confidential or certain other sensitive information is to be discussed. The list below shows why items are in the private part of the agenda, with reference to the relevant legislation (the relevant paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 as amended). ***There are no such items at the time of preparing this agenda.***

6. **Any other confidential or exempt items which the Chair decides are urgent**

Our Vision for Barking and Dagenham

ONE BOROUGH; ONE COMMUNITY; NO-ONE LEFT BEHIND

Our Priorities

Participation and Engagement

- To collaboratively build the foundations, platforms and networks that enable greater participation by:
 - Building capacity in and with the social sector to improve cross-sector collaboration
 - Developing opportunities to meaningfully participate across the Borough to improve individual agency and social networks
 - Facilitating democratic participation to create a more engaged, trusted and responsive democracy
- To design relational practices into the Council's activity and to focus that activity on the root causes of poverty and deprivation by:
 - Embedding our participatory principles across the Council's activity
 - Focusing our participatory activity on some of the root causes of poverty

Prevention, Independence and Resilience

- Working together with partners to deliver improved outcomes for children, families and adults
- Providing safe, innovative, strength-based and sustainable practice in all preventative and statutory services
- Every child gets the best start in life
- All children can attend and achieve in inclusive, good quality local schools
- More young people are supported to achieve success in adulthood through higher, further education and access to employment
- More children and young people in care find permanent, safe and stable homes
- All care leavers can access a good, enhanced local offer that meets their health, education, housing and employment needs
- Young people and vulnerable adults are safeguarded in the context of their families, peers, schools and communities

- Our children, young people, and their communities' benefit from a whole systems approach to tackling the impact of knife crime
- Zero tolerance to domestic abuse drives local action that tackles underlying causes, challenges perpetrators and empowers survivors
- All residents with a disability can access from birth, transition to, and in adulthood support that is seamless, personalised and enables them to thrive and contribute to their communities. Families with children who have Special Educational Needs or Disabilities (SEND) can access a good local offer in their communities that enables them independence and to live their lives to the full
- Children, young people and adults can better access social, emotional and mental wellbeing support - including loneliness reduction - in their communities
- All vulnerable adults are supported to access good quality, sustainable care that enables safety, independence, choice and control
- All vulnerable older people can access timely, purposeful integrated care in their communities that helps keep them safe and independent for longer, and in their own homes
- Effective use of public health interventions to reduce health inequalities

Inclusive Growth

- Homes: For local people and other working Londoners
- Jobs: A thriving and inclusive local economy
- Places: Aspirational and resilient places
- Environment: Becoming the green capital of the capital

Well Run Organisation

- Delivers value for money for the taxpayer
- Employs capable and values-driven staff, demonstrating excellent people management
- Enables democratic participation, works relationally and is transparent
- Puts the customer at the heart of what it does
- Is equipped and has the capability to deliver its vision

Licensing Policy and Statutory Guidance

LBBB LICENSING POLICY

<https://www.lbbd.gov.uk/sites/default/files/attachments/Licensing-Act-2003-Policy-2017-22.pdf>

APRIL 2018 AMENDED STATUTORY GUIDANCE – S182 OF THE LICENSING ACT 2003

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/702660/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

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Licensing Sub Committee Procedure for Premises Licence Applications (and Variations)

1. All Parties introduced to the Sub Committee
2. The Procedure is read out.
3. The Licensing Officer will present the application.
4. Objectors that have made valid representations will be invited to speak. Statutory consultees (e.g. the Police, Fire Brigade etc.) will be invited to speak before any other objectors to the application. In the case of members of the public and other interested parties (for example: elected representatives acting on behalf of their constituents; local residents; interested organisations etc) who have made valid representations, they must have given notice of their intention to speak by 12.00 noon on the day before the Sub Committee meeting and will be given a target time of three minutes (or, at the discretion of the Chair, longer). Statutory consultees that have made valid representations are not required to register to speak at the meeting.
5. The Applicant will be given the opportunity to respond to the objections.
6. The Sub Committee Members may, through the Chair, ask questions of the applicant / objectors / officers / other attendees at any time if they require clarification of what is being said or if they need general information in order to assist them in their considerations.
7. The Sub Committee will retire to consider its decision in private.
8. On returning, the Chair will announce the decision.

