



Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	15 th May 2014	B3	Clerkenwell

Delete as appropriate	Non-exempt
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Subject: PREMISES LICENCE NEW APPLICATION
Bonnie Gull Seafood Cafe, 55-57 Exmouth Market, London EC1R 4QL

1. Synopsis

- 1.1 This is an application for a new premise licence under the Licensing Act 2003.
- 1.2 The application is for a licence to allow:
 - the sale of alcohol for consumption on and off the premises: 12:00 to 23:00 on Monday to Saturday and 12:00 to 23:30 on Sunday.

2. Relevant Representations

Licensing Authority	No
Metropolitan Police	No
Noise	No
Health and Safety	No
Trading Standards	No
Public Health	No

Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes: one
Other bodies	No

3. Background

3.1 Papers are attached as follows:-

- Appendix 1: application form and applicant's letter responding to representation;
- Appendix 2: representations;
- Appendix 3: suggested conditions and map of premises location.

3.2 One local resident submitted a representation.

3.3 The premises was previously licensed for the same hours as the existing application. This former licence lapsed when the then operators entered liquidation on 22 January 2014.

3.4 The applicants have written to the resident by way of response to the representation. While there has been some dialogue between the parties concerned, no agreement has been reached concerning the representation.

4. Planning Implications

4.1 The Planning Service has reported that premises was granted change of use to operate as a café/restaurant on 6 March 1996.

5. Recommendations

5.1 To determine the application for a new premises licence under Section 17 of the Licensing Act 2003.

5.2 If the Committee grants the application it should be subject to:

- i. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (see appendix 3)
- ii. any conditions deemed appropriate by the Committee to promote the four licensing objectives.(see appendix 3)
- iii. any conditions deemed necessary by the Committee to promote the four licensing objectives.

6 Conclusion and reasons for recommendations

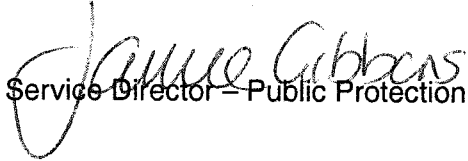
6.1 The Council is required to consider this application in the light of all relevant information, and if approval is given, it may attach such conditions as appropriate to promote the licensing objectives.

Background papers:

The Council's Statement of Licensing Policy
Licensing Act 2003
Secretary of States Guidance

Final Report Clearance

Signed by


Service Director - Public Protection

Date 6/5/14

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

**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 Bonnie Gull Limited

(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 Bonnie Gull Seafood Cafe 55-57 Exmouth Market			
Post town	London	Postcode	EC1R 4QL
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£41,500	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health 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 please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

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

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(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 Bonnie Gull Limited
Address c/o Alex Hunter 17 Rutland Street Edinburgh EH1 2AE
Registered number (where applicable) SC400086
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>			
Mon			Please give further details here (please read guidance note 3)			
Tue						
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed					
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					



I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	12.00	23.00						
Tue	12.00	23.00						
Wed	12.00	23.00						
Thur	12.00	23.00						
Fri	12.00	23.00						
Sat	12.00	23.00						
Sun	12.00	22.30						
						Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

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

Name Matthew David Lovell	
Address 	
Postcode	
Personal licence number (if known) 654/904	
Issuing licensing authority (if known) London Borough of Brent	

K

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 8).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	12.00	23.30	
Tue	12.00	23.30	
Wed	12.00	23.30	
Thur	12.00	23.30	
Fri	12.00	23.30	
Sat	12.00	23.30	
Sun	12.00	23.00	
			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

M 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 9)

The Premises were previously licensed under licence number LN/3660-101111. The Premises Licence lapsed after the Licence Holder went into liquidation.

It is intended that the new licence will contain the same conditions as the previous licence which fully promote the four licensing objectives. However, please note that the Applicant has updated the CCTV condition.

