



Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	25 th March 2014	B2	Clerkenwell

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE VARIATION APPLICATION

RE: Niche, 197-199 Rosebery Avenue, London EC1R 4TJ

1. Synopsis

- 1.1 This is an application for the variation of a premise licence under the Licensing Act 2003.
- 1.2 The variation application is to:
 - 1.2.01 Amend the authorised hours for the supply of alcohol, for consumption on the premises only, and playing of recorded music between 10:00 and 23:00, Sundays to Thursdays, and between 10:00 and 00:00 on Saturdays and Sundays.

2. Recommendations

- 2.1 To determine the application for a variation of the premises licence under Section 34 of the Licensing Act 2003.

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

- i. conditions of the current premises licence;
- ii. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (See appendix 5);
- iii. any conditions deemed necessary by the Committee to promote the four licensing objectives.

3. Background

3.1 The premises currently holds a licence allowing:

3.1.1 The supply of alcohol, for consumption on the premises only, and playing of recorded music between 12:00 and 15:00 and 18:00 and 00:00, Sundays to Saturdays.

3.2 Papers are attached as follows:-

- Appendix 1: application form;
- Appendix 2: current premises licence;
- Appendix 3: representations;
- Appendix 4: applicant's response to representations;
- Appendix 5: suggested conditions and map of premise location.

3.3 Licensing history at the premises:

3.3.1 The current premises licence has been in effect since November 2005;

3.3.2 The premises licence transferred to the current operators in June 2013

3.4 The Licensing Authority has received letters of representation from:

3.4.1 Two local residents, neither of whom have requested that they remain anonymous.

4. Planning Implications

4.1 None

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

Date 13/3/14

Received by

Report author: Licensing Service

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E-mail: licensing@islington.gov.uk



Application to vary a premises licence 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 Marc Richard Warde and Adrian Edwin Morgan

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number
LN/4159-250713

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Niche 197-199 Rosebery Avenue			
Post town	London	Postcode	EC1R 4TJ

Telephone number at premises (if any)	020 7837 5048
Non-domestic rateable value of premises	£21500

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	adrian@nichefoodanddrink.com		
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

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

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

There is currently a mismatch between the trading times of the café and the licencing hours as we took over from a restaurant with differing trading hours. We would like to simplify the hours in line with the more informal café/restaurant we now are.

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

Note that the current licence permits midnight closing every day but we note your Licence Policy of 23:00 during the week and have amended accordingly.

We are a small 40 cover café/restaurant.

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

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick all that apply

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

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

☐

Sale by retail of alcohol (if ticking yes, fill in box J)

☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play 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 performing plays</u> (please read guidance note 4)		
Wed					
Thur					
			<u>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</u> (please read guidance note 5)		
Fri					
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			
Thur			<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)
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			<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)		
Sat					
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 checked="" 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) Background restaurant music only – cannot be heard in the street		
Mon	10:00	23:00			
Tue	10:00	23:00			
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Wed	10:00	23:00			
Thur	10:00	23:00			
			<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) We open on Monday or Sunday nights until 7.30pm if there is a performance at Sadler's Wells.		
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	23:00			

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			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Wed			<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)		
Thur					
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place 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 entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<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)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment 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 provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) <u>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</u> (please read guidance note 5) We open on Monday or Sunday nights until 7.30pm if there is a performance at Sadler's Wells.		
Mon	10:00	23:00			
Tue	10:00	23:00			
Wed	10:00	23:00			
Thur	10:00	23:00			
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	23:00			

K

<p>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).</p> <p>N/A</p>
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L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) None anticipated
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) We open on Monday or Sunday nights until 7.30pm if there is a performance at Sadler's Wells.
Mon	10:00	23:00	
Tue	10:00	23:00	
Wed	10:00	23:00	
Thur	10:00	23:00	
Fri	10:00	00:00	
Sat	10:00	00:00	
Sun	10:00	23:00	

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

Our current licence restricts sale of alcohol between 3pm and 6pm, which is inconsistent with most restaurants and our business needs.

Please tick as appropriate

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



If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

N/A

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

We are a small informal café and restaurant. We only serve alcohol seated in the restaurant which is waiter service. We think this helps to ensure that all the licensing objectives are met.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☐
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

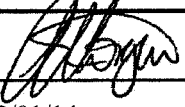
IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	22/01/14
Capacity	

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) 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	22/01/14
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) adrian@nichefoodanddrink.com			

Notes for Guidance

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

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 state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the 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.



