



Report of: Service Director - Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	6 November 2012	B2	Clerkenwell
Delete as appropriate	Exempt	Non-exempt	

Subject: PREMISES LICENCE NEW APPLICATION

RE: Ground Floor and Basement, 379 St John Street, London EC1V

1. Synopsis

- 1.1 This is an application for a new premise licence under the Licensing Act 2003.
- 1.2 The new application is to:
 - i) Allow the premises to be used for the provision of late night refreshment between 23:00 and 02:00, Mondays to Thursdays, and 23:00 and 03:00 on Fridays and Saturdays.

2. Recommendations

- 2.1 To determine the application for a new premises licence under Section 17 of the Licensing Act 2003.
- 2.2 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) conditions recommended by responsible Authorities
 - iii) any conditions deemed necessary by the Committee to promote the four licensing objectives.

3. Background

3.1 Papers are attached as follows:-

Appendix 1: application form;

Appendix 2a: name & address details of those persons making representations;

Appendix 2: representations;

Appendix 3: suggested conditions and map of premise location.

3.2 The Licensing Authority has received 14 letters of representation, the author of one has requested that they remain anonymous.

4. Planning Implications

4.1 Planning have confirmed that this application conforms to current permitted planning use.

5. Conclusion and reasons for recommendations

5.1 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 necessary 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

29.10.12
Date

Received by

Head of Scrutiny and Democratic Services

Date

Report author:

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E-mail: simon.gallacher@islington.gov.uk

1213 60397
Appendix 1

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I/We MD ABU SUFIAN
(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 BASEMENT AND GROUND FLOORS 379 ST JOHN STREET ISLINGTON LONDON			
Post town	ISLINGTON LONDON	Post code	EC1V 4LD

Telephone number at premises (if any)	07852280385
Non-domestic rateable value of premises	£12,000.00

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- 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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname SUFIAN			First names MD ABU		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address		208 LEMONADE BUILDINGS 3 ARBORETUM PLACE BARKING			
Post Town	BARKING			Postcode	IG11 7PX
Daytime contact telephone number			07852280385		
E-mail address (optional)		sufian_sl@yahoo.com			

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 checked="" 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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day Month Year

0	5	1	0	20	1	2
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If you wish the licence to be valid only for a limited period, when do you want it to end?

Day Month Year

--	--	--	--	--	--	--

Please give a general description of the premises (please read guidance note1)
 The premises shall trade as a family Indian restaurant serving cuisines from the Indian subcontinent. The premises will be used to prepare and serve speciality Indian meals to the public alongside alcoholic beverages. The dining area in the premises can seat up to 80 people at any one time. The premises' main target audience will be the residents/members of the local area. The premises are equipped with all health and safety measures and fire exits to safeguard the public and members of staff.

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

N/A

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

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

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

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

In all cases complete boxes N, O and P

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			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Wed					
Thur			<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)		
Fri					
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			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
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)			<u>Will the boxing or wrestling entertainment 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 boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music 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			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music 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			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
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

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

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

J

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

K

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

L

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 checked="" type="checkbox"/>
Day	Start	Finish	<p>Please give further details here (please read guidance note 3) The premises have been operated as a cafe/restaurant since 2002. The Applicant currently trades from the premises as a fast-food take-away and restaurant (seating up to a maximum of 12 people). The Applicant looks to trade beyond 11pm, alike other local businesses in the area, to sustain his business and thus he makes this application for a revision to existing local authority consent(s).</p> <p>State any seasonal variations for the provision of late night refreshment (please read guidance note 4) N/A.</p> <p>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) N/A.</p>		
Mon	11.00	15.00			
	15.00	02.00			
Tue	11.00	15.00			
	15.00	02.00			
Wed	11.00	15.00			
	15.00	02.00			
Thur	11.00	15.00			
	15.00	02.00			
Fri	11.00	15.00			
	15.00	03.00			
Sat	11.00	15.00			
	15.00	03.00			
Sun	11.00	15.00			
	15.00	02.00			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			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 premises supervisor

Name	
Address	
Postcode	
Personal Licence number (if known)	
Issuing licensing authority (if known)	

N

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)
 N/A.

O

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) There shall be no seasonal variations.
Day	Start	Finish	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) There shall be no non standard timings.
Mon	11.00	15.00	
	15.00	02.30	
Tue	11.00	15.00	
	15.00	02.30	
Wed	11.00	15.00	
	15.00	02.30	
Thur	11.00	15.00	
	15.00	02.30	
Fri	11.00	15.00	
	15.00	03.30	
Sat	11.00	15.00	
	15.00	03.30	
Sun	11.00	15.00	
	15.00	02.30	

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

The staff will be properly trained to ensure that the four objectives are met by the premises. The staff will work closely with the responsible authorities, other local businesses and residents in order to promote the four objectives.

The staff will be trained to comply with any relevant legislation requirement including health and safety measures, smoking restrictions, criminal activity etc.

Suspicious behaviour from within the premises and in the exterior grounds surrounding the premises will be monitored by management and referred to the responsible authority (i.e police) if necessary.