A copy of the draft conditions are attached.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

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

Signature	<i>Ben Skellup</i>
Date	28/3/14
Capacity	Solicitors for the Applicant

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Bevan Kidwell LLP 113-117 Farringdon Road			
Post town	London	Postcode	EC1R 3BX
Telephone number (if any)	020 7843 1820		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) lisa@bevankidwell.com			

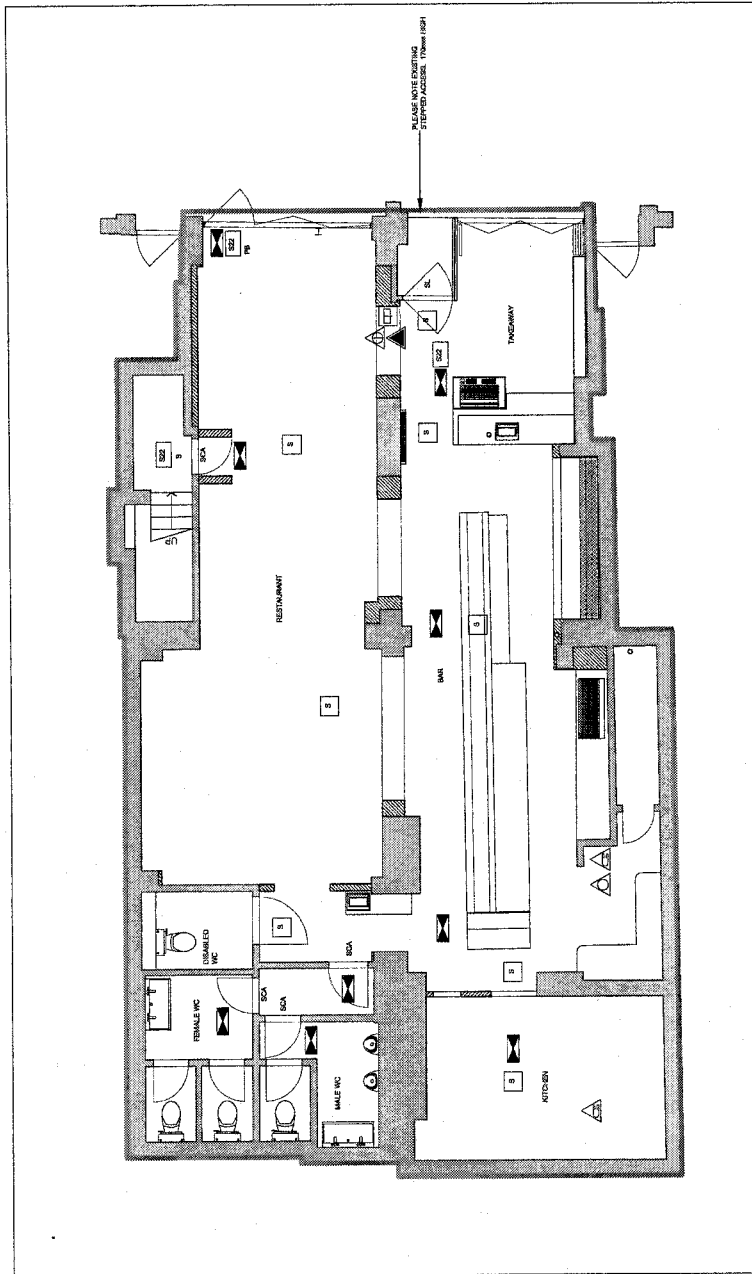
Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

**Proposed Conditions - New Premises Licence
55-57 Exmouth Market, London, EC1R 4QL,**

1. CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises.
2. The system shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately.
3. Staff shall receive training on the provisions of the Licensing Act 2003
4. Persons under 16 years shall not be permitted on the premises after 20.00 hours unless accompanied by an adult.
5. All licensable activities being conducted shall be closely supervised and monitored by a fully trained management team.
6. The management team shall strictly adhere to the permitted maximum occupancy of 100 persons.
7. Managers and staff shall receive suitable training and instruction to secure the safety of persons attending the premises.
8. An adequate number of first aiders shall be present.
9. Evacuation measures shall be in place and staff and managers trained to effectively manage this.
10. The front doors and windows shall be closed from 23:00 hours.
11. The supply of alcohol off the premises shall only be to those persons in the external seating area and will be by way of waiter/waitress service only.
12. The outside eating area shall be adequately lit.
13. Staff shall be trained to ask for photographic identification of any person ordering alcohol and suspected of being under the age of 25 years.
14. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
15. The outside area shall be closed and cleared of customers and usable chairs and tables by 23:00 hours.
16. Prominent, clear and legible notices must be displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
17. No deliveries to the premises shall take place on Sundays or Bank Holidays and between the hours of 22:00 and 07:00 other days of the week.

