



**Report of: Service Director - Public Protection**

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	23 May 2013	B4	Highbury West

Delete as appropriate	Exempt	Non-exempt

**Subject: TEMPORARY EVENT NOTICE APPLICATIONS**  
**RE: ZUBI, 144 HOLLOWAY ROAD, LONDON, N7 8DD**

## 1. Synopsis

- 1.1 This is a hearing to determine three temporary event notices (TEN) in respect of the above premises to extend the terminal hour for licensable activities from 3.30am to 6.30am on 1 April 2013 and from 10pm until 10am on 31 May, 13 and 28 June 2013. The temporary event notices are applied for under section 100, Part 5 of the Licensing Act 2003.
- 1.2 This application is subject to a representation from the Council's Noise in respect of public nuisance, and the Metropolitan Police in respect of the prevention of crime and disorder, public nuisance, and public safety.
- 1.3 The Licensing Sub-Committee are asked to consider whether or not to authorise the notice, and if allowed whether to impose any of the current premises licence conditions.

## 2. Recommendations

- 2.1 To determine the temporary event notice under Part 5 of the Licensing Act 2003 as the Licensing Sub-Committee consider appropriate for the promotion of the Licensing Objectives.
- 2.2 The Committee can decide to:
  - i. allow the temporary event notice for the specified event,
  - ii. allow the temporary event, subject to one or more conditions of the existing premises licence;

- iii. prohibit the temporary event notice by way of a counter notice.

### 3. Background

- 3.1 The premise holds a premises licence which allows regulated entertainment and sale of alcohol between the hours of 12:00 and 00:00 on Sunday, Tuesday, Wednesday, Thursday, and Friday and Saturday from 12:00 until 05:00.
- 3.2 On 11 March 2013 the Council's Noise Team submitted a review application in respect of this licence in respect of public nuisance.
- 3.3 Papers are attached as follows:-  
Appendix 1: TEN applications;  
Appendix 2: Representations from Noise Team and the Police.  
Appendix 3: current premises licence;  
Appendix 4: map of premise location.

### 4. Conclusion and reasons for recommendations

- 4.1 The Council is required to consider this temporary event notice application and decide to grant or refuse the application only.

#### 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 15/5/13

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing

Tel: 0207 527 3031

Fax: 0207 527 3420

E-mail: [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)



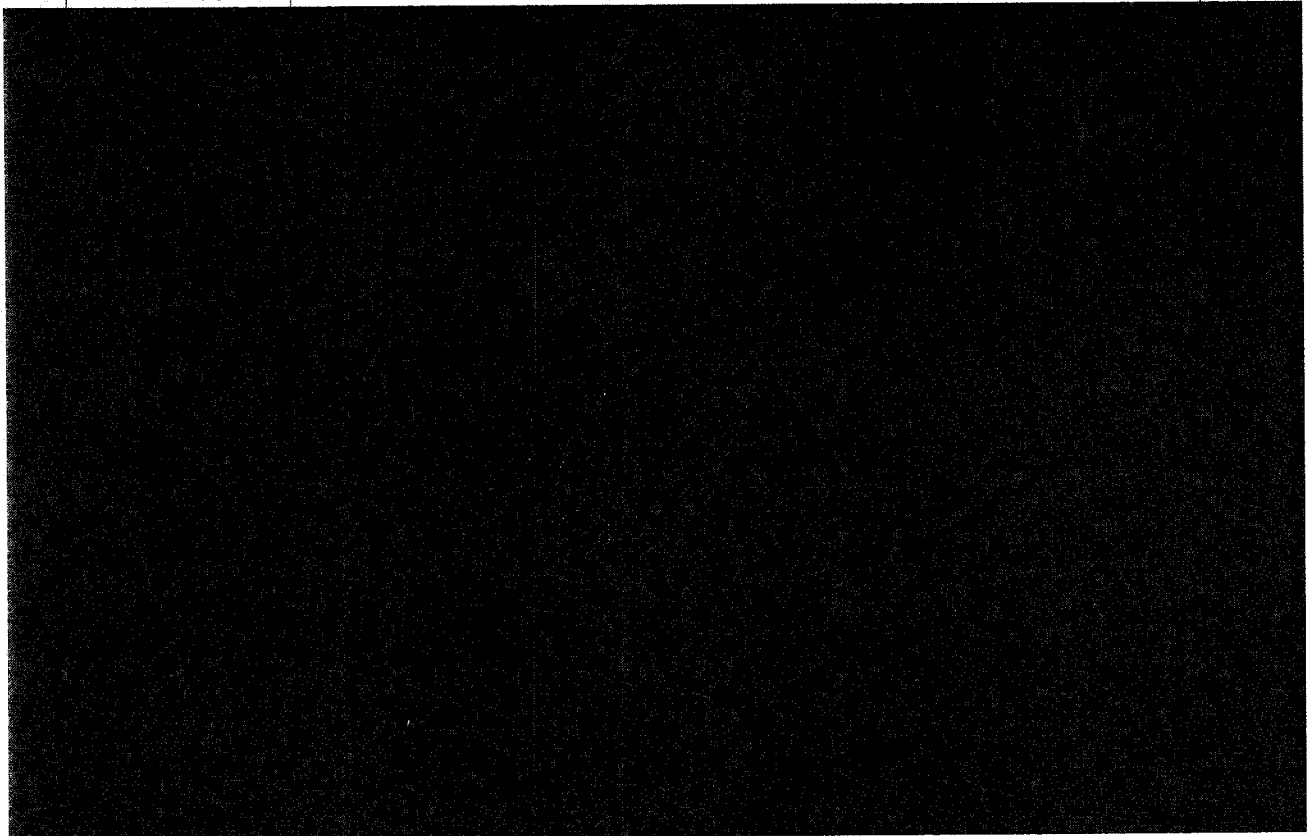
**Temporary Event Notice**

Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

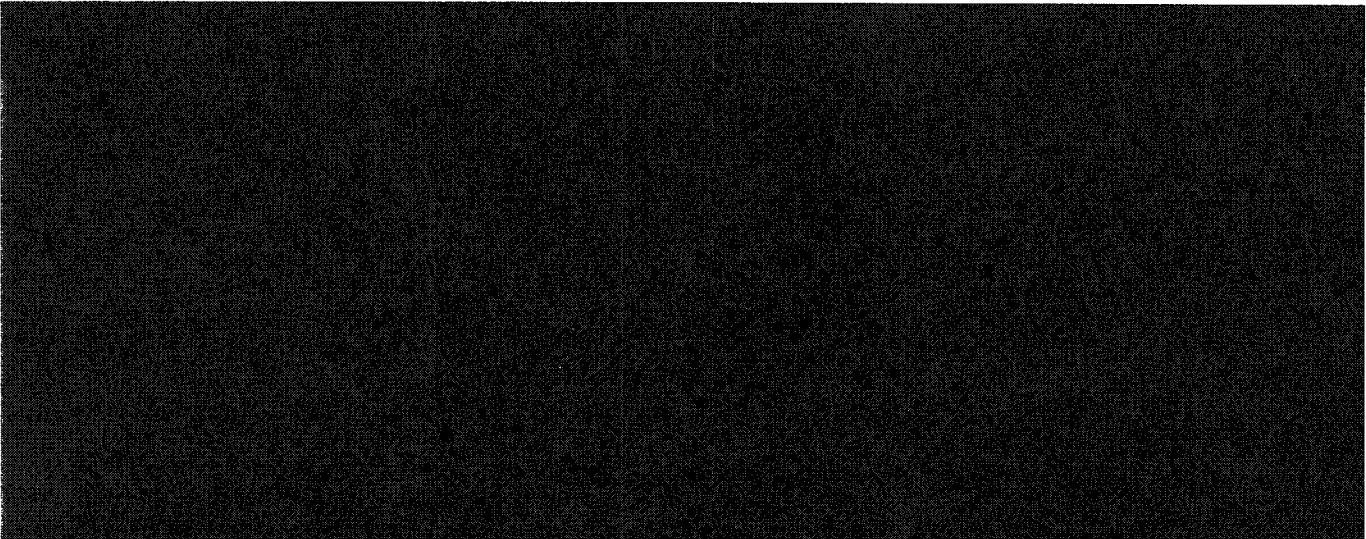
You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	THOMAS
Forenames	STANLEY
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	