All concerns relating to the premises and/or the customers of the same will be referred to the relevant responsible authority for assistance and guidance which the premises will endeavour to implement.

b) The prevention of crime and disorder

The staff will be properly trained to diffuse any disorderly conduct and protect the premises, its customers and the surrounding locality by way of training sessions. Staff at the premises will be trained to be vigilant of any suspicious behaviour within the premises and the outer ground area of the premises. The premises will operate in conjunction with the local police station. All incidents of crime and disorder will be reported to the local police station as a matter of urgency.

No external furniture shall be provided whatsoever.

Packaging provided to customers will be kept to a minimal, especially during evening hours. Customers will be encouraged by display notices to leave the premises and the locality in an orderly and discreet manner (during late hours) in order to minimise disturbances.

c) Public safety

The premises are fully equipped with health and safety measures. All fire exits and fire extinguishing materials are clearly flagged up by way of large signage for the public. All emergency exits shall be clear of any obstruction. The staff will be trained in safety matters such as evacuations from the premises. The premises (including dining and kitchen areas) will be equipped with comprehensive first aid kits which staff will also be trained to utilise in case of any incident requiring such assistance. Staff will be trained to utilise the emergency services as and when necessary.

Possession of drugs and/or consumption of such drugs at the premises will not be tolerated. Such people will be reported to the local police and ejected from the premises without delay.

Smoking shall not be permitted in the premises.

Kitchen staff will be required to have food hygiene accreditation to demonstrate a sound food hygiene and general health and safety knowledge. Health and safety training will be provided to the kitchen staff in order to safeguard the public food related concerns.

The premises will be sufficiently insured for it's liability to the public and employees.

d) The prevention of public nuisance

Packaging materials provided to customers will be kept to a minimal. The interior of the premises shall be furnished with several bins and disposal units for refuse. The premises will use recyclable materials wherever possible in order to mitigate littering.

The entrance/exit of the premises will be marked with public notices requesting customers to leave the premises and area discreetly with minimal disruption to the local residents.

The external area of the premises shall not be used for the provision of licensable activities.

Taxi calling service shall be available to customers at all times that the premises are open. Customers waiting for their taxis will be provided with seating inside the premises.

Arrangements shall be made for the storage and disposal of refuse so as not to cause a nuisance.

Management of the premises will retain the right to eject any customer whom it considers a nuisance to the business, its customers or the locality.

Any continued concerns of public nuisance will be reported to local police.

e) The protection of children from harm

Staff will be trained to be vigilant to ensure the safety and safeguard any children from harm. Any suspicious behaviour by customers and/or children will be notified to the local police force should the matter not be resolved by the children or the children's family as may be the case.

Any person acting suspicious will be reported to the relevant local authority.

Local business suspected of selling/supplying regulated items to children and/or children (groups of children) acting anti-socially will reported to the relevant authorities.

Please tick yes

- 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 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 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

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>Ahu Sufi</i>
Date	06 September 2012
Capacity	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)			
M MIAN HAFIZ & HAQUE SOLICITORS 18 CAVELL STREET LODNON E1 2HP (REF. MM/M0138/01/SUFIAN)			
Post town	LONDON	Post code	E1 2HP
Telephone number (if any)	020 7780 9620		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

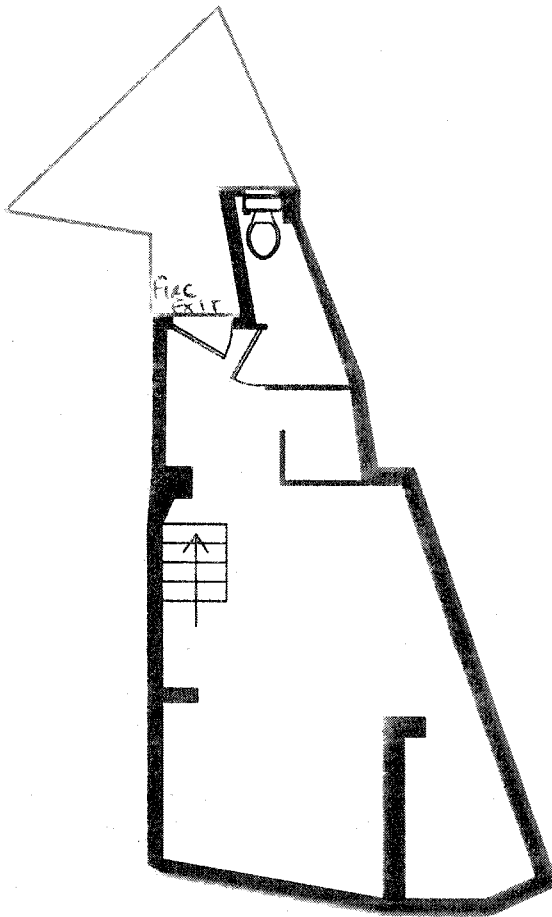
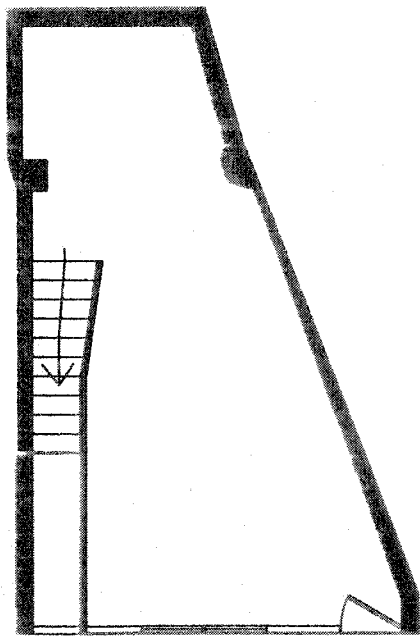
Notes for Guidance

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, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. 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, 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, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

BASEMENT

GROUND FLOOR



ST. JOHN STREET

*Removal work
pp. Landlord
in Permit*

Email .

