



Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	15 th May 2014	31	St Peter's

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE VARIATION APPLICATION
ESSEX FOOD AND WINE, 78 ESSEX ROAD, LONDON, N1 8LT**

1. Synopsis

1.1 This is an application to vary the premise licence under the Licensing Act 2003.

1.2 The premises currently holds a licence allowing:

The premises is currently licenced for the sale by retail of alcohol 08:00 until 23:00 Monday to Saturday and 10:00 until 22:30 Sundays.

1.3 The variation application is to:

extend the hours for the sale by retail of alcohol on Fridays from 23:00 to 02:00 the following day, Saturdays from 23:00 to 02:00 the following day and from 08:00 to 10:00 and 22:30 to 23:00 on Sundays.

2. Relevant Representations

Licensing Authority	Yes
Metropolitan Police	Yes

Noise	Yes
Health and Safety	No
Trading Standards	No
Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes – 3
Local business	Yes - 1
Other bodies	Yes - 2 Councillors

3. Background

3.1 Papers are attached as follows:-

Appendix 1: application form;

Appendix 2: representations;

Appendix 3 current licence

Appendix 4: suggested conditions and map of premises location.

3.2 The premises are located within the Angel and Upper Street Cumulative Impact Policy area, adopted by the Council on 24 January 2013.

3.3 The Police, Licensing Authority, Council Noise Team, two Councillors, one local business and three local residents have submitted representations.

4. Planning Implications

4.1 The Planning Service has reported that there are no restrictive conditions in force.

5. Recommendations

5.1 To determine the application to vary the premises licence under Section 34 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

ii. any conditions deemed appropriate 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



Islington
Application to vary a premises licence
Licensing Act 2003

For help contact
licensing@islington.gov.uk
Telephone: 020 7527 3031

* required information

Section 1 of 17

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

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

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

Are you an agent acting on behalf of the applicant?

- Yes
- No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

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

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

1P2/88896
£190.00
24/03/14

Continued from previous page...

Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Other telephone number

Include country code.

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

Are you:

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

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

Agent Business

* Is your business registered in the UK with Companies House? Yes No

* Registration number

* Business name

* VAT number

* Legal status

* Your position in the business

Home country

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.

Continued from previous page...

Agent Registered Address

Address registered with Companies House.

* Building number or name	PUMP HOUSE
* Street	OLD MEAD ROAD
District	HENHAM
* City or town	BISHOP'S STORTFORD
County or administrative area	HERTS
* Postcode	CM22 6JG
* Country	United Kingdom

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APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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	ESSEX FOOD AND WINE, 78
Street	ESSEX ROAD
District	
City or town	LONDON
County or administrative area	
Postcode	N1 8LT
Country	United Kingdom

Premises Contact Details

Telephone number	020 7226 4559
Non-domestic rateable value of premises (£)	13,250

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VARIATION

Continued from previous page...

Do you want the proposed variation to have effect as soon as possible?

Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

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.

TO VARY THE LICENSABLE HOURS FOR THE SALE BY RETAIL OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES ONLY TO: SUNDAY TO THURSDAY 08:00 HOURS TO 23:00 HOURS AND FRIDAY AND SATURDAY 08:00 HOURS TO 02:00 HOURS THE FOLLOWING DAY.

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PROVISION OF PLAYS

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

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PROVISION OF FILMS

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

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PROVISION OF INDOOR SPORTING EVENTS

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes No

Continued from previous page...

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF LIVE MUSIC

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF RECORDED MUSIC

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF PERFORMANCES OF DANCE

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

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

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

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SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Continued from previous page...

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

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

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, 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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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.

Provide 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.

NONE

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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 00:00

End 02:00

Start 08:00

End 24:00

SUNDAY

Start 00:00

End 02:00

Start 08:00

End 23:00

State any seasonal variations.

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

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

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

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

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LICENSING OBJECTIVES

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

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

Continued from previous page...

If the club wishes members and their guests to be able to consume alcohol on the premises select on, if the club wishes people to be able to purchase alcohol to consume away from the premises select off. If the club wishes people to be able to do both select both.