PAYMENT BY CARD  
 RECEIPT JWIL/00 65  
 21.00 (of 42) 3/5/13



Mobile (optional)	
Fax number (optional)	
E-Mail Address (if available)	

**2. The premises**

Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references)  
(Please read note 2)

ZOBI BAR  
144 HOLLOWAY ROAD  
N7 8DD

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number      LN 12668-14110

Club premises certificate number

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below.  
(Please read note 3)

Please describe the nature of the premises below. (Please read note 4)

BAR - LOUNGE

Please describe the nature of the event below. (Please read note 5)
AFTER PARTY - BREAKFAST LOUNGE

**3. The licensable activities**

Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)

The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input checked="" type="checkbox"/>
The provision of regulated entertainment	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>

Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)

31/05/2013 - 1/6/13, 22/05/13, 29/6/13, 07/12/13, 14/12/13

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)

~~10:00 - 10:00am (24 hours)~~  
22-00 - 10-00 THE NEXT DAY

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 11)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

**4. Personal licence holders (Please read note 12)**

Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>

If "Yes" please provide the details of your personal licence below.

Issuing licensing authority	ENFIELD COUNCIL
Licence number	[REDACTED]
Date of issue	
Date of expiry	
Any further relevant details	

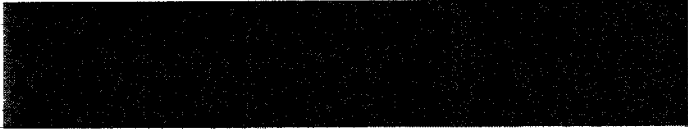
5. Previous temporary event notices you have given (Please read note 13)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 14)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		

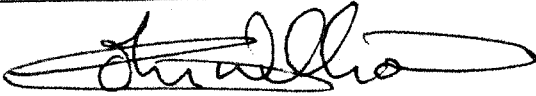
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<b>7. Checklist (Please read note 15)</b>	
<b>I shall (Please mark the appropriate boxes with an "X")</b>	
Send at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Send a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Send a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, send at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, send a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Make or enclose payment of the fee for the application	<input checked="" type="checkbox"/>
Sign the declaration in Section 9 below	<input checked="" type="checkbox"/>

<b>8. Condition (Please read note 16)</b>
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

<b>9. Declarations (Please read note 17)</b>	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	26/04/2013
Name of Person signing	STANLEY THOMAS

For completion by the licensing authority

10. Acknowledgement (Please read note 10)	
I acknowledge receipt of this temporary event notice.	
Signature	 On behalf of the licensing authority
Date	3.5.13
Name of Officer signing	J. WILLIAMS



WK/201310752

28-29/6



ISLINGTON

Temporary Event Notice

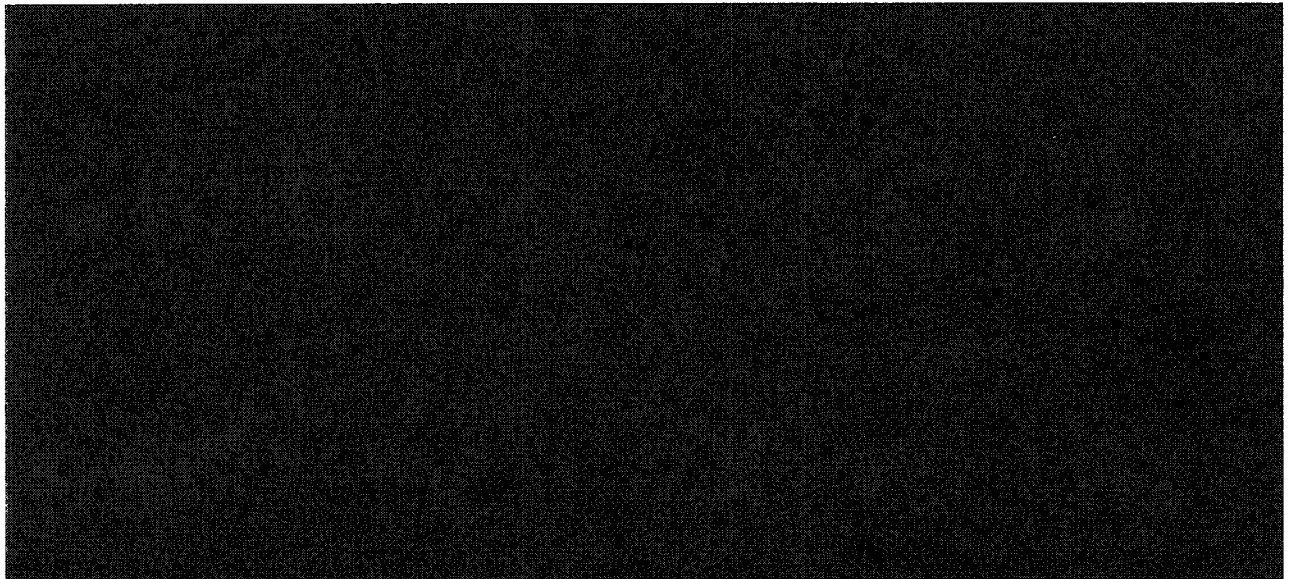
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Surname	THOMAS
Forenames	STANLEY
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	

PAYMENT BY CARD  
RECEIPT JW14/00 65  
21.00 (of 42) 3/5/13



Mobile (optional)	
Fax number (optional)	
E-Mail Address (if available)	

**2. The premises**

Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references)  
(Please read note 2)

ZUBI BAR  
144 HOLLOWAY ROAD  
N7 8DD

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number      LN 12668 - 141110

Club premises certificate number

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below.  
(Please read note 3)

Please describe the nature of the premises below. (Please read note 4)

BAR - LOUNGE

Please describe the nature of the event below. (Please read note 5)

AFTER PARTY - BREAKFAST LOUNGE

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Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)

~~31/05/2013~~, ~~28/06/2013~~, ~~29/06/2013~~ - 29/6/13

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)

~~10:00 - 10:00am (24 hours)~~  
22-00 - 10-00 THE NEXT DAY

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)

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(Please mark an "X" in the box that applies to you)

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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If "Yes" please provide the details of your personal licence below.