3 October 2012

By Post and Email to licensing@islington.gov.uk

Mr Simon Gallacher
Islington Council
The Licensing Support Team
222 Upper Street
London N1 1XR

Dear Mr Gallacher

PFC Express, 379 St John Street, London, EC1V 4LD : Licence Application for extended trading hours (reference WK/121360397)

We write to put forward our letter of representation regarding PFC Express's (hereafter referred to as PFC) application to extend their business opening hours from 23:00 to 02:00 Monday to Sunday.

As leaseholders and residents of the residential property we feel that that this application, if granted, will significantly affect our enjoyment of our property and the harmony of this predominantly residential area for the following reasons :

The prevention of nuisance

Acoustic Nuisance : The ceiling and walls are very thin and we hear noise during trading hours and until the shop closes (circa 23:30). We can hear the scraping noise of tables and chairs being moved in the restaurant area, the shops staff talking to each other in the kitchen and general noise from patrons. In addition to this we often hear, word for word, the conversations people have when standing outside our front door when waiting for their take away food, all in all harming our ability to relax in our home.

In addition to the general noise of the business when in operation, PFC have a motorised roller security shutter which they raise at the start of business (11:00) and close at the end of business (between circa 23:00 and 23:30). The operation of the shutter is exceptionally noisy and disturbs our sleep. At present, we are not always asleep at the time of operation with the current opening hours, but should the opening hours be extended until 2:00am it would disturb our sleep every night of the week as we would be woken up at 2:00am each morning by the operation of the shutter. The shutter itself makes a high pitched screeching (metal on metal) noise as it is raised/lowered and the shutter makes a loud clang when it hits the ground.

Vehicle Nuisance : PFC operate a delivery service and they use a moped/scooter, located on the pavement outside their shop, to transport take away orders. The start-up of the engine and switch off is noisy and we feel that extended opening hours would give rise for this to be more problematic.

Littering : PFC have a large trade and we often find remains of chicken wings, chicken drumsticks and cigarette butts on our door stop, leftover by patrons of the restaurant who at times congregate outside our front door to smoke cigarettes whilst waiting for orders or whilst eating their food (interlinked with acoustic nuisance). We appreciate that the littering is not caused by the shop staff themselves, it is a result of PFC's trade and with extended opening hours, we presume that this littering would increase and the thought of opening our front door in the mornings to more of this is less than desirable.

Anti-social behaviour : Whilst Islington enjoys a variety of restaurants and bars, the location of PFC is relatively isolated from the cluster of restaurants and bars surrounding Angel tube/High Street. The trade of PFC can at times attract anti-social behaviour by individuals or groups who are disorderly or intoxicated, which we have witnessed. Our concern arises as we would not wish for PFC to become a 'destination' for intoxicated or troublesome individuals and groups to travel too late at night. Our neighbourhood is quiet and populated with residential properties and we feel the amenity of residents should be safeguarded as a priority.

Illuminated Sign : PFC have a very large external light which illuminates their shop sign. We believe the height of this light itself is above council standards as it is higher than our window sill and shines directly into our living room. We believe the lighting should be lowered regardless and that currently any addition to opening hours will see the light shining into our home until the early hours of the morning.

To support our representation, we enclose the following photographs :

- Snapshot of 379 St John Street, showing our property and surrounding residences.



2

From: [redacted]]
Sent: 02 October 2012 22:00
To: Licensing
Subject: PFC Express: Licence Application for extended trading hours

Reference Simon Gallacher: 379 St John Street

To Whom It May Concern

I'm writing to oppose the extension of trading hours of PFC Express on St. John Street in Angel. We live on St. John Street and very much enjoy the harmony of the area. The corner of St. John Street and Roseberry Avenue is already very busy with passersby and visitors to Sadlers Wells Theatre and we feel that extending PFC's trading hours to 02:00 will greatly diminish the quiet, residential feel of the area. It will also mean more rubbish and disgarded chicken bones on the street which is already a significant problem.

Please seriously consider our point of view when reviewing the application.

Regards,

3

Gallacher, Simon

From: m]
Sent: 01 October 2012 18:14
To: Licensing;
Subject: re 379 St John St. Licence application

Dear Simon Gallagher

Please do not publish my contact details in your report.

I am writing to object to the licensing application above.

There are four of us living at this address, and I would like to remind the Council and planning authorities that this is primarily a residential area including young children and elderly people. Although we have not had trouble with this business I have noticed that it encourages local and not-so-local youth and schoolchildren to congregate there, and recently some of these were throwing plastic bottles at each other in daylight hours. A fast food joint does not build a sense of respect for the neighbourhood, something which concerns us as it might well lead to further and more serious antisocial behaviour outside where we live and work, not just in the day but at night.