Notes

- Sub Committee Members should commit to stay for the duration of the meeting in order to ensure that the required quorum is maintained and the business is transacted.
- While each application is considered, Sub Committee Members should be in attendance for the entire period and should not leave the room at any time without the express permission of the Chair. With the Chair's agreement, the meeting will be adjourned until all Members are ready to recommence the hearing. Any Member leaving the meeting while it is ongoing will be precluded any further involvement in that application.
- A Sub Committee Member arriving late will not be able to take part in the consideration and decision-making process for any application to which he/she has not been in attendance for the entire period.
- The Council Licensing Policy for Licensing Act 2003 applications requires that Members of the Sub Committee will not hear cases that relate to premises in their own Ward.

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LICENSING SUB-COMMITTEE**Tuesday 27th October 2020**

Title: Licensing Act 2003 – Tay Tan Caravan Café, 13a (Car Park Bays 1, 2 and 5) River Road, Barking, IG11 0HE	
Report of the Service Manager Public Protection, Regulatory Services	
Open Report	For Decision
Wards Affected: Thames	Key Decision: No
Report Author: Theo Lamptey, Service Manager Public Protection, Regulatory Services	Contact Details: Tel: 020 8227 5655 E-mail: theo.lamptey@lbbd.gov.uk
Accountable Director: Andy Opie, Operational Director, Enforcement Services	
Accountable Strategic Director: Fiona Taylor, Director of Law and Governance	
<p>Summary</p> <p>An application for a new premises licence has been made by Miss Tanem Djoshkun in respect of the Tay Tan Caravan Café situated in car park bays 1, 2 and 5 at 13a River Road, Barking.</p> <p>The application is subject of two representations received from the Metropolitan Police Licensing Officer for the area and the Licensing Authority’s Responsible Authority Officer.</p> <p>The matter is put to the Licensing Sub-Committee for determination at a public hearing, accordingly</p>	
<p>Recommendation</p> <p>That the Sub-Committee considers the content of this report and related appendices, together with any oral submissions given at the hearing, and determines the application.</p>	
<p>Reason(s)</p> <p>Under the Licensing Act 2003, the Council as Licensing Authority, has a duty to consider and determine each valid application submitted.</p>	

1. Introduction and background

1.1 The Licensing Act 2003 (the “Act”) established the national licensing regime for:

- The sale and supply of alcohol
- Regulated entertainment
- Late night refreshment

- 1.2 Under the Act, any person wishing to use any premises to provide one or more of the above licensable activities must firstly obtain a premises licence from the local licensing authority for the area. If the licence is intended to include the sale and supply of alcohol, then the licence must name a 'Designated Premises Supervisor' (DPS) who holds a personal licence issued by the local licensing authority for the area within which they live.
- 1.3 Applications for premises licences are made subject to public consultation. During the consultation period, it is open to any 'responsible authority' or 'other person' to make representations concerning the application. Representations must relate to one or more of the four licensing objectives. These are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 1.4 Where representations are received, and are neither conciliated nor withdrawn, then the local licensing authority must hold a public hearing to determine the application.

2. Application under consideration

- 2.1 On 2 September 2020, Miss Tanem Djoshkun made an application for a new time-limited premises licence in respect of the premises known as the Tay Tan Caravan Café, proposed to run until 16 July 2021, though indication is given that, if granted, this may be extended in due course.
- 2.2 The application describes the premises as a 'caravan café'. It comprises of a stationary mobile vehicle located in car park bays 1, 2 and 5 outside of A C C Garage Services Ltd at 13a River Road, Barking, IG11 0HE.
- 2.3 The application seeks to enable the premises to provide late night refreshment between the hours of 23.00 and 05.00 each Friday and Saturday night. The premises normal hours of operation is currently from 08.00 to 18.00 seven days a week. The premises serve take-away hot food and drink. The premises does not sell alcohol and the application does not seek to permit this.
- 2.4 A copy of the application is attached as Appendix A to this report. Section 18 of the application briefly sets out the range of measures proposed by the applicant to promote the four licensing objectives and to form the basis of the conditions of any licence granted. The application also incorporates a hand drawn plan and photographs showing the location of the premises.

3. Representations

- 3.1 Two representations have been received in respect of this application. One from the Metropolitan Police Licensing Officer and one from the Licensing Authority Responsible Authority Officer.

Police representation

3.2 The representation received on behalf of the police licensing officer is made under the licensing objectives of public safety and the prevention of nuisance. The representation raises concerns that the premises operation could be a source of nuisance and disturbance to local residents and that the location of the premises, positioned as it is close to passing traffic could put users at risk, particularly later in the night. This representation is attached as Appendix B to this report.