Issuing author	[REDACTED]
Licence	
Date of	
Date of	
Any fur details	


5. Previous temporary event notices you have given (Please read note 13)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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<b>7. Checklist (Please read note 15)</b>	
<b>Total (Please insert the appropriate number)</b>	
Send at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Send a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Send a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, send at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, send a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Make or enclose payment of the fee for the application	<input checked="" type="checkbox"/>
Sign the declaration in Section 9 below	<input checked="" type="checkbox"/>

<b>8. Condition (Please read note 16)</b>
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The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
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(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	26/04/2015
Name of Person signing	STANLEY THOMAS

For completion by the licensing authority

10. Acknowledgement (Please read note 18)	
I acknowledge receipt of this temporary event notice.	
Signature	 On behalf of the licensing authority
Date	3.5.13
Name of Officer signing	J. WILLIAMS

## Premises Licence Summary

### Licensing Act 2003

<b>Premises licence number</b>	LN12668-141110
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#### Premises details

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>			
ZUBI 144 HOLLOWAY ROAD			
<b>Post town</b>	London	<b>Post code</b>	N7 6DU
<b>Telephone number</b>	07931 339 056		

<b>Where the licence is time limited the dates</b>
Not Applicable

<b>Licensable activities authorised by the licence</b>
<b>Ground Floor only</b>
<ul style="list-style-type: none"> <li>• The provision of regulated entertainment by way of: The playing of recorded music</li> <li>• The provision of entertainment facilities for: Dancing</li> <li>• The sale by retail of alcohol</li> </ul>

<b>The times the licence authorises the carrying out of licensable activities</b>
-----------------------------------------------------------------------------------

<ul style="list-style-type: none"> <li>• The provision of regulated entertainment for the playing of recorded music:</li> </ul> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Tuesday</td> <td style="width: 15%;">12:00</td> <td style="width: 10%;">to</td> <td style="width: 15%;">00:00</td> <td style="width: 45%;"></td> </tr> <tr> <td>Wednesday</td> <td>12:00</td> <td>to</td> <td>00:00</td> <td></td> </tr> <tr> <td>Thursday</td> <td>12:00</td> <td>to</td> <td>00:00</td> <td></td> </tr> <tr> <td>Friday</td> <td>12:00</td> <td>to</td> <td>05:00</td> <td>the following day</td> </tr> <tr> <td>Saturday</td> <td>12:00</td> <td>to</td> <td>05:00</td> <td>the following day</td> </tr> <tr> <td>Sunday</td> <td>12:00</td> <td>to</td> <td>00:00</td> <td></td> </tr> </table>	Tuesday	12:00	to	00:00		Wednesday	12:00	to	00:00		Thursday	12:00	to	00:00		Friday	12:00	to	05:00	the following day	Saturday	12:00	to	05:00	the following day	Sunday	12:00	to	00:00	
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Sunday	12:00	to	00:00																											

<b>Gaming Machine Provision:</b>
None permitted

**The opening hours of the premises:**

Tuesday	12:00	to	00:00	
Wednesday	12:00	to	00:00	
Thursday	12:00	to	00:00	
Friday	12:00	to	05:00	the following day
Saturday	12:00	to	05:00	the following day
Sunday	12:00	to	00:00	

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

On supplies

**Name, (registered) address of holder of premises licence**

Mr Stanley Thomas  
149 Hornsey Road  
London  
N7 6DU

**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**

Mr Stanley Thomas

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

Persons under 16 shall only be permitted on the premises between the hours of 12:00 – 18:00, and then only when accompanied by a responsible adult.

Islington Council  
Public Protection Division  
222 Upper Street  
London N1 1XR

Tel: 020 7527 3031  
Email: [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)



## **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.
3. All door supervisors shall be licensed by the Security Industry Authority.
4. The admission of children to the exhibition of a film shall be restricted in accordance with the recommendation of a film classification body as defined in the Video Recordings Act 1984 or Islington Council acting as the licensing authority where it has given notice in section 20(3) of the Licensing Act 2003
5. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
6. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without the assistance by reason of a disability)
7. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

## **Annex 2 - Conditions consistent with the Operating Schedule**

1. All instances of crime and disorder shall be reported to the police.
2. An incident book shall be used to record all instances of public disorder.
3. The holder of the premises licence shall subscribe to and participate fully in the local pub/club/shop watch scheme.
4. The licensee shall provide a sufficient number of door supervisors to prevent the admission of, and ensure the departure from the premises of drunk and disorderly people or other people displaying signs of other substance abuse, without causing further disorder.
5. CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable frontal identification 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.
6. The use of regular glass cups will not be permitted on the premises. All drinks must be served in plastic or paper cups, or cups made from toughened glass.
7. Alcoholic and other drinks purchased from the premises may not be taken away from the immediate cartilage of the premises in open containers such as glasses or opened bottles.
8. No customers carrying open or sealed bottles shall be allowed to enter the premises at any time that the premises are open to the public.

9. Alcoholic drinks may only be consumed within the premises. The premises license holder must ensure that no alcohol is consumed outside the premises at any time.
10. Clear and prominent notices shall be displayed on the premises warning customers of the need to guard their property and to be aware of the operation of pickpockets, bag snatchers, etc. The notices shall advise customers to report concerns to the designated premises supervisor or the person in charge of the licensed premises.
11. Safety checks shall be carried out before the admission of the public. Details of safety checks shall be kept in a Log-book on the premises. The Log-book shall be made available for inspection by authorised officers.
12. All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified.
13. Where chairs and tables are provided, internal gangways shall be kept unobstructed.
14. All exits doors shall be maintained easily open able without the use of a key, card, code or similar means.
15. Exit doors shall be regularly checked to ensure that they function satisfactorily and a record of the check shall be kept.
16. Any removable security fastenings must be removed whenever the premises are open to the public or occupied by staff.
17. The edges of the treads of steps and stairways must be maintained so as to be in good condition and be conspicuous.
18. When disabled people are present, there must be sufficient numbers of staff and adequate arrangements must be in place to enable their safe evacuation in the event of an emergency. Disabled people on the premises must be made aware of such arrangements by staff and by the use of appropriate signage.
19. In the absence of adequate daylight, the lighting in any area accessible to the public shall be fully in operation when they are present.
20. Emergency lighting batteries are fully charged before the admission of the public.
21. Access for emergency vehicles must be kept clear and free from obstruction.
22. Adequate and appropriate supply of first aid equipment and materials must be available on the premises at all times.
23. There must be at least one suitably trained first-aider on duty when the public are present, and if more than one suitably trained first-aider is available, their respective duties must be clearly defined.
24. Special effects must not be used without the prior consent of the licensing authority.
25. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
26. Regulated entertainment shall not be provided in outside areas.
27. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

28. If a noise limiting device or devices are installed then the entertainment noise control system shall be monitored, checked and calibrated as necessary, so that the approved levels by the Council, are not exceeded.
29. The controls for the entertainment noise control system shall be located in a secure, lockable cupboard or similar location. The entertainment noise control system is to be independent of control by persons other than the licensee. Access to the entertainment noise control system is to be restricted to the Licensee or a designated manager.
30. Doors and windows to the premises will be kept closed, so far as practicable, at all times when noise generating regulated entertainment is taking place i.e. live and recorded music.
31. Refuse such as bottles must be placed into receptacles outside the premises at times that will minimise the disturbance to nearby properties.
32. The contact telephone number for the premises licence holder/designated premises supervisor/duty manager shall be displayed inside the premises or immediately outside the premises such that it is clearly visible from outside without the need to enter the premises.
33. The premises license holder shall ensure that there is an effective policy in place to control sale or supply of alcoholic drinks to children under the age of 18 years. The policy must require the production of a "proof of age" before such sales are made. The proof of age required/ acceptable (such as "proof of age" cards such as PASS (Proof of Age Standards Scheme) cards, photo driving licences, or passports) should be clearly set out in the policy.
34. A refusals log book shall be maintained at the premises. The refusals book shall be made available to an authorised officer or a police officer on request.
35. All members of staff shall be CRB checked.
36. Persons under 16 shall only be permitted on the premises between the hours of 12:00 – 18:00, and then only when accompanied by a responsible adult.
37. The licensee shall appoint a noise consultant registered with the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of sound insulation and noise control measures, which may include the installation of a noise limiting device, to prevent persons in the neighbourhood from being unreasonably disturbed by noise of music from the premises. The scheme shall be submitted for approval by the Council, and the approved scheme fully implemented to the satisfaction of the Council and the licensee notified in writing accordingly, prior to the premises being used for regulated entertainment.
38. No drinks to be taken outside.
39. No deliveries will take place between the hours of 11pm and 7am.
40. No rubbish including bottles will be moved, removed or placed in outside areas between the hours of 11pm and 7am.