ISLINGTON

**PREMISES LICENCE
LICENSING ACT 2003**

Premises licence number	LN/4159-250713		
Postal address of premises, or if none, ordnance survey map reference or description			
NICHE			
197-199 ROSEBERY AVENUE			
Post town	LONDON	Post code	EC1R 4TJ
Telephone number			

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Ground Floor
<ul style="list-style-type: none"> The provision of regulated entertainment by way of: The playing of recorded music The provision of late night refreshment The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities							
Delete any that do not apply							
<ul style="list-style-type: none"> The provision of regulated entertainment for the playing of recorded music: 							
Monday	12.00	to	15.00	18.00	to	00.00	
Tuesday	12.00	to	15.00	18.00	to	00.00	
Wednesday	12.00	to	15.00	18.00	to	00.00	
Thursday	12.00	to	15.00	18.00	to	00.00	
Friday	12.00	to	15.00	18.00	to	00.00	
Saturday	12.00	to	15.00	18.00	to	00.00	
Sunday	12.00	to	15.00	18.00	to	00.00	
<ul style="list-style-type: none"> The provision of late night refreshment: 							
Monday	23.00	to	00.00				
Tuesday	23.00	to	00.00				
Wednesday	23.00	to	00.00				
Thursday	23.00	to	00.00				
Friday	23.00	to	00.00				
Saturday	23.00	to	00.00				
Sunday	23.00	to	00.00				

- The sale by retail of alcohol:

Monday	12.00	to	15.00	18.00	to	00.00
Tuesday	12.00	to	15.00	18.00	to	00.00
Wednesday	12.00	to	15.00	18.00	to	00.00
Thursday	12.00	to	15.00	18.00	to	00.00
Friday	12.00	to	15.00	18.00	to	00.00
Saturday	12.00	to	15.00	18.00	to	00.00
Sunday	12.00	to	15.00	18.00	to	00.00

Non standard timings:

The opening hours of the premises:

Monday	12.00	to	15.00	18.00	to	00.00
Tuesday	12.00	to	15.00	18.00	to	00.00
Wednesday	12.00	to	15.00	18.00	to	00.00
Thursday	12.00	to	15.00	18.00	to	00.00
Friday	12.00	to	15.00	18.00	to	00.00
Saturday	12.00	to	15.00	18.00	to	00.00
Sunday	12.00	to	15.00	18.00	to	00.00

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

On supplies

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Marc Richard Warde

E-mail: marc@nichefoodanddrink.com

Adrian Edwin Morgan

E-mail: Adrian@nichefoodanddrink.com

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

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

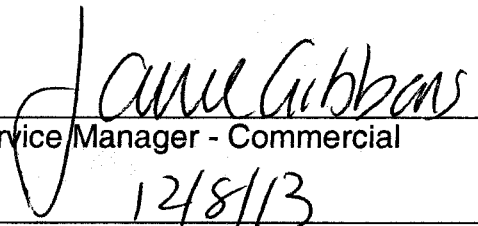
Adrian Edwin Morgan

E-mail: Adrian@nichefoodanddrink.com

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

LN/000005079 – Greenwich Council

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


Service Manager - Commercial

12/8/13
Date of Issue

Annex 1 - Mandatory conditions

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

In this condition, an "irresponsible promotion" means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children:

- a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on:
 - i) the outcome of a race, competition or other event or process, or
 - ii) the likelihood of anything occurring or not occurring;
 - e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
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 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.

8. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

9. The responsible person shall ensure that:
- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - i) beer or cider: ½ pint;
 - ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii) still wine in a glass: 125 ml; and
 - b) customers are made aware of the availability of these measures.

Annex 2 - Conditions consistent with the Operating Schedule

- 1. Staff shall receive training to deal with antisocial and drunken behaviour.
- 2. Overcrowding shall not be permitted on the premises.
- 3. The licensee shall ensure that neighbouring occupiers are not disturbed by customers arriving at/departing from the premises.
- 4. Music shall be played at background levels only.
- 5. Waste collections shall be arranged so as not to cause a disturbance to neighbouring occupiers.
- 6. Procedures shall be in place to ensure no underage sales of alcohol.