Rubbish is a perpetual concern given our problems with rats and foxes on the street--binbags, if not put out on the right day, are regularly bitten into at night-- despite good cleaning services, and there are never enough bins, nor are they much used by the customers at this particular business or by people at bustops.

We have had increasing trouble recently with night-time disturbance on these pavements and in the street from St Mungo's. It can get quite frightening and I think the strong streetlighting [a new introduction] actually makes it a more welcoming place for people to be who are locked out, wanting to talk and socialise with others on the street or who just want to cause disruption. It does not appear to be a place where people live and sleep, and can be quite alienating. IN our view this licence would encourage this kind of behaviour--ringing neighbours' bells [as happened recently to us and our neighbour], fighting, drunken abuse and noise as we have reported to St Mungo's. Many of us sleep at the front of our houses/flats because of the way the houses were designed so we are particularly vulnerable to disturbance.

We hope that this licence application will not go through because of the effects it will have on local residents. It will add to a growing feeling of insecurity about the street outside at night.

Yours faithfully

4

Gallacher, Simon

From: [redacted]@o.uk]
Sent: 01 October 2012 12:28
To: Licensing
Subject: re 379 St John St. Licence application

(Please do not publish my contact details in your report.)

Dear Simon Gallacher

Thank you for informing me of the proposed license application for late night opening at 379 St John St. EC1V 4LD. I assume this is for food only and not for alcohol. I would like to object to the application for the following reasons.

There are no other business premises in the immediate area. which have late opening hours. The primary use of the surrounding area is residential.

We are on a busy main road here and accept that we will experience some disruption due to traffic. Most of us sleep at the front of the building and are sensitive to any disruption from the street. Noise after 11 pm is particularly unwelcome and can at times be frightening.

For example someone was randomly ringing door bells including mine at a very late hour the other night. Anything that exacerbates such nuisance would be particularly unwelcome.

We have recently experienced problems (late night fights, shouting) with tenants of the St Mungos Housing Trust and the police have been called on a number of occasions. St Mungo's has done their best to address the situation but a food outlet that encourages a late presence on the street can only compound the problem.

We have not experienced any problems with the premises during its current opening hours although it occasionally seems to be something of a hangout for local youth.

Yours

Licensing Act 2003- Representation from the Licensing Authority
Application: 379 ST JOHN ST LONDON EC1

I am submitting a representation on behalf of the Licensing Authority in respect of this new application for a Premises Licence to permit late night refreshment on the premises

- Sunday to Thursday from 23.00 to 02.00
- Friday and Saturday from 23.00 to 03.00

The recommendation contained in this representation is consistent with the Licensing Policy Statement for 2011-2014 which was agreed by Council in December 2010 following full public consultation.

Whilst it is appreciated that the application is for a late night Indian restaurant, and that the proposal does not include the sale of alcohol, the premises is in a part of the borough which is relatively quiet late at night despite being located between the borough's two busiest late night areas at the Angel and in Clerkenwell.

Most of the other licenced premises in the immediate area operate until midnight or earlier and if a late night licence is granted to this premise it will attract customers from either Clerkenwell or the Angel and it will have a detrimental impact on local residents in terms of noise and disturbance.

The following Policies, determined by the Licensing Authority as being appropriate to promote the licensing objectives, are relevant to this application:

Licensing Policy 10

The Licensing Authority is committed to protecting the amenity of residents and businesses in the vicinity of licensed premises, particularly when late hours have been sought. Where relevant representations are received, the Licensing Authority will attach appropriate conditions to licences, necessary to support the prevention of undue noise disturbance from licensed premises.

Licensing Policy 22

Where relevant representations are received from responsible authorities and/or interested parties, the Licensing Authority may seek to restrict the operational hours of premises where this is necessary to promote the licensing objectives....

In view of these concerns the Licensing Authority is making a representation against the grant of this application on the ground of public nuisance however it is recommended that consideration be given to granting a premises licence to permit late night refreshment until 12 midnight Mondays to Sundays.

Janice Gibbons
Service Manager (Commercial)
Islington Council
Public Protection Division
222 Upper Street
London N1 1XR
T: 020 7527 3212

4 October 2012

6



ISLINGTON

M Mian
Hafiz & Haque Solicitors
18 Cavell Street
London
E1 2HP

Building Control Service
Planning and Development
222 Upper Street
London
N1 1XR

T 020 7527 5986
F 020 7527 5998
E geoff.weaver@islington.gov.uk
W www.islington.gov.uk

Our ref : GW
Your ref: MM/M0138/01/CC/Sufian

Date: 4 October 2012

Dear Sirs

**Licensing Act 2003
Representation from Responsible Authority for Health and Public Safety
Fast food/take away restaurant 379 St John Street EC1V 4LD**

With reference to the recent application for a premises licence under the Licensing Act 2003 at the above named premises, as the health and safety consultant for the responsible authority for health and public safety I will be making a representation to this application.

At a survey of the premises on 3 October 2012 it was found that the requirements specified in the attached schedule are in need of urgent attention to ensure the existing arrangements at the premises are adequate for health and public safety.

The premises should be maintained in good condition. Staff should be trained in the health and safety measures applicable to the premises and the action to be taken in the event of an emergency or evacuation. Enclosed for the attention of the licensee are **Health and Safety Standards for Places of Assembly, Shops and Commercial Premises**.