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

41. When alcohol and regulated entertainment is provided by way of music and dancing, then SIA registered door supervisors will be employed from 9 pm until closing time at with a minimum of two at all times where guest numbers exceed 75 persons.
42. A dedicated licensed taxi/mini cab service shall be available within the premises for customers and customers to be requested to remain inside the premises until the taxi arrives.
43. The premises shall not be used under the licence until the requirements specified in the schedule dated 14 September 2010 have been completed and approved in writing by the responsible authority for health and public safety.
44. Bottling out from the premises is prohibited between 23:00 hours and 07:00 hours
45. The maximum number of persons accommodated at any one time in the premises shall not exceed 100.

### **Annex 4 – Plans**

Reference Number: O080907-01 Date: 08/09/2007

**Islington Licensing Authority  
Licensing Act 2003**

**REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES IN RESPECT OF A  
TEMPORARY EVENT NOTICE**

<b>Your Name</b>	PC Steven HARRINGTON
<b>Responsible authority and job Title</b>	Metropolitan Police. Licensing Officer Islington Police Station
<b>Postal and email address</b>	2 TOLPUDDLE STREET ISLINGTON N1 0YY.  NIMailbox-.licensing@met.pnn.police.uk

<b>Name of the premises you are making a representation about</b>	ZUBI BAR
<b>Address of the premises you are making a representation about</b>	144 HOLLOWAY ROAD N7 8DD
<b>Date and times of notice</b>	28/06/13 - 29/06/13 2200hrs 28/06/13 - 1000hrs 29/06/13
<b>Normal or Late TEN (if representation is for a late TEN then counter notice will be issued)</b>	NORMAL

**This representation relates to the following licensing objective(s)**

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance

**Recommended actions to promote the licensing objectives:**

- 1) The following conditions of the premises licence, as detailed below, be imposed
- 2) The TEN be modified as follows:
- 3) Additional information needs to be supplied by applicant:
- 4) The responsible authority considers that the notice should be refused by the Council's Licensing Committee

**Annex 1 conditions (please specify)**



Annex 2 conditions (please specify)
Annex 3 conditions (please specify)
Suggested modifications (for example times, dates, capacity)

***Please detail the evidence supporting your representation and / or the reason for your representation. Please use separate sheets if necessary***

**With reference to the above application, I am 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 'Holloway Road & Finsbury Park cumulative impact area', a locality where this is traditionally high crime and disorder and there are concerns that this application will cause further policing problems in an already demanding area.**

**It is for these reasons that we are objecting to the application.**

Signed: Steven Harrington Pc 425NI      Date: 09/05/13 \_\_\_\_\_

Please send this form along with any additional sheets to the applicant. A copy should be sent to: Islington Council, Licensing Team, 222 Upper Street London N1 1XR or email to [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)

**This form must be returned within the Statutory Period. For more details please check with the Licensing Team on 020 7527 3031**

**To be completed and returned by applicant**

<b>Name of the premises</b>	
<b>Address of the premises</b>	
<b>Date and times of proposed temporary event</b>	

<p>1) I am happy to accept the representation and conditions/modifications recommended by the responsible authority <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>2) I wish to withdraw my application for a temporary event notice <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>3) I do not accept the suggested conditions or recommendations and I wish to proceed with the notice to the next available Licensing Sub Committee <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Signed: _____ Date: _____</p> <p>Print name: _____</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

A copy should be sent by post to: Islington Council, Licensing Team, 222 Upper Street London N1 1XR or email to [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)

**This form must be returned within 5 working days.**

**Applicants are encouraged to enter into negotiations and supply additional information to the relevant responsible authority, where appropriate prior to formally returning this notice.**

**For more details please check with the Licensing Support Team on 020 7527 3031**

Licensing Copy



ISLINGTON

Stanley Thomas  


Noise Team  
222 Upper Street  
London N1 1XR

T 020 7527 3047

F 020 7527 3059

E [anne.brothers@islington.gov.uk](mailto:anne.brothers@islington.gov.uk)

W [www.islington.gov.uk](http://www.islington.gov.uk)

Our ref: abr/201311130

This matter is being dealt with by:

**Anne Brothers**

Your ref:

Date: 9 May 2013

Dear Mr Thomas

**TEMPORARY EVENT APPLICATIONS 31/05-01/06/13 & 28-29/06/13 TIMINGS OF  
EVENTS:22:00 UNTIL 10:00, LICENSING ACT 2003, ENVIRONMENTAL PROTECTION ACT  
1990**


Please find enclosed a representation in relation to the above applications. The representation is self-explanatory.

If you have any queries, please contact me at the above office.

Yours sincerely,

**Anne Brothers**  
**Principal Technical Officer**

cc. Aled Griffiths, PEHO Noise Team

Niall Forde, Licensing Officer  
Stanley Thomas via e mail: 



**Islington Licensing Authority  
Licensing Act 2003**

**REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES IN RESPECT OF A  
TEMPORARY EVENT NOTICE**

<b>Your Name</b>	Anne Brothers
<b>Responsible authority and job Title</b>	Noise Liaison Officer, Noise Team
<b>Postal and email address</b>	222 Upper Street, London N1 1XR  anne.brothers@islington.gov.uk

<b>Name of the premises you are making a representation about</b>	Zubi
<b>Address of the premises you are making a representation about</b>	144 Holloway Road, London N7 8DD
<b>Date and times of notice</b>	31/5/13 and 13&28/6/13, 22:00 – 10:00
<b>Normal or Late TEN (if representation is for a late TEN then counter notice will be issued)</b>	Normal

**This representation relates to the following licensing objective(s)**

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance

**Recommended actions to promote the licensing objectives:**

- 1) The following conditions of the premises licence, as detailed below, be imposed
- 2) The TEN be modified as follows:
- 3) Additional information needs to be supplied by applicant:
- 4) The responsible authority considers that the notice should be refused by the Council's Licensing Committee

**Annex 1 conditions (please specify)**



**Annex 2 conditions (please specify)**

1. If a noise limiting device or devices are installed then the entertainment noise control system shall be monitored, checked and calibrated as necessary, so that the approved levels by the Council, are not exceeded.
2. The controls for the entertainment noise control system shall be located in a secure, lockable cupboard or similar location. The entertainment noise control system is to be independent of control by persons other than the licensee. Access to the entertainment noise control system is to be restricted to the Licensee or a designated manager.
3. The licensee shall appoint a noise consultant registered with the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of sound insulation and noise control measures, which may include the installation of a noise limiting device, to prevent persons in the neighbourhood from being unreasonably disturbed by noise of music from the premises. The scheme shall be submitted for approval by the Council, and the approved scheme fully implemented to the satisfaction of the Council and the licensee notified in writing accordingly, prior to the premises being used for regulated entertainment.

**Annex 3 conditions (please specify)**

4. The maximum number of persons accommodated at any one time in the premises shall not exceed 100.

**Suggested modifications (for example times, dates, capacity)**

**Please detail the evidence supporting your representation and / or the reason for your representation. Please use separate sheets if necessary**

I have found an acoustic report dated October 2010 and an associated calibration certificate which I attach for information.

I reproduce an extract from the acoustic report below:

"The dominant noise source has been found to be traffic noise. The bar currently has a capacity of 100 people and it is not anticipated that the bar will operate at capacity on every occasion that it is open and therefore the effect of people noise in and around the area will be minimal.