Licensing Authority Responsible Authority Officer representation

3.3 The representation received on behalf of the licensing authority responsible authority officer is made under the same two licensing objectives and raises similar concerns. This representation is attached as Appendix C to this report.

Conciliation

3.4 In view of the concerns raised under their respective representations both responsible authorities propose that any licence granted should be restricted to 00.00 initially to enable opportunity to demonstrate that it may operate without giving rise to the envisaged concerns. Both also support the adoption of more developed licence conditions. To this effect a set of conditions were proposed during the consultation period to the applicant by the police by way of an email dated 7 September 2020. This email is attached as Appendix D. The proposed conditions cover matters such as

- Staff training
- CCTV provision
- A zero tolerance to drugs
- Incident and refusals books
- Requirement for clearance of rubbish
- Limitations on hours of waste collection
- Checks and maintenance of electrical equipment and installations
- Fire-risk assessment
- 'Please be respectful of local residents' signage
- No unaccompanied children after 21.00

3.5 The proposed conditions are supported by the licensing authority responsible authority officer. They have also been accepted by the applicant by way of email dated 7 September 2020 which is attached as Appendix E.

3.6 Miss Djoshkun does not, however, accept the proposal to restrict the extent of the operating hours applied for. Miss Djoshkun's agent's email of 2 October 2020 gives the reasoning for this. A copy is included with this report at Appendix F.

3.7 Through the application it has been intimated that the applicant intended that the Tay Tan would primarily benefit from trade generated by the nearby operation of a licensed shisha bar holding a late licence. During the consultation process the holder of the premises licence in respect of the shisha bar indicated that given the operating restrictions placed upon it during the Covid-19 pandemic the premises would close and cease to operate. This has been brought to the attention of Miss Djoshkun.

Covid-19 restrictions

- 3.8 The Government's current covid-19 business operating restrictions currently apply to the Tay Tan Caravan Café also. These restrictions mean that, even if a premises licence with late operating hours should be granted, the premises will be required to close at 22.00 each evening until Government directions say otherwise. Customers of the premises must also abide by the 'rule of six'.

Map of the local area

- 3.9 A map of the local area is provided at Appendix G. The premises is located close to the junction of River Road and Alfred Way, on the edge of a light industrial estate, with residential accommodation close by.

4. Options Appraisal

- 4.1 The Sub-Committee is advised that the hearing is of a quasi-judicial nature and representations from all parties, both written and verbal, will form part of the matters that are to be considered.
- 4.2 The Sub-Committee is required to consider each application on its own individual merits with all relevant matters taken into account. Findings on issues of fact should be on the balance of probability.
- 4.3 Having considered the application, the representations and all relevant submissions, the Sub-Committee must decide what action is appropriate to promote the licensing objectives.
- 4.4 Any licence granted must be made subject to the mandatory licence conditions established by the Act and to conditions consistent with the measures proposed by the applicant to promote the licensing objectives (as amended by any conciliation process).
- 4.5 Any licence granted may be subject to additional conditions considered appropriate by the Sub-Committee to promote the licensing objectives.
- 4.6 In reaching its decision, the Sub-Committee must have regard to:
- The Act.
 - Secondary regulations.
 - The Guidance issued to Local Licensing Authorities by the Home Office (current version April 2018); and
 - The Barking and Dagenham Statement of Licensing Policy for 2017-2022.
- 4.7 The options open to the Committee are:
- To grant the application.
 - To refuse to grant the application; or
 - To grant the application subject to additional conditions.

4.8 In the event that any party is aggrieved by the decision of the Sub-Committee, they have the right to appeal the decision to the Magistrates Court. Appeals must be made within 21 days of notification of the Sub-Committee's decision.

5. Consultation

5.1 The application has been subject of public consultation in accordance with the statutory provisions. The application has been advertised by way of public notices placed in a local newspaper, displayed at the premises and published on the Council website. Notifications have been provided to all responsible authorities and ward councillors.