This communication is without prejudice to the necessity of complying with any other statutory controls which may be applicable, whether administered by the council or by any other authority.

Please give notification of the commencement and completion of the works.

Should you require any advice or information please contact me at the above address.

Yours faithfully

Geoff Weaver
Senior Building Surveyor (Licensing Health and Safety)

**Islington Licensing Authority
Licensing Act 2003**

Representation form from Responsible Authority for Health and Public Safety

Name	Geoff Weaver
Job title	Senior Building Surveyor (Licensing Health and Safety)
Postal address	Islington Council, Building Control Service 222 Upper Street, London N1 1XR
email	geoff.weaver@islington.gov.uk
Contact telephone number	020 7527 5986
Name and address of the premises concerning the representation	Fast food/take away restaurant 379 St John Street EC1V 4LD
Public Safety	The arrangements at the premises are insufficient for health and public safety. See attached requirements schedule.
Suggested conditions that could be added to the licence to remedy the public safety representation	The premises shall not be used under the licence until the requirements specified in the schedule dated 4 October 2012 have been completed and approved in writing by the responsible authority for health and public safety.

Signed: _____ Date: _____

Please return this form along with any additional sheets to: Applicant and Islington Council, Licensing Team, 222 Upper Street, London N1 1XR or email to licensing@islington.gov.uk This form must be returned within the statutory period. For more details please check with the Licensing Support Team on 020 7527 3031.

**Licensing Act 2003 – Requirements schedule dated 4 October 2012 for
Fast food/take away restaurant 379 St John Street EC1V 4LD**

(1) Emergency lighting

In addition to the lighting, emergency lighting in compliance with BS 5266 – 1 should be provided at the top of the basement stairs to give illumination to the stairs and the cooking area of the ground floor shop.

Note: Non-maintained emergency lighting should be wired to the local lighting circuit in such a manner as to operate not only in the event of failure of the mains supply but also on failure of the supply to the local lighting circuit.

The existing emergency lighting luminaire in the basement area should be cleaned, inspected and tested to ensure that it is wired to the local lighting circuit in such a manner as to operate not only in the event of failure of the mains supply but also on failure of the supply to the local lighting circuit.

(2) Smoke and heat alarm system

Mains operated smoke and heat alarms with a standby power supply such as a rechargeable or replaceable battery or capacitor in accordance with BS 5839 – 6 should be provided in the parts of the premises specified below:

- Ground floor public area of the shop – smoke alarm.
- Ground floor cooking areas – heat alarm.
- Basement area – smoke alarm.

Smoke alarms should be sited so that no point is further than 7.5m from the nearest smoke alarm. Heat alarms should be sited so that no point is further than 5.3m from the nearest heat alarm. Smoke and heat alarms should not be mounted within 500mm of any walls or obstructions.

Smoke and heat alarms should be interlinked so that detection of smoke or heat by one unit operates the alarm signal in all of them. Smoke and heat alarms should be wired in compliance with BS 7671 to a single independent circuit at the main distribution board. The circuit should be clearly labelled **Fire Alarm do not isolate**.

(3) Fire fighting appliances

The minimum provision for fire fighting appliance should be:
Fire Blanket and Carbon Dioxide fire extinguisher (rating 34B) provided behind by the cashiers/sales counter.

Fire fighting appliances should be on brackets or stands and located so as not to obstruct exit routes or cause a hazard to persons in and about the premises.

Appropriate signs should be fixed adjacent to the fire fighting appliances indicating the type of fire fighting appliance and the class of fire covered.

(4) Certificates

Inspection and test certificates specified below, certified by an approved competent person, should be submitted to the responsible authority for health and public safety.

- Emergency lighting
- Electrical installation for the smoke/heat alarm system
- Fire fighting appliances

Note: Approved competent persons for certification are specified in the attached document **Health and Safety Standards for Places of Assembly, Shops and Commercial Premises**.

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St Mungo's



Opening doors for homeless people

187 Roseberry Ave

London

EC1V 4TJ

Tel: 020 7427 2290

Mob: 07920 283 534

To whom it may concern,

I am writing with regards to the proposed licence application for the Fast food/ Takeaway Restaurant at 379 St John St EC1V 4LD.

St. Mungo's is the registered social landlord for the properties at 185 – 193 Roseberry Ave. These properties are supported housing for homeless men and women. The project at Rosebery Ave consists of 22 bed self –contained units for clients who are making the transition from homelessness towards independent living.

We believe that in granting an application whereby a café is able to operate until 2 a.m. will have a detrimental effect on nuisance levels in the area and will encourage more street activity and possibly crime. Our project often gets the blame for a lot of ASB that takes place in the vicinity and this is not always the case. In instances where we are responsible we have worked alongside neighbours, the Community Safety Partnership, SNT etc to deal with such issues. We are therefore concerned that any street activity related to the above café's possible extended opening hours could have an impact on our reputation within the locality.