The noise assessment showed that the noise from the venue can be mitigated by means of design measures including the installation of a noise limiter at the proposed site and by management systems for the outside area.

Noise limiter to be installed and calibrated as soon as possible will help prevent occurrences of noise nuisance and training of staff working at the premises with relation to noise issues will be the most significant measures in controlling noise from patrons at the venue."

I visited the premises in the early hours of 5 May at 00:30.

An extract from my report of visit is pasted below:

"There were a lot of people (40-50) gathered outside wanting to get in. DS's were on the door controlling entry. We were approached outside by an unknown man who took us to the licensee Stanley Thomas who was sitting in a car outside.

Went inside in the company of the licensee and measured sound levels as follows:

Ref	Linear	"A"	125 Hz	63 Hz
1	101.2	100.6	81.8	91.7
2	95.9	95.0	74.9	81.9
1 <sup>st</sup> calibration	86 (C)	85	69	73
2 <sup>nd</sup> calibration	94.5	89.9	81.7	76.5

On entry, the licensee dashed away into the crowd. Noticed the sound level reduced while I was taking measurements. This is borne out by the measurements in the table above. The sound levels measured are in substantial excess of the agreed levels from the first calibration certificate quoted above.

I noted that the layout has changed slightly, the stairs down to the lower level have been widened and the DJ booth has moved to closer to the bar.

Asked to see the limiter and the licensee told me it was locked upstairs. Told him the limiter should be available for inspection on request at all times. There was some (easily removable) tape on the volume control on the DJ decks.

Had a discussion with the licensee about a second calibration certificate that had been received some time ago that I told him we had not accepted. He claimed he had been told by the second sound engineer that we had accepted the new sound levels.

The second calibration certificate had elevated levels of sound that were justified by a claim that extensive works of SI had been carried out. I told the licensee that the levels of sound needed to be reduced to the levels quoted on the first calibration certificate. In order to elevate the levels he needs to inform us of any works of SI that have been carried out and we would then contact residents in order to conduct a properly controlled sound test."

I also attach noise warning letters sent to the licensee in March (x2 letters), September and November 2011 to which we have had no response.

I also attach a second calibration certificate dated April 2012 which has not been accepted. The reason for the rejection of the second calibration certificate is that we have not been informed of any works of additional sound insulation to the premises that could justify any increase to the original agreed sound levels associated with the acoustic report produced in connection with the application for the premises licence. I queried the second calibration certificate with the acoustician and the licensee in e mail correspondence.

I attach some e mail correspondence from last year querying the elevated levels quoted on the second calibration certificate.

I did not receive any reply to the e mail querying the elevated levels of sound, therefore as no sound testing has been carried out and no information has been made available as to any extra sound insulation that has been installed, the sound levels should be restored back to the levels quoted on the first calibration certificate received which is attached to this representation.

Noise Team does not have confidence that the licensee will be able to run the proposed events within the requirements of the noise conditions quoted. Therefore Noise Team requests the applications be refused by Committee

Signed: Anne Brnner Date: 9 May 2013

Please send this form along with any additional sheets to the applicant. A copy should be sent to:  
Islington Council, Licensing Team, 222 Upper Street London N1 1XR or email to  
[licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)

**This form must be returned within the Statutory Period. For more details please check with the Licensing Team on 020 7527 3031**

**To be completed and returned by applicant**

<b>Name of the premises</b>	
<b>Address of the premises</b>	
<b>Date and times of proposed temporary event</b>	

<p>1) I am happy to accept the representation and conditions/modifications recommended by the responsible authority <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>2) I wish to withdraw my application for a temporary event notice <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>3) I do not accept the suggested conditions or recommendations and I wish to proceed with the notice to the next available Licensing Sub Committee <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Signed: _____ Date: _____</p> <p>Print name: _____</p>
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A copy should be sent by post to: Islington Council, Licensing Team, 222 Upper Street London N1 1XR or email to [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)

**This form must be returned within 5 working days.**

**Applicants are encouraged to enter into negotiations and supply additional information to the relevant responsible authority, where appropriate prior to formally returning this notice.**

**For more details please check with the Licensing Support Team on 020 7527 3031**

# *CALIBRATION CERTIFICATE*

## *OCTOBER 2010*

**Zubi Lounge 144 Holloway Road, London N7**

**THIS CALIBRATION CERTIFICATE IS FOR THE NOISE LIMITERS AT ZUBI LOUNGE AT  
144 HOLLOWAY RD, N78DD**

**THE SOUND SYSTEM COMPRISED  
Pioneer DJM 300s mixer  
American Audio radius 3000 cd pair  
Europower Ep 4000 Amp**

**(THE CALIBRATION IS VALID FOR THIS EQUIPMENT ONLY)  
THE LOCAL AUTHORITY REQUIRE THAT THE NOISE LEVELS FROM ENTERTAINMENT  
FROM LICENSED PREMISES DO NOT CAUSE A STATUTORY NUISANCE IN NEARBY  
RESIDENTIAL PREMISES.**

**A FORMULA SOUND AVC2 NOISE LIMITER HAS BEEN INSTALLED AT THE BAR.  
NOISE MEASUREMENTS WERE MADE FROM THE CENTRE OF THE FLOOR AREA AT A  
HEIGHT OF 1.2M FROM THE FLOOR 2M IN FRONT OF DJ BOOTH**

**THE LIMITER HAS BEEN SET TO**

L <sub>Aeq</sub> 2min	85	dB
L <sub>Ceq</sub> 2min	86	dB
L <sub>eq</sub> 2min 63 Hz	73	dB
L <sub>eq</sub> 2min 125Hz	69	dB

**THE LIMITS WERE SET ON THE EVENING OF 11<sup>TH</sup> OCTOBER 2010  
ALL MEASUREMENTS WERE MADE WITH A 01dB TYPE 1 SOUND LEVEL METER  
THE LIMITS SET SHOULD BE VARIFIED BY A MEMBER OF THE LBI NOISE TEAM AS  
CONVENIENT.**

**THE NOISE LIMITER SHOULD BE RECALIBRATED ON AN ANNUAL BASIS FROM THIS  
DATE TO ENSURE COMPLIANCE AND THAT THERE HAS BEEN NO DRIFT IN THE  
SETTINGS. THIS CERTIFICATE IS VALID FOR 1 YEAR**

**PAUL MURPHY BSc (Hons) Dip Acoustics AMIOA**

**12<sup>TH</sup> OCTOBER 2010**



Noise Patrol  
Public Protection Division  
222 Upper Street  
London N1 1XR

Mr Thomas Stanley  
149 Hornsey Road  
London  
N7 6DU

T 020 7527 3047

F 020 7527 3059

E [anne.brothers@islington.gov.uk](mailto:anne.brothers@islington.gov.uk)

W [www.islington.gov.uk](http://www.islington.gov.uk)

Our ref: abr/102116

Your ref:

Date: 21 March, 2011

This matter is being dealt with by:  
**Anne Brothers**

Dear Mr Stanley

**NOISE NUISANCE FROM AMPLIFIED MUSIC, ZUBI, 144 HOLLOWAY ROAD, LONDON N7.  
ENVIRONMENTAL PROTECTION ACT 1990. LICENSING ACT 2003**

I have been informed by Noise Patrol that they were called to your premises in the early hours of 20 March. From a flat nearby they could clearly hear music noise and they could feel the vibrations of the bass from the music in the living room and bedroom of the nearby flat. The Noise Patrol Officer has reported that he spoke to you on the night of the visit and you informed him that you have spent a lot of money on sound insulation and you could not understand why people were complaining. The NP officer has reported to me that you informed him you have a cut-out limiter installed but that it appeared not to be working at the time of the visit.