CCTV WITH 31 DAY RECORDING. COPIES OF RECORDINGS TO BE MADE AVAILABLE TO AUTHORITIES IF REQUIRED. STAFF TRAINING TO BE RECORDED AND UPDATED SIX MONTHLY. TRAINING TO COVER I.D. PROCEDURE, PROXY SALES, CONSEQUENCES OF UNDER AGE SALES(FINES AND PUNISHMENTS AND OTHER RELEVANT MATTERS RELATING TO THE LICENSING OBJECTIVES., RESPONSIBILITIES OF STAFF, REFUSAL REGISTER, INCIDENT BOOK,INTOXICATED PERSONS AND STREET DRINKERS, LICENSING HOURS AND REPORTING STRUCTURE BACK TO DPS.CHALLENGE 25POLICY. ACCEPTABLE IDENTIFICATION TO BE PASSPORT, PHOTO DRIVING LICENCE OR PASS ACCREDITED CARD. LEAVE QUIETLY SIGNAGE, PROXY SALE SIGNAGE,CCTV SIGNAGE AND CHALLENGE 25 SIGNAGE TO BE DISPLAYED PROMINENTLY THROUGHOUT THE PREMISES. REFUSAL REGISTER AND INCIDENT BOOK TO BE MAINTAINED AT THE PREMISES RECORDING ALL REFUSED SALES OF ALCOHOL AND INCIDENTS OF CRIME AND DISORDER. THE REFUSAL REGISTER AND INCIDENT BOOK TO BE INSPECTED ON A REGULAR BASIS BY THE DPS AND SIGNED BY THE DPS. THE REFUSAL REGISTER AND INCIDENT BOOK TO BE KEPT SO THAT THE PREVIOUS TWELVE MONTHS REFUSALS CAN BE INSPECTED ON REQUEST BY A RESPONSIBLE AUTHORITY

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

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PAYMENT DETAILS

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

Variation 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 £87000	£315.00
Band D - £87001 to £125000	£450.00*

Continued from previous page...

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 £125000 £900.00
Band E - £125001 and over £1,905.00

If you own a large premise 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 30000-39999 £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 (£)

190.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

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

* Capacity

Date (dd/mm/yyyy)

Continued from previous page...

Add another signatory

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

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

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

IT IS AN OFFENCE, LIABLE 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

Your

Our Licensing/NI

Date: 09/04/2014



**METROPOLITAN POLICE
SERVICE**

Islington Police Licensing Unit
Islington Police Station
2 Tolpuddle Street
London
N1 0YY

Telephone: 07799133204

Email:

licensingpolice@islington.gov.uk

PR Retail Consultants
Pump House
Old Mead Road
Henham
Bishop's Stortford
Hertfordshire
CM22 6JG

Dear Sir/Madam

Re: Essex Food and Wine – 78 Essex Road, London, N1 8LT

With reference to the above application, we are writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.

The venue is situated in the 'Upper Street/Angel Cumulative Impact Zone', an area which traditionally suffers from high levels of crime and disorder and there are concerns that this application will cause further policing problems in an already demanding area.

Islington has almost double the national average of licensed premises per resident, and this is why the Police supported the implementation of the Council's Cumulative Impact Policy. This large number of licensed premises and the issues associated with these impacts greatly on the Police and all other emergency services resource.

There are already over 40 Licensed Premises within a 250m radius of these premises, 8 of which are off-licenses, not including the applicant. The opening hours for this off licence are already in line with Islington Councils guideline framework of closing times.

To keep the premises open a further two hours we believe would impact on the community, considering albeit is on a main road, it is still a residential area.

It is for these reasons that we are objecting to the application, and propose that it is refused.

The premise already operates under a license with very few conditions. If the committee are of a mind to grant this license we would ask that they consider imposing the following conditions to assist with crime prevention and reducing disorder.

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. 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.
2. A proof of age scheme, challenge 25 shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
 3. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premise is open.
 4. A notice will be prominently displayed at the exit requesting the patrons to respect the needs of local residents when leaving the premises and to leave the area quietly.
 5. An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record the following:
 - a. All crimes reported to the venue
 - b. Any complaints received
 - c. Any incidents of disorder
 - d. Any faults in the CCTV system
 - e. Any visit by a relevant authority or emergency service.
 6. A log of all staff training to be kept and made available on request to any responsible authority. All members of staff to sign and date each training session. Training to include recognising and dealing with persons who are drunk. Training for challenge 25, and proofs of ID, i.e. driving licence, passport and other recognised photographic identification cards

Should you wish to discuss the matter further please contact us on Mobile 07799133204 or via email, licensingpolice@islington.gov.uk

Yours sincerely

Peter Conisbee PC575NI

Steven Harrington Pc 425NI
Paul Hoppe PC208NI

Islington Police Licensing Officers

Licensing Authority Representation

Licensing Act 2003

Application: Essex Food and Wine 78 Essex Road London N1

I am submitting a representation on behalf of the Licensing Authority with respect to the variation application to extend the off sales of alcohol on Fridays and Saturdays from 11pm to 2am the following day.