Yours Sincerely,

Wilma Henderson

Manager



INVESTOR IN PEOPLE

Registered & Head Office: Griffin House, 161 Hammersmith Road, London W6 8DB
Tel 020 8762 5500 Fax 020 8762 5501 • www.stmungos.org • Patron HRH The Duke of Kent, KG • Chief Executive and Secretary Charles Fraser CBE
St Mungo Community Housing Association Ltd is a charity exempt from registration • Industrial and Provident Society No 20586R • Housing Association No LH0279
If you would like to make a donation, please phone 020 8600 3000

8

Gallacher, Simon

From: [redacted]
Sent: 05 October 2012 09:17
To: Licensing
Subject: Re: Licensing Application for Fast Food/Takeaway Restaurant, 379 St John Street, London EC1V 4LD

FAO Simon Gallagher, Licensing Officer

Dear Sir ,

I am writing to register my objection to the application to extend the opening hours for the premises at 379 St John Street from 23:00 to 02:00 Monday to Sunday.

The basis for this opposition is that such an extension is likely to constitute a public nuisance.

This is primarily a residential area and there are no other businesses which regularly open after 23:00. Noise pollution by customers of the restaurant into the early hours of the morning would seriously disrupt the sleep of residence in the surrounding area.

In view of the above, I request that the Licensing Authority refuse the application.

Yours faithfully,

9

4 October 2012

Simon Gallacher
Licensing Officer
The Licensing Support Team
222 Upper Street
London
N1 1XR
licensing@islington.go.uk

Your ref: WK/121360397

Dear Mr. Gallacher,

LICENSING ACT 2003 – APPLICATION FOR A PREMISES LICENCE

RE: FAST FOOD/TAKEAWAY RESTAURANT (PFC), GROUND FLOOR AND BASEMENT, 379 ST JOHN STREET, LONDON, EC1V 4LD.

As residents of , we are writing to make representation regarding the application, by PFC, for extension of business opening hours from 2300 to 0200 Monday to Sunday.

The prevention of public nuisance:

Although well served by local shops and restaurants, the area in PFC's immediate vicinity is very much a residential area. Trading hours for all nearby establishments are standard, and as such, residents can be confident that by 2300 – 2330 any noise from staff or customers closing up/leaving has come to an end, therefore allowing residents to enjoy a peaceful night's sleep at a reasonable hour.

Unfortunately, should PFC be granted this business hours licence extension, the peace and quiet that residents enjoy post 2330 would come to an abrupt end. This is particularly true for my young son whose bedroom faces out to the front of the building

During PFC's current opening hours, customers tend to congregate outside the establishment, either to wait for their food, or to eat it once purchased. Even when inside PFC, the establishment's double doors, which are kept open at all times, allow noise to escape freely from within, creating considerable noise disturbance, particularly when customers are rowdy or inebriated groups. This

noise disturbance is currently bearable as we can be assured that it will come to an end at 2330. An extension of business hours, however, will mean we will need to put up with this disturbance until 0200, every night of the week. It is also not unreasonable to assume that the later the hour the more likely PFC is to attract louder, more inebriated customers.

Should PFC also intend to continue their delivery service into the early hours, residents will also have to endure the noise of a loud scooter revving up before setting off on its delivery.

No other establishment in the immediate vicinity is open past 2330 hours, which means that noise from staff or customers leaving or entering PFC between the hours of 23.00 and 0200 would create a new disturbance not normally experienced by residents in the vicinity.

Littering, which is already evident around PFC during its current opening hours, would also be expected to increase.

The prevention of crime and disorder:

PFC already attracts, on occasion, groups of rowdy and/or inebriated customers, which have in the past led to criminal activity and anti social behaviour.

In November 2009, a fight broke out amongst a group of youths at the establishment. This fight led to a stabbing further down St John Street (*see link to full story on BBC News <http://news.bbc.co.uk/1/hi/england/london/8350556.stm>*). Needless to say, as residents, we are keen to avoid a repetition of this and feel that by extending opening hours and attracting a potentially rowdier and/or more inebriated customer this could contribute to an increased possibility of crime or disorder.

While we fully respect PFC's right to trade, for the reasons listed above, we feel that the proposed extension to PFC's trading hours would be to the detriment of our ability to enjoy the residential and community feel of this corner of Islington.

Yours sincerely,

10

Gallacher, Simon

From: M...
Sent: 02 October 2012 11:57
To: Licensing
Subject: Simon Gallacher - PFC Express Licence Application

Simon Gallacher
Licensing Support Team.

Dear Simon Gallacher,

PFC Express extended trading hours, 379 St John Street EC1V 4LD

I would like to oppose the above application most strongly under the prevention of public nuisance objectives.

I live _____ the noise that comes already from the premises by loud customers is most intrusive. Being woken at night is not pleasant, and to have this extended in to the early hours of the morning will have affect on my quality of living. Some mornings on leaving my house I have found chicken bones and the containers in which they serve the food in on my front steps.

There is also terrible smell of stale cooking oil in the air most days coming from the restaurant which is most unpleasant, and which I have written to this council about but have had no response. The owners have also carried out work, which is very loud, over weekends with no regard to the rest of us who live here and want a quite time.

I already live next door to one restaurant based at _____ St John Street, and already have problems from their patrons with noise when leaving that establishment, or standing outside my house when smoking, leaving cigarette butts on the ground and chaining bikes to my railings. To have this exacerbated by PFC's longer hours would be most intolerable.

This area is predominantly residential and to have the above licence approved will effect the lives and harmony of it's residents.

I would request that my name, address and details be kept confidential.