6. Legal Implications

Implications completed by Deirdre Collins, Prosecution Barrister, Law and Governance

6.1 The Council must have regard to:

- The Licensing Act 2003
- Subordinate Legislation
- S.182 Guidance
- Case Law
- LBBD Statement of Licensing Policy

Public Background Papers Used in the Preparation of the Report: None

List of appendices:

- Appendix A – Premises Licence Application including plan
- Appendix B – Police representation
- Appendix C – Licensing Responsible Authority Representation.
- Appendix D – Conditions proposed by police during consultation
- Appendix E – Email confirming acceptance of proposed conditions from applicant
- Appendix F – Agent response to proposal to limit operating hours sought
- Appendix G – Map of the local area

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Barking and Dagenham
Application for a premises licence
Licensing Act 2003

For help contact
licensing@bbd.gov.uk
Telephone: 020 8215 3000

* required information

Section 1 of 21

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

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

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Are you:

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

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

Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21

INDIVIDUAL APPLICANT DETAILS

Applicant Name

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

- Yes No

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

First name

Miss Tanem

Family name

Djoshkun

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

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

Yes

No

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

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

Yes

No

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

E-mail

Telephone number

Other telephone number

* Date of birth

dd mm yyyy

* Nationality

Documents that demonstrate entitlement to work in the UK

Right to work share code

Right to work share code if not submitting scanned documents

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?

/ /
dd mm yyyy

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

/ /
dd mm yyyy

Provide a general description of the premises

Continued from previous page...

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

caravan cafe and hot food

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes

No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

Yes

No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes

No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes

No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

Yes

No

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Continued from previous page...

Will you be providing recorded music?

Yes No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

N/A

State any seasonal variations

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

Apply for one year period end of the time we will ask for renewal

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

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

N/A

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes

No

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

Electronically, by the proposed designated premises supervisor

Continued from previous page...

As an attachment to this application

Reference number for consent form (if known)

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

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ADULT ENTERTAINMENT

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

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

N/A

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

State any seasonal variations

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

ae.pply for one year period,reason of landlord agreement,end of term we will renewall Licenc

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

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

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LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

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

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

b) The prevention of crime and disorder

We will work with local police.

c) Public safety

fire exit sigAppropriate fire safety procedures are in place along with applicances including fire extinguishers,fire blanket, All appliances are checked annually and comply with relevant British Standards.

d) The prevention of public nuisance

All waste generated by the premises will be dealt with appropriately.

Continued from previous page...

e) The protection of children from harm

- *The Premises are effectively and responsibly managed,
- *Provision of sufficient number of people employed or engaged.
- *Appropriate instruction training and supervision of those,

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

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

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

100.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

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 London Borough of Barking and Dagenham is committed to protecting your privacy when you use our services. This privacy notice explains how we use information about you and how we protect your privacy. Please follow the link for more information <https://www.lbbd.gov.uk/general-privacy-notice>

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

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

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

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

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

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

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

Continued from previous page...

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

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













13A River Road
Front of ACC GARAGE SERVICES
CAR PARK BAYS
1 and 2, 5
IG11 OHE



Licensing Authority
London Borough of Barking & Dagenham
1 Clockhouse Avenue
Town Hall Square
Barking
Essex
IG11 7LU

PC Owen Dunn PC2636EA
East Area Licensing Team
Romford Police Station
19 Main Road
Romford
Essex
RM1 3BJ
Telephone:
Email: Owen.Dunn@met.police.uk
www.met.police.uk

29/09/2020

**Subject: Objection Representation to a Lane Night Refreshment Premises
Licence at Tay Tan Permanent Caravan Cafe, 13a River Road, Barking IG11
0HE**

Dear Licensing Team,

On behalf of the Commissioner for Police of the Metropolis I wish to make a representation against the application for a temporary licence application submitted for a caravan to supply Late Night Refreshment at "Tay Tan Permanent Caravan Café", 13a River Road, Barking, IG11 0HE

The objection notice is submitted under the principal licensing objectives.

1. Public safety
2. Public nuisance

The reason for my objection, under prevention of crime and disorder, Public safety and Public nuisance is set out below.

Public Nuisance

Under Guidance issued under section 182 of Licensing Act 2003 subsections 2.15 to 2.21

The premises is situated within an industrial estate but there is a nearby residential area consisting of streets of houses and flats. This has the potential to have a very detrimental effect on the local community concerning noise nuisance both from the late night gathering at the venue, which is being requested until 0500hrs into Saturday and Sunday Mornings. This is likely to affect the residents of Craven Gardens and Waverley Gardens.

Further to this at 0500hrs the applicant has stated that reasoning behind the application is to attract the customers who go out at the weekend.