There are noise conditions on the premises licence for Zubi at 144 Holloway Road as follows:

- Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
- If a noise limiting device or devices are installed then the entertainment noise control system shall be monitored, checked and calibrated as necessary, so that the approved levels by the Council, are not exceeded.
- The controls for the entertainment noise control system shall be located in a secure, lockable cupboard or similar location. The entertainment noise control system is to be independent of control by persons other than the licensee. Access to the entertainment noise control system is to be restricted to the Licensee or a designated manager.
- Doors and windows to the premises will be kept closed, so far as practicable, at all times when noise generating regulated entertainment is taking place i.e. live and recorded music.
- The licensee shall appoint a noise consultant registered with the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of sound insulation and noise control measures, which may include the installation of a noise limiting device, to prevent persons in the neighbourhood from being unreasonably disturbed by noise of music from the premises. The scheme shall be submitted for approval by the Council, and the approved scheme fully implemented to the satisfaction of the Council and the licensee notified in writing accordingly, prior to the premises being used for regulated entertainment.



CUSTOMER SERVICE EXCELLENCE

I have a copy of a calibration certificate from your acoustic consultant, Paul Murphy. The maximum sound levels for the premises quoted on the calibration certificate are as follows:

85 dB(A)

86 dB Linear

73 dB at 63 Hz

69 dB at 125 Hz

These are levels that were agreed for the premises after the calibration was carried out by your acoustic consultant Paul Murphy. It would appear from the acoustic survey that control of outbreak was dependent on the effective use of the limiter in place. From the description of sound heard in the residential accommodation on the report provided by the NP Officer, it would appear the maximum levels quoted above were significantly exceeded on the night.

The NP Officer noted a number for another acoustic consultant, Barry that you have been using in connection with the installation of the sound system. I have just contacted him and I have been informed by him that the controls for the limiter are not secured in a separate area as required by the noise condition reproduced above. You must remove the limiter from the reach of anyone other than yourself or designated managers. I would strongly recommend that rather than place it in a locked cupboard that you remove it to the office and hardwire it from there. This will give you the security you need and render the limiter tamper-proof.

Please contact me to discuss your intentions in this matter. The noise was judged by the NP Officer as a noise nuisance. Therefore I must warn you that in the event of noise being witnessed and if the Council is satisfied it is a legal nuisance, we have a duty to take steps to ensure the nuisance does not recur. This is likely to require the service of a legal notice, under the above legislation. Failure to comply with a legal notice is a criminal offence. The maximum penalty for an offence that happens on commercial premises is £20,000. In addition, your premises licence may be called in for review if the Noise Team is satisfied that it is necessary in order to prevent a public nuisance. I do hope this matter can be resolved informally however and look forward to your co-operation in this matter.

Yours sincerely

**Anne Brothers**

**Principal Technical Officer**

cc. Thomas Stanley, Licensee and DPS, Zubi, 144 Holloway Road, London N7 8DD

Thomas Stanley via e mail: [REDACTED]

Louise Norris, Noise Patrol Manager

Licensing





# COPY



# ISLINGTON

Noise Patrol  
Public Protection Division  
222 Upper Street  
London N1 1XR

Mr Thomas Stanley  
Licensee  
Zubi  
144 Holloway Road  
London  
N7 6DU

T 020 7527 3047  
F 020 7527 3059  
E [anne.brothers@islington.gov.uk](mailto:anne.brothers@islington.gov.uk)  
W [www.islington.gov.uk](http://www.islington.gov.uk)

This matter is being dealt with by:  
**Anne Brothers**

Our ref: abr/1021126  
Your ref:

Date: 29 March, 2011

Dear Mr Stanley

**NOISE NUISANCE FROM AMPLIFIED MUSIC, ZUBI, 144 HOLLOWAY ROAD, LONDON N7 6DU. ENVIRONMENTAL PROTECTION ACT 1990, LICENSING ACT 2003.**

There are noise conditions on the premises licence for Zubi as follows:

- If a noise limiting device or devices are installed then the entertainment noise control system shall be monitored, checked and calibrated as necessary, so that the approved levels by the Council, are not exceeded.
- The controls for the entertainment noise control system shall be located in a secure, lockable cupboard or similar location. The entertainment noise control system is to be independent of control by persons other than the licensee. Access to the entertainment noise control system is to be restricted to the Licensee or a designated manager.

I visited Zubi on Saturday night and measured sound levels at the premises as follows:

Ref	Lin	"A"	125 Hz	63 Hz
1	102.1	90.2	100.4	94.2
2	101.7	91.8	99.6	93.6
3	99.0	89.3	96.8	90.7
4	97.1	88.1	94.9	87.9
<b>Agreed levels</b>	<b>86</b>	<b>85</b>	<b>69</b>	<b>73</b>

You will notice the sound levels measured are significantly in excess of those agreed and as quoted from the calibration certificate dated 12/10/10 provided by your acoustic consultant Paul Murphy. I checked the Formula Sound AVC2 limiter in the DJ booth and although the power light was on, there were no attenuation lights showing on the limiter indicating that it was not correctly connected to the sound system.

You must take steps to ensure that sound levels do not exceed the agreed maximum levels. I revisited the premises later on the same night as I had left my warrant card behind at the premises. I immediately noticed on entry that the sound levels had increased. You were working



CUSTOMER SERVICE EXCELLENCE

behind the bar and told me that you had not noticed the increase in the sound levels because you were very busy. I again checked the limiter and again, no attenuation lights were showing.

I have to state that the levels set during the assessment were set taking into account the structural resistance of the premises to the outbreak of sound. The levels set are very low. While I was at the premises we discussed sound insulation matters and I advised you to enquire whether there are acoustic shields fitted to the downlighters fitted into the false ceiling. I have since noticed in the acoustic report from Paul Murphy that he discussed the possibility of installation of acoustic shields to the downlighters.

I also advised you that you must ensure the extract fans fitted in the side exit are fitted with acoustic boxes to ensure that sound does not escape through them. I would also add that you should make enquiries with your acoustic consultant as to whether the speakers are fitted on flexible wall mountings.

We also discussed the possibility of you discussing with your acoustic consultant the possible effectiveness of installing floor treatments to the accommodation upstairs that you have taken over that is owned by Mr Guzel. Please discuss this with Paul Murphy, although I must say, floor treatments could be very expensive for only minor increases in sound levels so you may choose not to pursue this as a possible remedy. You would also most probably need permission from Mr Guzel to undertake any structural works upstairs.

I have spoken to Paul Murphy today and he informs me he will be visiting you this Friday to re-set the sound levels back down to the agreed levels. He informs me that your sound engineer was employed by you to change the sound system subsequent to the first calibration. I have to state that if there are any changes to the sound system, it should be recalibrated by Paul Murphy or another accredited acoustic consultant.

Please provide a new calibration certificate once the system has been re-set.