Yours sincerely,

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Gallacher, Simon

From: licensing@islington.gov.uk
Sent: 01 October 2012 16:27
To: Licensing; Fitzsimons, Aiden
Subject: WK/121360397 : Your recent Online Enquiry

Address: Fast Food/ Takeaway Restaurant, 379 St John Street, Islington, London, EC1V 4LD

Thank you for making representations regarding the licensing application. Your email has been forwarded to the appropriate officer dealing with this application.

We ask the council not to grant a "night cafe" licence, not because of trouble with the cafe premises, but because (i) a cafe open until 2am in a residential area will cause a nuisance disproportionate to any benefit and (ii) in particular, because the dynamics of the area has recently changed for the worse and the addition of late night catering would only aggravate this. We have lived opposite St Mungo's hostel in Rosebery Ave (only yards from this cafe) for 21 years; for 20 years it has been trouble free for us; but in 2012 there has been outside drinking on the pavement and steps, with fights (I have seen two serious ones), and frequent shouting and whistling. Police have come on several occasions, with arrests. Whether this is a result of a change in management or resident population, we don't know, but it is striking. Late night take-away food encourages street activity at times when residents might wish to sleep.

Simon Gallacher
Licensing Officer
Public Protection Division
222 Upper Street
London N1 1XR

1st October 2012

Dear Mr Gallacher,

I am very concerned about the application to grant a late night licence for the consumption of food on and off the premises of 379 St. John Street. My concerns are as follows:

- This is a residential area.
- There is already a lot of noise in this area at night.
- No. 379 is on the corner, at the junction of two busy main roads, St. John Street and Rosebery Avenue.
- The pavement outside No. 379 is not very wide. Too many people gathered outside might spill off the pavement and into the road, possibly causing accidents.
- Just around the corner, in Rosebery Avenue, are five properties which house the homeless. Selling food until 2am. might encourage some of these residents, and other members of the public, to sit and eat on the steps which lead up to the front doors. This would add to the noise nuisance already suffered by those who live at this end of Rosebery Avenue, on both sides of the road, most of whom are working people who need their sleep.

Yours sincerely,

COMMERCIAL/LICENSING

- 2 OCT 2012

PUBLIC PROTECTION DIVISION
222 UPPER STREET LONDON N1 1XR

13

Licensing Team
Public Protection Division
222 Upper Street
London N1 1XR

30 September 2012

Dear Sir/Madam

**RE: LICENSING ACT 2003 – APPLICATION FOR PREMISES LICENSE
FAST FOOD/TAKEAWAY RESTAURANY, GROUND FLOOR AND
BASEMENT, 379 ST JOHN STREET, LONDON EC1V 4LD**

We are writing to object to the above application. We have lived at the above address for almost nine years, which is one door away from the takeaway. During this time there have been a few problems relating to the business that have affected us. These have included customers throwing litter down our basement light well, which leaves chicken bones and packaging for us to clean. We've also had people sitting on our doorstep eating food from the takeaway and leaving their litter and people generally loitering outside our property eating food. This can be a real nuisance and hasn't helped with the rodent problem [REDACTED]

Though there have been problems in the past, the owners of the business have responded positively after our complaints and things have improved. The council also responded and installed a bin outside of the takeaway to help deal with the litter problem and the business has installed seating, which has reduced the loitering. We must stress that we have no major problems with the business as it currently is and the problems we have had in the past have been with their customers and not the business itself.

We strongly feel, however, that allowing the establishment to stay open beyond 11pm will create a genuine nuisance for us and our close neighbours, which we believe will be out of the control of the owners. The section of St John street where we live is a busy road but predominantly residential. We have young children as do others nearby whose sleep can be easily disturbed.

Aside from traffic noise, we also endure a lot of noise from passers-by especially on Friday and Saturday nights. Many of these people are in a party mood or inebriated and this can be quite intimidating late at night. This problem is only alleviated, however, because they are merely passing by on their way to and from elsewhere. We believe that allowing the business to remain open late (up to 2am) will give some of these people the opportunity to remain

longer in close proximity to our home during unsocial hours and would result in the increased occurrences of the problems mentioned above as well as occurrences of anti-social behaviour. We think it is worth mentioning that there is a total lack of toilet facilities in the area and the takeaway also sells liquid refreshments. This can be a problem that we have observed in the past and, of course, urinating in a public place is a criminal offence.

This area has been greatly rejuvenated recently by investment from new businesses as well as the residents smartening up their properties to create a decent place to live even for families. This is a positive move for the area but this application works against it.

There are plenty of places to eat late at night on Upper Street and at the southern and northern extremes of St John Street, well-established businesses close to late-night venues. Another late-night takeaway in the middle of this residential area will have severe adverse effects on those of us who live here.

Though I do not wish to create any problems for the owners of the takeaway business, I genuinely feel that if this application is granted then it will create problems for our family and other residents.

I hope you are able to take our comments into consideration.

Yours faithfully

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Date: 03/10/2012

Simon Gallacher
Licensing Officer
The Licensing Support Team
222 Upper Street
London
N1 1XR
licensing@islington.gov.uk

Representation with regard to the application for a premises licence by the fast food/takeaway restaurant PFC at 379 Saint John Street, EC1V 4LD, for the provision of late night refreshment and for consumption on and off the premises: 2300 to 0200 the following day from Monday to Friday.