The type of clientele that the applicant is likely to be attracting in these circumstances are likely to be intoxicated. A gathering or beacon area for intoxicated individuals has the potential to lead to increased nuisance by persons in the street and potential for arguments and violent behaviour.

Public Safety

Under Guidance issued under section 182 of Licensing Act 2003 subsections 2.7

2.7 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health, which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption.

The venue also being next to a main road T-junction alongside the potential for intoxicated customer also poses the risk of pedestrian versus vehicle incidents to occur.

Should the clientele not be intoxicated and driving, this causes an increase in traffic related noise to local residents and their children in the early hours of the morning at a weekend.

Current Government measures are in place preventing people being in a group larger than six (6). It is not made clear how the applicant will ensure this won't be breached at his venue.

Government have also stated that hospitality venues are to cease trading and be closed from 2200hrs each evening. It would not be responsible and would be another breach for the applicant to trade till 0500hrs till the Government deem otherwise.

This has been due to the rise in COVID-19 case across the borough and as it stands that figure is still rising. Granting an application for a venue which entices people to gather in one small particular area would be irresponsible in the current climate.

The applicant has also rejected the Police advice for lowering their proposed hours of trading, stating that they wish to receive trade from a local Shisha lounge on the same road, whom also cannot trade into the late hours as per their licence due to the coronavirus regulations.

There does not seem to be a necessity to be trading till 0500hrs.

I object on the grounds of the above.

As this is a new application and the applicant is only submitting a time limit application to see how business goes. Then perhaps they should start with a terminal hour of 0000hrs (Midnight), on the weekends before attempting to expand further in the future, subject to government measures of course.

Regards,

**PC Owen Dunn 3326EA
East Area Licensing Team**

Dear Ms Taylor

I write with regard to the application by Miss Tanem Dijoshkun for a premises licence in respect of the above trading premises made so as to enable late night refreshment to be provided between 23.00 and 05.00 each Friday and Saturday night. My understanding is that the application is for a time-limited licence for 12 months. I also understand that the premises currently operate between 08.00 and 18.00 each day of the week under a street trading licence.

Having considered the application and the ongoing dialogue that has taken place between the applicant and the licensing police office, I would wish to lodge a representation on behalf of the local licensing authority under the prevention of public nuisance and public safety licensing objectives. My concerns are that

- The operation of the premises for late night refreshment has the potential to cause nuisance to local residents in nearby Waverley Gardens and Craven Gardens. The premises is intended to attract trade generated through the night by the local late licensed shisha bar and premises further afield. In doing so it will provide a focus point where people meet, eat and socialise. Operating through the night the likelihood that some of the customers may be under the influence of alcohol is heightened.
- Public safety concerns are raised by the premises location close to a T junction on River Road. There is little designated space for customers to congregate without risk of them gathering in the road making themselves vulnerable to passing traffic.

The current situation is further complicated by the Government's Covid-19 operating restrictions which currently prevent premises providing food and drink, including take-away, from remaining open beyond 22.00 each night and customers from gathering in groups larger than six. It is not currently possible to provide licensable late night refreshment under the circumstances envisaged and indication has been given by the Government that these restrictions may remain in place for 6 months or more, which in itself limits the potential operation of this time-limited licence.

If we return to the position where the provision of late night refreshment is once again possible, I would wish to see an earlier terminal hour imposed on any licence granted until midnight only to restrict the impact on local residents. I would also wish to see the conditions discussed and agreed in principle between the applicant and the police licensing office to be imposed on any licence.

Regards

Richard Parkins
Licensing Authority Responsible Authority Officer
Regulatory Services
London Borough of Barking and Dagenham
Barking Town Hall
Town Hall Square
Barking, IG11 7LU

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On 7 Sep 2020, at 13:33, Owen.Dunn@met.police.uk wrote:

Good Afternoon Cohan,

My concerns are that the hours are very late or into very early hours of the morning however you wish to look at it.

There are residents not too far from you on Waverley Gardens and Craven Gardens which could very easily be disturbed at such an hours when is should be reasonably quiet at that time.

You have stated that you want to attract people from the night time economy who will most likely be intoxicated.

Therefore having a congregational area of intoxicated people together can lead to further problems beyond Public Nuisance.

I would highly suggest applying for an hours not so late to begin with. Perhaps 0100 hours finish and see how you get on first.

Should there be a period of no incidents for example 3 months and there have been no issues then submit a variation to further your licensable hours.