The grounds for the representation are:

- Public nuisance
- Crime and disorder

Licensing Policy Considerations

<i>Licensing Policies 1 & 2</i>	<i>Location, cumulative impact and saturation</i>
<i>Licensing Policy 4</i>	<i>Shops selling alcohol</i>
<i>Licensing Policy 7 & 8</i>	<i>Licensing Hours</i>

Location, cumulative impact and saturation Licensing Policies 1 & 2

The premise is located in the Angel and Upper Street Cumulative Impact area which means that the council has determined that the area is already saturated with licenced premises and therefore the applicant needs to satisfy the Licensing Committee that it will not add to the cumulative impact.

The area has 46 licenced premises with a 250m radius of the premises of which 7 are licenced for off sales of alcohol:

Premises	Address	Fri and Sat Licensing Hours
Essex Food And Wine	78 Essex Road	Proposed 2am
Planet Organic Limited	64 Essex Road	8am to 10pm
Food City	126-128 Essex Road	24 hr
The Co-operative Food Group	132-134 Essex Road	8am to 11pm
Shop Local	142 Essex Road	8am to 5am
Angel Delicatessen Limited	48 Cross Street	8am to 11pm
Thumbs Up	28 Essex Road	8am to 3am

Increasing the number of off licensing selling alcohol beyond 11pm will add to the cumulative impact in terms of:

- noise and nuisance to local residents associated with customers purchasing alcohol in the early hours of the morning
- urination in the street
- alcohol related crime and disorder

Licensing Policy 4

This policy outlines the Licensing Authority's approach to shops selling alcohol. It recognises that the statutory guidance issued to Local Authorities suggests that shops should be permitted to sell alcohol during opening hours unless there is 'good reason'. It view of the difficult trading environment arising from so many off licences in such a small

area applicants need to demonstrate good management practice to be able to demonstrate favourable consideration under this policy.

Licensing Hours – Licensing Policies 7 & 8

Feedback from residents tells us that they already suffer from noise, disturbance and antisocial behaviour from people visiting licenced premises late at night and in the early hours of the morning.

Although the premises is on a main road there are lots of residential premises on Essex Road and the adjoin streets. An additional late night off licence in the area is likely to increase the availability of alcohol to the detriment of local residents.

To protect residents the licensing policy suggests that off licences hours should be restricted to close at 11pm.

Summary and recommendations

The Licensing Authority has considered this application using the Licensing Policy framework, in particular:

- the location of the premises
- the style and hours of operation proposed by the applicant
- feedback from residents
- the management arrangements described in the operating schedule,

In order to promote the licensing objectives it is recommended that this application is refused.

Janice Gibbons
Service Manager
Islington Council
Janice.gibbons@islington.gov.uk
02 7527 3212

10 April 2014

Pollution Team Representation

Licensing Act 2003

Application: Essex Food and Wine 78 Essex Road London N1

I am submitting a representation on behalf of the Pollution Team with respect to the variation application to extend the off sales of alcohol on Fridays and Saturdays from 11pm to 2am the following day.

The grounds for the representation are:

- Public nuisance

We have visited the premises, consulted with partners and considered the Licensing Policy. We fully support the Representation made by the Licensing Authority. We would only add that we feel that the Operating Schedule presented is inadequate to meet the requirement for the prevention of public nuisance indicating a reactive rather than proactive style of management.

Summary and recommendations

The Pollution Team has considered this application using the Licensing Policy framework.

In order to promote the licensing objectives of the prevention of public nuisance it is recommended that this application is refused.

Eryka Bancroft
Senior Environmental Health Officer (Noise)
Islington Council
eryka.bancroft@islington.gov.uk
020 7527 3846

17th April 2014

REP 4

Baptiste, Anthony

Subject: FW: Premises Licence Variation - Essex Food and Wine

From: Cllr Martin Klute

Sent: 05 April 2014 13:39

To: Senler, Yesim; Perry, Alice; Doolan, Gary; Klute, Martin

Cc: Gary Poole

Subject: Re: Premises Licence Variation - Essex Food and Wine

Yesim, I object to this application on the grounds that it conflicts with our current license policy, which seeks to reduce the hours of alcohol sales, and which sets clearly defined hours for the opening of off licenses. This application is not acceptable. The hours should stay as they are please acknowledge receipt of this objection.