Dear Mr. Gallacher,

As residents of [redacted] we are writing to make representation with regard to the application for 'a premises licence by the fast food/takeaway restaurant PFC at 379 Saint John Street, EC1V 4LD, for the provision of late night refreshment and for consumption on and off the premises: 2300 to 0200 the following day from Monday to Friday'.

The prevention of nuisance:

The area of Islington where PFC is located, while well served by local shops and restaurants, is very much a residential area. Trading hours for nearby restaurants are very standard and any noise from customers or staff is normally finished by an acceptable hour of 23.00- 23.30, and therefore not overly intrusive with regard to normal domestic and recreational activities, in particular relaxation and sleep.

Were PFC to be granted a licence 'for the provision of late night refreshment and for consumption on and off the premises: 2300 to 0200 the following day from Monday to Friday', this situation would change radically. We believe that such a change would result in additional noise and disturbance from this commercial property after 23.00, which would adversely affect our normal domestic and recreational activity and expectation of peace. Our property is located [redacted] from PFC overlooking 379 St John Street and is therefore clearly affected by noise from the premises.

No other establishment in the immediate vicinity is open past 2330 hours, this means that any noise from staff or customers leaving or entering PFC between the hours of 23.00 and 0200 would create a new disturbance not normally experienced by residents in the vicinity. This would also occur at an hour when most people would normally expect to be sleeping and this new disturbance would potentially affect them seven days of the week.

The nature of fast food establishments is that customers often stand outside the premises talking while waiting for food or eating their food. This is also the case at PFC. It would be reasonable therefore to expect that customers frequenting PFC between 23.00 and 0200 would act in a similar manner, making noise at a time when residents would have a reasonable expectation that they would not have to suffer disturbance from commercial operations.

Another common factor with fast food restaurants is that they are often frequented by people leaving pubs or at the end of a night's socializing and drinking. On that basis, it seems reasonable that later in the evening and into the morning there is likely to be a greater expectation that we will see, and hear, even more from noisy customers. By specifically requesting an extension from 23.00 to 02.00 one could reasonably assume that PFC wished to target this 'end of evening' customer or that it would at least attract them and that noise levels could therefore be expected to rise, again at a time when residents currently have no expectation of being disturbed.

The prevention of crime and disorder:

If, as seems reasonable, customers visiting a fast food shop after 2300 are more likely to do so at the end of an evening's socializing or on leaving a pub, and also more likely to linger around the premises, then this raises concerns that such a combination of circumstances could contribute to an increased possibility of crime or disorder.

As there are no other properties in the vicinity that are open at these late hours it is possible that PFC could become a 'destination' venue. Such a development would be a distinct and detrimental change to the nature of what is currently a very residential area.

While we fully respect PFC's right to trade, we feel that the proposed extension to its trading hours would be to the detriment of our peace of mind, intrude on our domestic and recreational activities and disturb the residential and community feel of this corner of Islington.

Yours sincerely,

Suggested conditions of approval consistent with the operating schedule

1. Staff shall be properly trained to diffuse any disorderly conduct and protect the premises, its customers and the surrounding locality by way of training sessions. Staff at the premises shall be trained to be vigilant of any suspicious behaviour within the premises and the outer ground area of the premises. The premises shall operate in conjunction with the local police station. All incidents of crime and disorder will be reported to the local police station as a matter of urgency.
2. No external furniture shall be provided whatsoever and the external area of the premises shall not be used for the provision of licensable activities.
3. Packaging provided to customers shall be kept to minimum. The interior of the premises shall be furnished with several bins and disposal units for refuse. The premises shall use recyclable materials wherever possible to mitigate littering.
4. Customers shall be encouraged by public notices, including notices at the entrance/exit, to leave the premises and the locality in an orderly and discreet manner in order to minimise disturbance.
5. All emergency exits shall be kept clear of obstruction. Staff shall be trained in safety matters such as evacuation from the premises. The premises shall be equipped with comprehensive first aid kits which staff shall also be trained to utilise in case of any incident requiring such assistance. Staff shall be trained to use the emergency services as and when necessary.
6. Possession of drugs and/or consumption of such drugs at the premises will not be tolerated. Such people will be reported to the police and ejected from the premises without delay.
7. Taxi calling service shall be available to customers at all times that the premises are open. Customers waiting for their taxis shall be provided with seating inside the premises.
8. Arrangements shall be made for the storage and disposal of refuse so as not to cause a nuisance.
9. Any continued concerns of public nuisance shall be reported to the police.
10. Staff shall be trained to be vigilant to ensure the safety and safeguard any children from harm. Any suspicious behaviour by customers and/or children will be notified to the local police should the matter not be resolved by the children or the children's family as may be the case.
11. Any persons acting suspicious shall be reported to the relevant authorities.
12. Local business suspected of selling/supplying age restricted items to children and/or children acting anti-socially shall be reported to the relevant authorities.

Suggested conditions of approval recommended by Health and Safety Officer

13. The premises shall not be used under the licence until the requirements specified in the schedule dated 4 October 2012 have been completed and approved in writing by the responsible authority for health and public safety.

Suggested conditions of approval recommended by Licensing Service

14. Late night refreshment shall be permitted to 12 midnight on Mondays to Sundays.