18. No refuse or bottle collection shall take place on Sundays or Bank Holidays and between the hours of 22:00 and 07:00 other days of the week.
19. Bottling out shall be restricted to Monday to Friday 07'.00 - 22'.00.
20. Refuse must be placed into receptacles outside the premises at times that will minimise noise disturbance to nearby properties.



FIRE SAFETY KEY:

	FIRE ALARM CALL POINT		FIRE EXTINGUISHER
	AREA COVERED BY AUTOMATIC SMOKE DETECTORS		FIRE BLANKET IN CONTAINER
	AREA COVERED BY AUTOMATIC HEAT DETECTORS		CARBON DIOXIDE EXTINGUISHER
	DOOR PIECE FROM ALL EXTINGUISHERS		DRY POWDER EXTINGUISHER
	FIREMAN		FOAM EXTINGUISHER
	DOOR WITH SIMPLE FASTENINGS		DOOR WITH VISION PANEL
	DOOR WITH SECURITY LOCK		SELF-CLOSING DOOR
	DOOR WITH VISION PANEL		DOOR OPEN AGAINST THE FACE OF ESCAPE

AREA QUANTITIES:

RESTAURANT AREA:	56.3 sqm
TAKEAWAY AREA:	14 sqm
BAR AREA:	42.3 sqm
KITCHEN AREA:	15 sqm
TOILETS:	18.8 sqm

01 LICENSING PLAN
 1:100 @ A3

BONNIE GULL LTD

PROJECT: **BONNIE GULL SEAFOOD CAFE**

SCALE: **1:100 @ A3**

DATE: **25/03/2014**

PROJECT NO: **164**

DRAWING NO: **ID-001**

REVISION: **-**

Fabled STUDIO

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REV.	DATE	DESCRIPTION

REV.	DATE	DESCRIPTION
	NEW WALL/LIGHT FIXINGS	REFER NOTE
	ARCHWAY REFERENCE TAG	
	ELEVATION REFERENCE	
	DETAIL NUMBER	

NOTES:

1. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND ALL NECESSARY CONSTRUCTION NOTICES.

2. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND ALL NECESSARY CONSTRUCTION NOTICES.

3. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND ALL NECESSARY CONSTRUCTION NOTICES.

4. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND ALL NECESSARY CONSTRUCTION NOTICES.



Bonnie Gull Ltd
3-4 Devonshire St
London W1W 5DT

25th April 2014

Dear N [REDACTED]

With regard to your complaint about excessive noise coming from our Exmouth Market restaurant at anti-social times we have discussed the issues amongst the team and are prepared to commit to the following measures to reduce the noise impact:

- We are putting in a new kitchen extract system which we believe will significantly reduce the noise in the vent which appears to be the main cause of noise being carried through to your property. We have pre-paid for this system and are hoping to have it installed on the morning of Monday 28th April (although we are awaiting confirmation on this).
- Prior to the new extract being fitted we will not put the extraction on before 9am each morning. This is the latest time we can agree to as our gas inter-lock system is connected to our extraction for health and safety reasons, therefore we cannot use any kitchen equipment until the extract is on. Our lunch service starts at midday so in order to be ready for this we need to start preparation no later than 9am.
- We also make sure that in the meantime, the extraction is switched off straight after service – as early as is possible.
- We will get a quotation for soundproofing the wall behind our sink. Depending on cost and how long it takes to fit this may not be done immediately as we are already investing thousands in the new extraction system but we will endeavour to do the works as quickly as possible.
- There is complaint of the noise machinery used near/next to that wall. I suspect this is the blender we have so I have ordered a new upgraded one which I believe will be quieter. It should arrive within a few days.

Over and above this I will do everything possible to ensure that the staff are conscious and wary of excessive noise at all times and will do everything possible to reduce it within the realistic boundaries of running a busy restaurant. I assure you that the last thing we want as a business is to be seen as a nuisance by our neighbours; at our other site on Foley St we are proud to have a fantastic relationship with our neighbours who see our presence as an asset to the area. I very much hope that in time you will see us in the same light.

I believe you have already met my business partner, Danny and our Operations Manager, Matt. I am regularly at the site myself so please feel free to come and see me as well if you ever wish to discuss any issues.

Yours sincerely,

Alex Hunter
Managing Director & Co-Founder
Bonnie Gull Ltd.

Licensing Act 2003 representation pro-forma

Should you wish to comment on the licence application please use this form to help you. Please feel free to attach additional sheets.