We look forward to your co-operation in this matter but we must warn that in the event of noise being witnessed and if the Council is satisfied it is a legal nuisance, we have a duty to take steps to ensure the nuisance does not recur. This is likely to require the service of a legal notice, under the above legislation. Failure to comply with a legal notice is a criminal offence. The maximum penalty for an offence that happens on commercial premises is £20,000. In addition, your premises licence may be called in for review if the Noise Team is satisfied that it is necessary in order to prevent a public nuisance

Yours sincerely

**Anne Brothers**

**Principal Technical Officer**

cc. Mr Thomas Stanley via e mail: [REDACTED]

Mr Thomas Stanley, 149 Hornsey road, London N7 6DU

Niall Forde, Licensing Officer

Louise Norris, Noise Patrol Manager

 **COPY**



**ISLINGTON**

Noise Patrol  
Public Protection Division  
222 Upper Street  
London N1 1XR

Mr Stanley Thomas  
149 Hornsey Road  
London  
N7 6DU

T 020 7527 3047  
F 020 7527 3059  
E [anne.brothers@islington.gov.uk](mailto:anne.brothers@islington.gov.uk)  
W [www.islington.gov.uk](http://www.islington.gov.uk)

This matter is being dealt with by:  
**Anne Brothers**

Our ref: abr/201021126  
Your ref:

Date: 1 September, 2011

Dear Mr Thomas

**NOISE NUISANCE FROM AMPLIFIED MUSIC, ZUBI, 144 HOLLOWAY ROAD, LONDON N7 8DD. ENVIRONMENTAL PROTECTION ACT 1990, LICENSING ACT 2003.**

We are in receipt of complaints from local residents in relation to noise nuisance from amplified music. Noise Patrol visited in June this year and witnessed noise amounting to a nuisance and discussed this with you at the premises at the time. I wrote to you in March this year about noise nuisance being reported at that time and am very disappointed to note further calls to the noise service in relation to noise from the premises.


I enclose a letter I sent to you in March this year about noise issues and the control of noise at the premises. You must bring the volume of amplified music at the premises under control. You must ensure the limiter is secure and that your DJ's or any other staff do not tamper with it so as to override the limiter causing a noise nuisance.

I must warn you that in the event of noise being witnessed and if the Council is satisfied it is a legal nuisance, we have a duty to take steps to ensure the nuisance does not recur. This is likely to require the service of a legal notice, under the above legislation. Failure to comply with a legal notice is a criminal offence. The maximum penalty for an offence that happens on commercial premises is £20,000. In addition, your premises licence may be called in for review if the Noise Team is satisfied that it is necessary in order to prevent a public nuisance. This could have serious implications for your business.

Yours sincerely

**Anne Brothers**  
**Principal Technical Officer**

Encl: Previous letters sent 21/3/11 and 28/3/11

cc. Mr Stanley Thomas via e mail 

Mr Stanley Thomas, Licensee, Zubi, 144 Holloway Road, London N7 8DD

Niall Forde, Licensing Officer

Louise Norris, Noise Patrol Manager





# COPY ISLINGTON

Noise Patrol  
Public Protection Division  
222 Upper Street  
London N1 1XR

Mr S Thomas  
149 Hornsey Road  
London  
N7 6DU

T 020 7527 3047  
F 020 7527 3059  
E anne.brothers@islington.gov.uk  
W www.islington.gov.uk

This matter is being dealt with by:  
**Anne Brothers**

Our ref: abr/201021126  
Your ref:

Date: 22 November, 2011

Dear Mr Thomas

**ALLEGED NOISE NUISANCE FROM AMPLIFIED MUSIC, ZUBI, 144 HOLLOWAY ROAD, LONDON N7 8DD. ENVIRONMENTAL PROTECTION ACT 1990. "MINDED TO". LICENSING ACT 2003.**

As discussed with you this morning over the telephone, I visited Zubi in the early hours of Sunday 20 November. I measured sound levels inside the premises as follows:

Ref	Linear	"A"	125 Hz	63 Hz
1	101.2	96.4	93.5	95.4
2	101.3	96.6	93.7	96.1
3	101.7	95.3	95.2	97.7
<b>Agreed maximums.</b>	<b>86</b>	<b>85</b>	<b>69</b>	<b>73</b>

The above measurements show that levels were seriously in excess of the agreed maximum levels. We have recently been in receipt of calls from local residents in connection with noise from the premises. I wrote to you on 21 March, 29 March and again on 1 September in relation to noise issues. I enclose a copy of those letters for your ease of reference

There are noise conditions on the premises licence for Zubi as follows:

- The licensee shall appoint a noise consultant registered with the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of sound insulation and noise control measures, which may include the installation of a noise limiting device, to prevent persons in the neighbourhood from being unreasonably disturbed by noise of music from the premises. The scheme shall be submitted for approval by the Council, and the approved scheme fully implemented to the satisfaction of the Council and the licensee notified in writing accordingly, prior to the premises being used for regulated entertainment.
- If a noise limiting device or devices are installed then the entertainment noise control system shall be monitored, checked and calibrated as necessary, so that the approved levels by the Council, are not exceeded.
- The controls for the entertainment noise control system shall be located in a secure, lockable cupboard or similar location. The entertainment noise control system is to be independent of

control by persons other than the licensee. Access to the entertainment noise control system is to be restricted to the Licensee or a designated manager.

You informed me this morning that your acoustic consultant will recalibrate the sound system by the end of this week. Please send a copy of the calibration certificate to me at the above office when this is done.

In addition and in accordance with the conditions above, you are required to keep the limiter under secure conditions. We discussed this and you informed me that you intend to place the limiter in your office. You told me all the electrical wiring was in place. I strongly recommend that you install the sound stack in a cabinet with a glass front and door handles that can be secured with a tag that I can provide you with.

I have to inform you that if we are minded to serve an abatement notice under Section 80 of the Environmental Protection Act 1990. Please confirm your intentions in writing with regard to future noise control at the premises within 14 days of the date of this letter. I have to warn that if we do not hear from you we may serve Notice.

In addition if we witness noise amounting to a noise nuisance again that we may serve an abatement notice without further warning.

We look forward to your co-operation in this matter but we must warn that failure to comply with a legal notice is a criminal offence. The maximum penalty for an offence that happens on commercial premises is £20,000. In addition, your premises licence may be called in for review if the Noise Team is satisfied that it is necessary in order to prevent a public nuisance. This could have serious implications for your business.

Yours sincerely

**Anne Brothers**

**Principal Technical Officer**

cc. Louise Norris, Noise Patrol Manager

Licensing

Mr Stanley Thomas, Licensee/DPS. Zubi Nightclub, 144 Holloway Road, London N7 8DD

Mr Stanley Thomas via e mail: [REDACTED]

# SOUND LICENSING LIMITED

## CERTIFICATE FOR SOUND LIMITER

This is a certificate of compliance for the sound controlling equipment installed at ZUBI, 144 Holloway Road, London N7 8DD under the management of Stanley Thomas.

Type of Sound Limiter: Formula Sound AVC2 (s/n: 024523)  
Location of Device: In a locked area below the DJ area booth.  
Description of Music System: 2 x American Audio CD-J's  
1 x Ecler PAM 2600 Amplifiers  
1 x Allen and Heath Xone S2 Mixer  
1 x Euro power EPH3000 Amplifier  
8 x Full range speakers (wall mounted)

The Local Authority has specified the following:

At all times of operation the music noise from the proposed licensed premises, within adjoining non-associated noise sensitive premises, shall not cause any increase in the  $L_{A90(1min)(f)}$  when compared with the existing  $L_{A90(1min)(fast)}$  without the premises in operation.

At the same times the music noise from the proposed licensed premises shall not cause any increase in the real time simultaneous  $L_{eq(1min)(f)}$  1/1 octave band sound pressure level centred on the frequencies 63Hz and 125Hz, when compared with the existing equivalent  $L_{eq(1min)(f)}$  (63Hz and 125Hz) taken without the premises in operation.