I would also like you to consider the below conditions under their respective licensing objective;

GENERAL:

- All staff shall be suitably trained for their job function for the premises. The training shall be written into a programme ongoing and under constant review and shall be made available to a relevant responsible authority when called upon.

PREVENTION OF CRIME & DISORDER:

- A properly specified and fully operational CCTV recording system shall be installed, operated and maintained. The system shall be capable of providing an image which is regarded as 'identification standard' of all persons arriving and/or leaving the premises. The CCTV system shall be in operation at the premises at all times when the premises are used for the provision of licensable activity. All CCTV recordings shall be securely stored for a minimum of one calendar month. A staff member from the premises who can operate the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested. Signage indicating that a CCTV recording system is in operation shall be displayed prominently in the premises.
- The premises licence holder shall uphold a zero tolerance policy in relation to illegal drugs.
- A premises incident book shall be kept at the premises. This book shall be maintained and kept for a rolling period of 12 months. The incident book shall record all incidents which may have occurred which are relevant to the supply of alcohol and the promotion of the licensing objectives. Such incidents shall include, but not be limited to, complaints made to the premises alleging nuisance or anti-social behaviour by persons attending or leaving the premises and all refusals to sell alcohol. The incident book shall be readily available for inspection by an authorised person upon reasonable request.

PUBLIC SAFETY:

- No accumulation of combustible rubbish, dirt, surplus material or stored goods shall be permitted to remain in any part of the premises except in an appropriate place and of such quantities so as not to cause a nuisance, obstruction or other safety hazard.
- Regular checks and maintenance shall be carried out on all equipment, electrical installations, emergency lighting and fire alarms and equipment to ensure their continued safe operation. A written record of these checks shall be kept and made available to an authorised officer of the licensing authority.
- The premises licence holder shall ensure that a suitable fire risk assessment and emergency plan is in place at all times.

PUBLIC NUISANCE:

- Signage requesting customers to be respectful of others when arriving, remaining or leaving the premises shall be installed in a prominent position at the premises.
- Arrangements shall be put in place to ensure that waste collection contractors do not collect refuse between 19:00 and 07:00.
- All occasions when persons have been refused service shall be recorded in the incident book.

PROTECTION OF CHILDREN FROM HARM:

- There shall be no children unaccompanied by a responsible adult on the premises after 21:00.

Please consider these above conditions as what has been supplied at the moment doesn't not meet the required standard.

Regards,

PC Owen Dunn
3326EA
Barking & Dagenham Police Licensing Officer

Romford Police Station
19 MAIN ROAD
ROMFORD
RM1 3BJ
T02032767737

owen.dunn@met.pnn.police.uk

Fwd: Kaya Studio Lounge



cohanzedek@icloud.com

To Owen.Dunn@met.police.uk

Appendix E

Reply Reply All Forward

Mon 07/09/2020 19:17

Dear Dunn Owen,

Sisha bar(Kaya Studio Lounge) details belowe,they are open till 03:00 am,and also i like to confirm my client happy and accept all condition you requested,

Kindly Regards

Cohan Zedek(Agent)

>

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From: Ramazan Ganidagli

Sent: 02 October 2020 13:59

To: Taylor Rachel <Rachel.Taylor2@lbbd.gov.uk>

Subject: Re: Representations received / Application for a Late Night Refreshment licence - Tay Tan Caravan Cafe

Dear Rachel,

Reason of we applying 05:00am is,premises open till 03:00am near to our caravan,we like to serving people who's come out from there,otherwise no one else around there to serve,During the day not enough income to cover us,that's the reason we like to get some more income from night time economy,around us only one place we can get costumers from and they are open till 03:00am,I was gave details to the police,before 03:00am we not get any costumers if 05:00am not suitable for you we can reduce operating hours to 04:00am to only serve people who's come out from premises which is open till 03:00am, that's the reason we applying for latenight refreshment,otherwise not point to applying late night refreshment or different hours,Also we applying limited period(one year),I know at the moment food service is closed by 22:00pm,if we get licence we will use when is get normal time.if we get any problem just remember we appling limited time,you can refuse when we appling for extending.I hope you will withdrawn your objection and granted licence,other wise send us hearing date,client joint to hearing it's self,

Many Thanks for your co-operation,

Kindly Regards,

Cohan Zedek(Agent)

Sent from my iPhone

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13a River Rd

13a River Rd, Barking IG11 0EU

🚗 26 min

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