You do not have to make any comment, and comments may be made in support of as well as against the application, providing they refer to one or more of the licensing objectives (please see the guidance notes for further advice).

Premises Name and address: Bonnie Gull
55-57, Exmouth Market EC1R 4QL.

Your Name: [REDACTED]

Interest: Resident.

(E.g. resident, business, TRA Chair, Councillor, solicitor)

Your Address: [REDACTED]

Email:

Telephone: _____

Please comment on the licensing objectives below relevant to your concerns or observations, you may also wish to include suggestions how your concerns could be addressed:

Public Nuisance

I am writing to you in order to register my objection regarding the premises licence application concerning the above named establishment. My residence is adjacent to the restaurant premises i.e. we share the adjoining wall: basement and first floor. Neither wall is soundproofed, hence the noise pollution issues outlined below.

- The restaurant's extractor fan is far too noisy i.e. it rattles and vibrates, akin to a low flying aircraft. The fact that it is switched on - currently to the highest setting - and turned off at inconsistent times exacerbates the problem; the fan has been a major noise pollutant since its installation. The food/smoke odour emitting from the fan is also a concern, because my only sources of ventilation are the windows, which are aligned with the extractor unit.
- The kitchen sink affixed to the back of the wall is extremely noisy when in use i.e. particularly the daily washing of metal oven trays.
- Additional noise from a motor driven device regularly emanates from the kitchen area.
- Kitchen staff voices are audible; predominantly in the evening i.e. I can hear the food orders being called in, including general conversation.

The restaurant will be open seven days a week, hence my concern. Currently, every room in the house, including the patio garden is affected by the noise emanating from the extractor fan.

Therefore, my mental and physical health is greatly affected by the noise; for example: when the extractor fan is on I cannot go to bed at a reasonable hour currently, until after midnight. Subsequently, I anticipate the fan being switched on again that morning. As a result, I suffer from sleep deprivation, which amounts to increased stress and fatigue on a daily basis.

My suggestion is to insert a clause into the licence with regards to ensuring that the above noise pollution issues are addressed, i.e. the extractor fan unit moved, or a quieter model installed, and that it's shut down when the kitchen closes. In addition, that the extractor fan is switched to a lower level – quieter setting – in the morning, and during times of inactivity. An earlier closing time would also help alleviate the issue.

I would appreciate the licensing committee taking the aforementioned into consideration before granting the licence.

Yours sincerely

[Redacted Signature]

Crime and Disorder

Protection of Children from Harm

Public Safety

I wish my identity to be kept anonymous Yes/No –

We will treat representations as anonymous where there is a genuine reason to do so; if you wish your name and address details to be withheld then please explain the reason:

Copies of this representation will be sent to the applicant, or their agent/solicitor, including name and address details (but other personal contact information such as telephone numbers and email addresses will be removed) unless you have specifically requested anonymity. Copies of this representation will be included in a report that will be available to the public and will be published on the internet; however the published on-line version of the report will have name and address details removed.