On the 4<sup>th</sup> April 2012 the limiter was reset and measurements were carried out in the front bedroom of Flat 1 directly above the bar. The results recorded were as follows:

	$L_{A90(1min)(f)}$	63Hz	125Hz	Time
Premises not in operation	36.2 dB(A)	43.3 dB	44.4 dB	20:24
Premises in operation	36.9 dB(A)	30.0 dB	38.0 dB	20:52

\*Traffic noise would be considered the major noise source at the time of the measurements. The limiter was then locked and the following levels were measured in the centre of the bar:

Location	$L_{Aeq,1min}$	$L_{eq,1min}$	$L_{eq,1min} - 63Hz$	$L_{eq,1min} - 125Hz$	Time
Zubi Bar	89.9dB(A)	94.5dB	76.5dB	81.7dB	21:00

All measurements were carried out using a CEL593 (type 1) sound level meter. The calibration of the measuring equipment was checked prior to and immediately following the tests and no signal variation occurred. Calibration of equipment is traceable to national standards and was last carried out on 21 June 2011.

Matthew Lauezzari PgDipAcoustics  
Principal Consultant

4th April 2012

**SOUND LICENSING LIMITED**

Registered in England & Wales – No: 7584162

2 Limes Court, Limes Road, Cheshunt, Hertfordshire EN8 8JE UK Phone: 07536 088512 / 0207 096 1555

Email: info@soundlicensing.co.uk Web: www.soundlicensing.co.uk





E mail correspondence in connection with the second calibration certificate April 2012

-----Original Message-----

From: Sound Licensing [mailto:info@soundlicensing.co.uk]

Sent: 05 April 2012 00:22

To: Brothers, Anne

Cc: thomaschase@mail.com

Subject: Zubi Bar, 144 Holloway Rd - Sound Limiter Certificate

Dear Ms Brothers,

please find attached a new certificate of compliance for the sound limiter installed at Zubi bar.

I trust the attached is acceptable, please let me know if there are any problems.

Regards

Matt Lauezzari

Sound Licensing Limited

I replied as follows, copying the licensee to the correspondence, explaining that in order to elevate sound levels we will need to conduct a sound test from local residents:

From: Brothers, Anne

Sent: 05 April 2012 11:16

To: 'Sound Licensing'

Cc: thomaschase@mail.com

Subject: RE: Zubi Bar, 144 Holloway Rd - Sound Limiter Certificate

Dear Mr Lauezzari

I acknowledge receipt.

I also acknowledge Mr Thomas' visit to this office yesterday to inform me he has installed and is in the process of completing extensive works of sound insulation.

We are not in receipt of details of the works however and I informed Mr Thomas that he should take a series of photos of the works in hand and provide details of the specifications of materials used and details of the installation.

We will need to contact residents that are in close proximity to the premises in order to determine that any elevated sound levels are satisfactory for them. Mr Thomas assured me yesterday that residents have his telephone number and if they call him to report issues of noise transmission that he will reduce the volume of the music being played out until revised elevated levels can be verified.

Which resident did you visit in order to establish that the higher levels quoted on the calibration certificate are satisfactory?

Please provide the information detailed above in my conversation with Mr Thomas yesterday.

In addition there is a licence condition as follows:

29. The controls for the entertainment noise control system shall be located in a secure, lockable cupboard or similar location. The entertainment noise control system is to be independent of control by persons other than the licensee. Access to the entertainment noise control system is to be restricted to the Licensee or a designated manager.

If my memory serves me correctly the limiter has been located in the DJ booth?

If so, this is a very good opportunity to relocate it to the office area behind the bar.

Anne Brothers

Principal Technical Officer

Noise Patrol

Public Protection

Islington Council

3rd Floor 222 Upper Street, London N1 1XR

Tel : 020 7527 3047 Fax: 020 7527 3057

Alternative contact: Noise Support Team; 020 7527 3258

-----Original Message-----

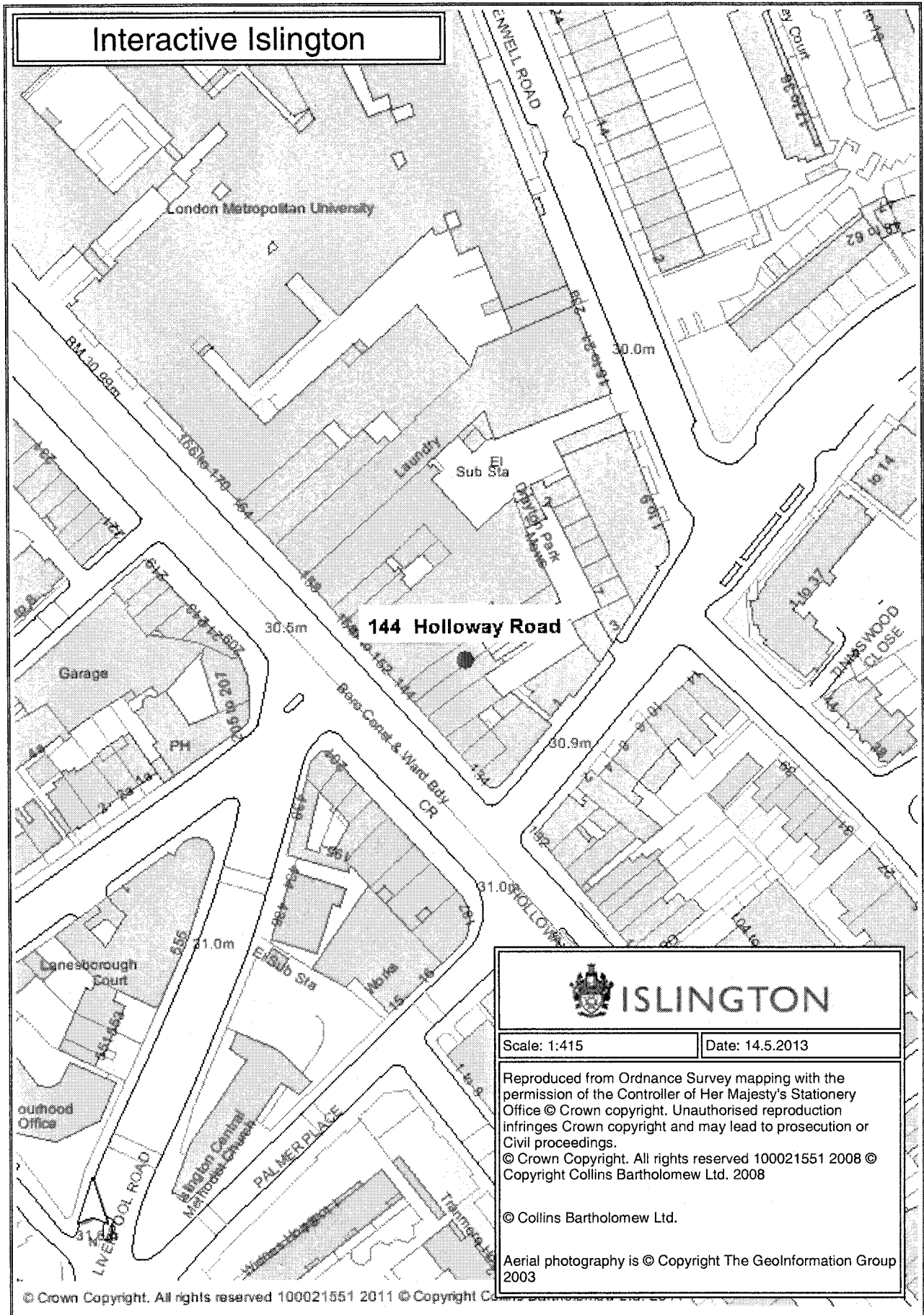
From: info@soundlicensing.co.uk [mailto:info@soundlicensing.co.uk]


Sent: 05 April 2012 11:22

To: Brothers, Anne

Subject: Delivered: RE: Zubi Bar, 144 Holloway Rd - Sound Limiter Certificate

Your message was delivered to the recipient.



 **ISLINGTON**

Scale: 1:415	Date: 14.5.2013
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