Regards,

Cllr Martin Klute

Chair: Health Scrutiny Committee

Chair: Planning Committee B

REP 5

Baptiste, Anthony

Subject: FW: Premises Licence Variation - Essex Food and Wine

From: Gary Doolan
Sent: 06 April 2014 19:10
To: Senler, Yesim
Subject: Re: Premises Licence Variation - Essex Food and Wine

I agree with Cllr Klute.

Gary Doolan

Sent from my iPhone

Baptiste, Anthony

Subject: FW: 78, Essex Road, Islington, N1 8LT

From:

Sent: 15 April 2014 14:17

To: Licensing

Subject: 78, Essex Road, Islington, N1 8LT

Dear sir/Madam,

I understand that the above shop premises have applied for extension of hours, up to 2am. We are totally against this, as this will encourage drunks and possible fights to take place outside our shop premises.

We already have a problem with drunks meeting up outside our premises.

I would appreciate if you would kindly respond.

Yours sincerely

Baptiste, Anthony

Subject: FW: WK/201442309 Essex Food and Wine 78 Essex Road - Application to vary license

From:

Sent: 15 April 2014 16:58

To: Licensing

Subject: WK/201442309 Essex Food and Wine 78 Essex Road - Application to vary license

Dear Licensing Services Officer,

RE - ESSEX FOOD AND WINE - REF WK/201442309 .

I have received a notice that Essex Food and Wine, 78 Essex Road N1 8LT, have applied to vary the license which includes late night opening. I live at redacted Essex Road and object strongly to any extension of opening hours.

As a result of the neighbouring pub having increased hours the local area is now busy and noisy late at night with people leaving and traffic activity.

I now return home on many an evening to find that people have urinated or vomited in the entrance to my house, having to clean the mess up is far from pleasant. As my house is redacted, the late night sale of alcohol at Essex Food and Wine on the corner will only encourage people to further hang about and drink. I constantly have cans and bottles from alcohol consumption left on my window were people sit and drink. This results in broken glass on the pavement and in redacted where people also leave the empties.

I feel any further encouragement for people to hang about late at night on this corner is detrimental to the habitable and safe enjoyment of residents. Adding to anti-social behaviour and potential damage to property. I am a long standing resident at this address and do not wish to see the area become a late night drinking zone.

I reiterate my objection to this application.

Yours sincerely,

Resident

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 ESSEX FOOD AND WINE
78 ESSEX ROAD. N.1.8LT

Your Name: _____
Interest: RESIDENT

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

Your Address: LONDON

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 We are already plagued by drunks vomiting outside our door, drinking on our front steps and fighting and yelling outside our building. I am personally afraid if I come home late in the evening of being accosted by them. I like the people who manage the premises in question very much, but I feel that my right to come and go, and to occupy my home in peace, will be further undermined by extending their licensing hours until 2 a.m.
I am also concerned for my elderly and sick ground floor neighbours who need their sleep and privacy.

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:

I am rather concerned about reprisals if the
business owner would prefer to remain anonymous if possible. so

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 7th April 2014

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 by email to

licensing@islington.gov.uk

Baptiste, Anthony

Subject: FW: Comment on Application: Essex Food and Wine, 78 Essex Road, London, N1 8LT**From:****Sent:** 13 April 2014 18:50**To:** Licensing**Subject:** Comment on Application: Essex Food and Wine, 78 Essex Road, London, N1 8LT

REF: Licensing Act 2003 - Premises License Application New. Address: Essex Food and Wine, 78 Essex Road, N1 8LT.

Name: Redacted

Interest: Local resident

Address: Redacted

E-mail: Redacted

Dear Sir / Madam

I would like to submit my comments in writing to in regard to the above application to extend the licensing times currently in place for Essex Food and Wine.

I would like to lodge a complaint against the application. We are already in an area which has numerous licensed premises that allow alcohol consumption on their premises (bars and pubs) in the surrounding areas (Essex Road and Upper Street). If people are looking for places to buy alcohol at the time at night proposed (past 23:00), they have either been refused the sale of alcohol in other licensed premises or are looking to purchase alcohol to drink on the way home or in the street while moving to another venue. The shop will have no obligation to ensure that people consuming alcohol do not cause a nuisance or damage to the immediate area unlike pubs or bars. By extending these hours on the days when people coming out to drink is the most popular, the shop will become a known destination to buy alcohol late at night and people will come from the surrounding areas to do so, increasing noise and disturbance to local residents.