Signature _____

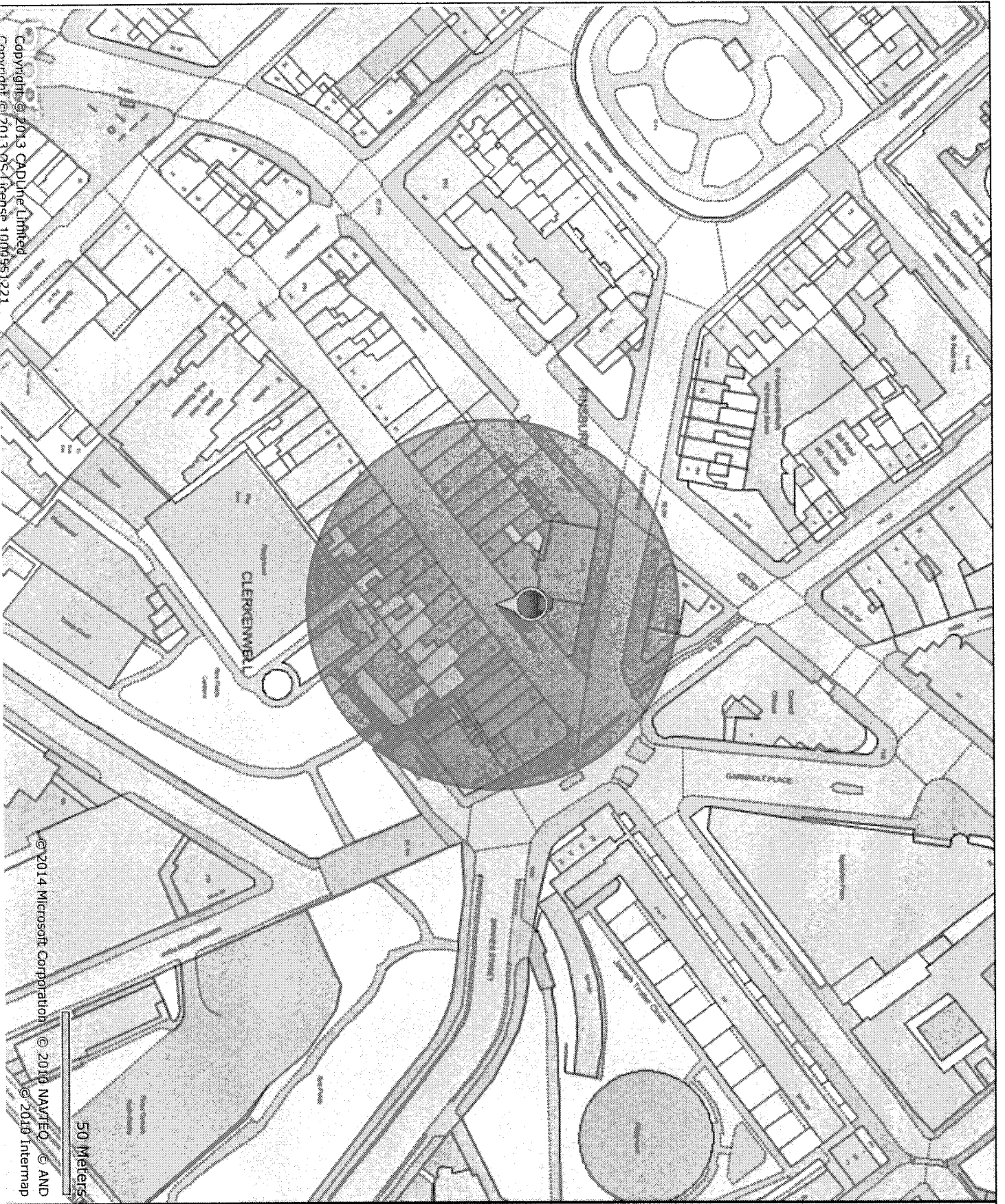
Date 17/04/14

Please ensure name and address details completed above

Return to: Licensing Service
London Borough of Islington
3rd Floor
222 Upper Street
London N1 1XR
or send by email to: licensing@islington.gov.uk

Appendix 3

1. CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises.
2. The system shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately.
3. Staff shall receive training on the provisions of the Licensing Act 2003.
4. Persons under 16 years shall not be permitted on the premises after 20:00 hours unless accompanied by an adult.
5. All licensable activities being conducted shall be closely supervised and monitored by a fully trained management team.
6. The management team shall strictly adhere to the permitted maximum occupancy of 100 persons.
7. Managers and staff shall receive suitable training and instruction to secure the safety of persons attending the premises.
8. An adequate number of first aiders shall be present.
9. Evacuation measures shall be in place and staff and managers trained to effectively manage this.
10. The front doors and windows shall be closed from 23:00 hours.
11. The supply of alcohol off the premises shall only be to those persons in the external seating area and will be by way of waiter/waitress service only.
12. The outside seating area shall be adequately lit.
13. Staff shall be trained to ask for photographic identification of any person ordering alcohol and suspected of being under 25 years.
14. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
15. The outside area shall be closed and cleared of customers and usable chairs and tables by 23:00 hours.
16. Prominent, clear and legible notices must be displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
17. No deliveries to the premises shall take place on Sundays, Bank Holidays and between the hours of 22:00 and 07:00 other days of the week.
18. No refuse or bottle collection shall take place on Sundays, Bank Holidays and between the hours of 22:00 and 07:00 other days of the week.
19. Bottling out shall be restricted to Monday to Fridays, 07:00 to 22:00.
20. Refuse must be placed into receptacles outside the premises at times that will minimise noise disturbance to nearby properties.



Title : BONNIE GULL

Islington Borough
Boundary

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