Public Nuisance:-

The proposed changes will mean that alcohol will be on sale to public for consumption off the premises for extended time periods on Friday and Saturday evenings by 3 hours. There are many bars on Essex Road (New Rose, Old Queens Head, Winchester Arms) and on Upper Street that serve alcohol until after midnight and until 2am or 3am on those days. By extending the opening hours of this shop to be able to sell alcohol later will mean people will be coming to this shop to buy alcohol, and the likelihood is that these individuals will have already been drinking if they are looking for a drink after other pubs have closed / stopped serving.

People will not disperse as quickly once they have left pubs around and are likely to come here to buy 'another drink' before waiting at the bus stop for transport out of the area or, coming into our road to drink the drink. Noise disturbance will be increased as a result which at those times of the night will cause issues to people sleeping.

The shop has no obligation as part of this license extension to ensure that people do not cause nuisance to local residents in terms of where people consume this alcohol, unlike the pubs around who have to have the alcohol consumed on their premises. We have always had issues with people who have been drinking from the local pub coming into redacted Street, causing nuisance through noise and urinating in the doorway of our flat entrance or at the back of our building. This still happens but I feel the frequency of these incidents will increase with the availability of alcohol from this shop.

There have also been incidents of people buying alcohol from local shops and sitting on the railings of people houses in the streets to drink the alcohol instead of at the bus stop, so not to be seen by Police. They are loud and talk aggressively, and this usually happens after closing time of local pubs and bars. They also come into the street to make phonecalls and wait for taxis after pubs and bars have closed. By having a shop here that sells alcohol and extends that availability, the likelihood is that these incidents will increase, hence creating a nuisance.

Once people know this shop is open later, people will come here to buy alcohol from other areas, creating more traffic to our street and create a centrepoint for people who have been drinking from other areas to come here and increase noise in the area.

Crime and Disorder:-

There is a likelihood that people will congregate around the shop at the later times, buying a drink and waiting for buses and taxis following pub kick out times or people will come from the surrounding areas to buy alcohol from this shop who may already be intoxicated through drink or other substances. This will create a negative focus for this area and the likelihood is that people who are drunk will congregate and trouble potentially start. Again the shop has no obligation to prevent this from happening and I believe they will not look to step in should trouble start, preferring for

the situation to spill out onto the street and into the residential area. Unlike the bars and pubs who have door staff who move people on and keep them in specific areas when outside, this shop has no such control in place.

Protection of Children from harm:-

We have a young child and although we are used to a certain level of noise, random drunken shouting and swearing and people congregating on street corners buying and consuming drink, will create an excess of noise and an unpleasant environment for young children to sleep in.

Public Safety:-

Allowing people to buy alcohol late at night after surrounding bars and pubs have closed encourages people to keep on drinking but without the monitoring of a landlord to refuse to sell alcohol to a person who is clearly under the influence of drink. I believe that by extending the hours of sale at this location it will create a destination for people who are drunk or under the influence of other substances to come and buy alcohol which will bring other people who are going about their business into potential harms way. Especially as there is a bus stop close buy which already attracts people to wait around for transport late at night, if you add additional alcohol into the mix you are upping the potential for trouble in the street and also on public transport.

As residents we are the ones who are at risk of our premises and possessions (cars especially) from being damaged by people who have purchased and consumed alcohol from the surrounding bars and pubs and now this shop. It is unlikely that the shop owners or workers will intervene if they see someone who has purchased alcohol from their shop from starting an argument or fight with another person - unlike a bar or pub who have doorstaff.

Kind regards



**PREMISES LICENCE
LICENSING ACT 2003**

Premises licence number	LN/3409-040214		
Postal address of premises, or if none, ordnance survey map reference or description			
ESSEX FOOD & WINE 78 ESSEX ROAD			
Post town	London	Post code	N1 8LT
Telephone number	020 7226 4559		

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities																												
<ul style="list-style-type: none"> The sale by retail of alcohol: <table> <tr><td>Monday</td><td>08:00</td><td>to</td><td>23:00</td></tr> <tr><td>Tuesday</td><td>08:00</td><td>to</td><td>23:00</td></tr> <tr><td>Wednesday</td><td>08:00</td><td>to</td><td>23:00</td></tr> <tr><td>Thursday</td><td>08:00</td><td>to</td><td>23:00</td></tr> <tr><td>Friday</td><td>08:00</td><td>to</td><td>23:00</td></tr> <tr><td>Saturday</td><td>08:00</td><td>to</td><td>23:00</td></tr> <tr><td>Sunday</td><td>10:00</td><td>to</td><td>22:30</td></tr> </table> <p>Except on: Good Friday: 08:00 to 22:30 Christmas Day: 12:00 to 15:00 and 19:00 to 22:30</p> 	Monday	08:00	to	23:00	Tuesday	08:00	to	23:00	Wednesday	08:00	to	23:00	Thursday	08:00	to	23:00	Friday	08:00	to	23:00	Saturday	08:00	to	23:00	Sunday	10:00	to	22:30
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Saturday	08:00	to	23:00																									
Sunday	10:00	to	22:30																									

The opening hours of the premises:
Not specified

Where the licence authorises supplies of alcohol whether these are on and/or off supplies
Off supplies

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence
Shamsuddin Nasruddin Mithani Flat 6 109 High Road Ilford Essex IG1 1DE 07501 004 830 shamshumithani@hotmail.com

**Registered number of holder, for example company number, charity number
(where applicable)**

**Name, address and telephone number of designated premises supervisor where
the premises licence authorises the supply of alcohol**

Shamsuddin Nasruddin Mithani
Flat 6
109 High Road
Ilford
Essex
IG1 1DE
07501 004 830
shamshumithani@hotmail.com

**Personal licence number and issuing authority of personal licence held by
designated premises supervisor where the premises licence authorises the
supply of alcohol**

046784 – London Borough of Redbridge

Islington Council
Public Protection Division
222 Upper Street
London
N1 1XR
Tel: 020 7527 3031/3803
Email: licensing@islington.gov.uk

Service Manager – Commercial

Date of Issue

Annex 1 - Mandatory conditions

1. No supply of alcohol may be made under the premises licence-
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Annex 2 - Conditions consistent with the Operating Schedule

- 1) The restrictions on hours during which the sale of alcohol is authorised does not prohibit:
 - a) during the first 20 minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
 - b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of alcohol so ordered;
 - c) the sale of alcohol to a trader or club for the purposes of the trade or club;
 - d) the sale of supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval military.
- 2) Alcohol shall not be sold in an open container or be consumed in the licensed premises

Annex 3 - Conditions attached after a hearing by the licensing authority

Nil

Annex 4 – Plans

Ref: 88150Plan



Premises Licence Summary

Licensing Act 2003

Premises licence number LN/3409-040214

Premises details

Postal address of premises, or if none, ordnance survey map reference or description

**ESSEX FOOD & WINE
78 ESSEX ROAD**

Post town London **Post code** N1 8LT

Telephone number 020 7226 4559

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

- The sale by retail of alcohol:

Monday	08:00	to	23:00
Tuesday	08:00	to	23:00
Wednesday	08:00	to	23:00
Thursday	08:00	to	23:00
Friday	08:00	to	23:00
Saturday	08:00	to	23:00
Sunday	10:00	to	22:30

Except on:

Good Friday: 08:00 to 22:30

Christmas Day: 12:00 to 15:00 and 19:00 to 22:30

The opening hours of the premises:

Not specified

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Off Supplies

Name, (registered) address of holder of premises licence

Shamsuddin Nasruddin Mithani
Flat 6
109 High Road
Ilford
Essex
IG1 1DE

**Registered number of holder, for example company number, charity number
(where applicable)****Name of designated premises supervisor where the premises licence authorises
the supply of alcohol**

Shamsuddin Nasruddin Mithani

State whether access to the premises by children is restricted or prohibited

No restrictions

Islington Council
Public Protection Division
222 Upper Street
London N1 1XR
Tel: 020 7527 3031
Email: licensing@islington.gov.uk

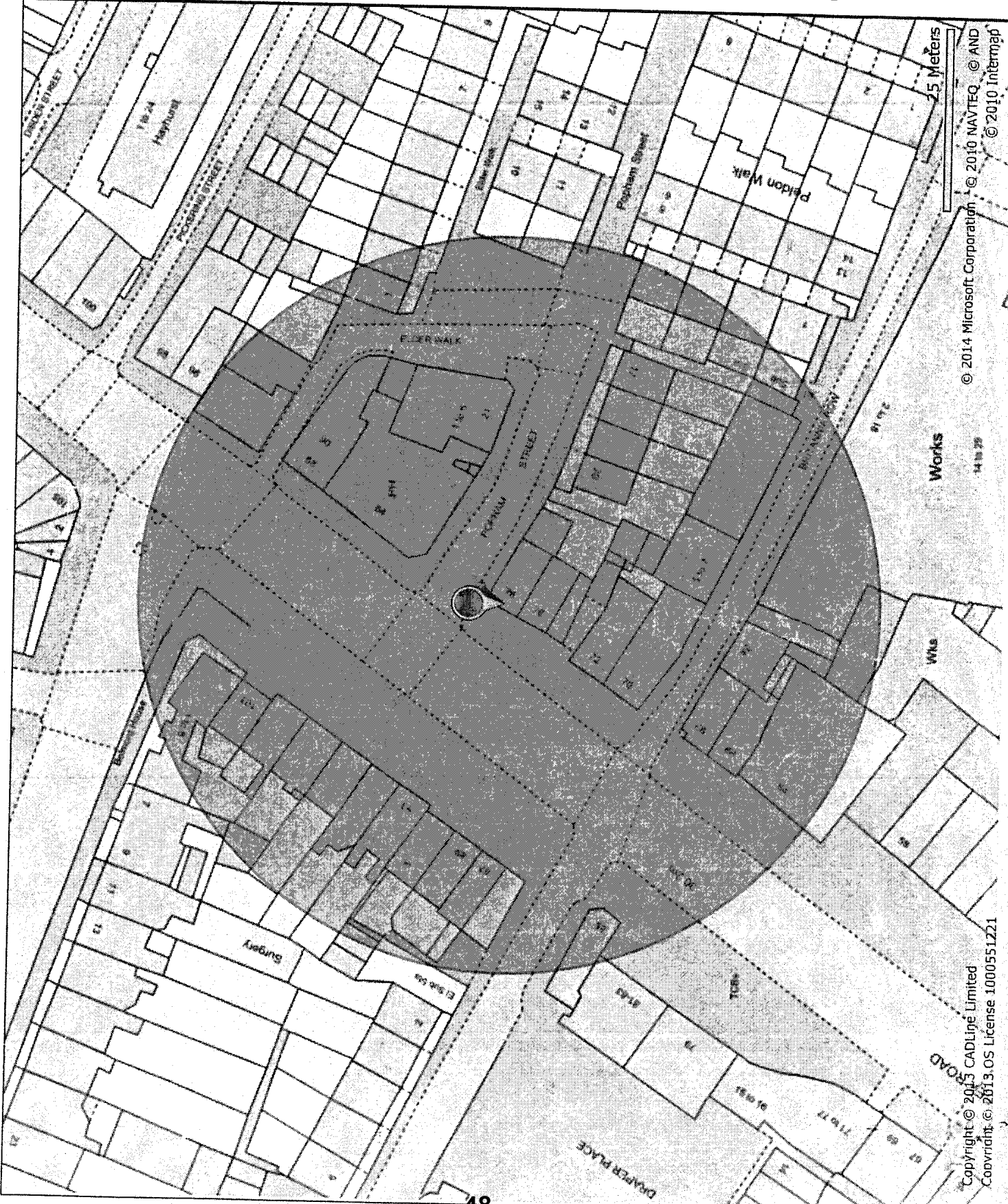
1. CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable a frontal head and shoulders image of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request.
2. The licensee and staff should note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection by the licensing team, police or trading standards.
3. The licensee shall ensure that staff are trained about the age limit for alcohol; the difficulty of accurately assessing age; acceptable 'proof of age' documents; and how to challenge for proof of age and how to refuse sales where necessary. The licensee shall further ensure that employees sign to confirm that they have understood the training. The licensee shall keep records of training and instruction given to staff.
4. The licensee shall adopt the Challenge 25, the Retail of Alcohol Standards Group's advice for off-licences.
5. The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards e.g. proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
6. Signage will be posted asking customers to leave the premises quietly. Signage will also be displayed prominently throughout the premises for challenge 25 and CCTV recording.
7. Twelve months of previous records for refusals and incident log to be kept on premises for inspection by a responsible authority.

Title : 78 Essex Road

Islington Borough
Boundary

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