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

Annex 4 – Plans

Reference Number: ISL94928

Gallacher, Simon

From:

Sent:

To:

Subject:

Re: Licence application: Niche, 197-99 Rosebery Avenue

Dear Mr Senler

It is:

On 11/02/2014 12:44, Senler, Yesim wrote:

> Dear [REDACTED]
>
> Please provide your postal address for us to process your representation as a valid one.
>
> Kind regards,
>
> Yesim Senler
> Licensing Technical Support Officer
> Licensing Team
> Public Protection Division, Environment & Regeneration, Islington Council, 3rd Floor, 222 Upper Street, London, N1 1XR
> Tel: 020 7527 1829, e-mail: yesim.senler@islington.gov.uk, website: www.islington.gov.uk
>
>

> -----Original Message-----

> From: [REDACTED]
> Sent: 10 February 2014 18:28
> To: Licensing; [REDACTED]
> Subject: Licence application: Niche, 197-99 Rosebery Avenue
>

> Dear Sir

>
> I am writing as a resident living directly opposite the restaurant on Rosebery Avenue itself to object to this license application. Because of the design of our houses we all sleep at the front with windows onto the street opposite the cafe. It is right, in a residential area, that we should have one evening a week, on a Sunday, when there is less activity on the pavement.

>
> I am particularly concerned about the possibility of drinking, late night dining and music extending out of the cafe onto the pavement in the Summer, as that would be a cause of noise and public nuisance. We have problem drinking on the street and other antisocial behaviour in this area, and increasing noise and disturbance at night on our pavements outside this house. I would be concerned not to encourage this any further and I see this as a step in the wrong direction. please consider these points carefully in making your decision.
>

> Obviously I wish the cafe well in every other respect.

>

> yours sincerely

>

> [REDACTED]

> This e-mail is intended for the addressee only. If you have received it in error, please contact the sender and delete the material from your computer. Please be aware that information in this email may be confidential, legally privileged and/or copyright protected.

>

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Gallacher, Simon

From: [REDACTED]
Sent: 12 February 2014 08:09
To: Senler, Yesim
Subject: Re: Licence application: Niche, 197-99 Rosebery Avenue

Dear Yesim Senier

My address is as below. Apologies I meant to check if anything else was required.

Best wishes

[REDACTED]

On 11 Feb 2014, at 12:44, Senler, Yesim wrote:

> Dear Ms
>
> Please provide your postal address for us to process your representation as a valid one.
>
> Kind regards,
>
> Yesim Senler
> Licensing Technical Support Officer
> Licensing Team
> Public Protection Division, Environment & Regeneration, Islington Council, 3rd Floor, 222 Upper Street, London, N1 1XR
> Tel: 020 7527 1829, e-mail: yesim.senler@islington.gov.uk, website: www.islington.gov.uk
>
>

> -----Original Message-----

> From: [REDACTED]
> Sent: 11 February 2014 08:41
> To: Licensing; [REDACTED]
> Subject: Licence application: Niche, 197-99 Rosebery Avenue
>

> Dear Sir,

> I support the views put forward by my immediate neighbour regarding the licensing application by Niche bakery.

> We already have high levels of ambient noise from passing traffic - particularly in summer when car windows are open and one can hear car sound systems. Any addition to this would be most unwelcome.

> Yours sincerely

> [REDACTED]

> Dear Sir

> I am writing as a resident living directly opposite the restaurant on Rosebery Avenue itself to object to this license application. Because of the design of our houses we all sleep at the front with windows onto the street opposite the cafe. It is right, in a residential area, that we should have one evening a week, on a Sunday, when there is less activity on the pavement.

>

> I am particularly concerned about the possibility of drinking, late night dining and music extending out of the cafe onto the pavement in the Summer, as that would be a cause of noise and public nuisance. We have problem drinking on the street and other antisocial behaviour in this area, and increasing noise and disturbance at night on our pavements outside this house. I would be concerned not to encourage this any further and I see this as a step in the wrong direction. please consider these points carefully in making your decision.

>

> Obviously I wish the cafe well in every other respect.

>

> yours sincerely

>

[REDACTED]

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Niche, 197-199 Rosebery Avenue, London EC1R 4TJ

Tuesday, 11 March 2014

Dear neighbour

Re: Licence application for NICHE

I have read your objections and understand your concerns. I hope that I will be able to explain our intentions that will reassure you that you have no need to be worried that your quiet enjoyment of your home will in any way be affected by this application.

Our current licence actually allows us to serve alcohol until 12am, 7 days a week and all we are hoping to do is to tidy up the licencing hours in line with the local council guidelines and our trading hours (the existing licence was set up for the Thai restaurant that closed last year). As you may know, we are closed on Sunday and Monday nights (except when there is a show on at Sadler's Wells, in which case we open until 7.30pm) and we have no intention of changing this.

As a small 'all day' café and restaurant business open from 9am we have taken the strategic decision to close at 9.30pm on Tuesday to Saturday. The only reason for the 11pm finish time in the licence application is that these are the guide hours set by the council and enables us to hire out the restaurant for private parties if we have the opportunity. I would like to say again, that our current licence enables us to serve alcohol until 12am so this is in effect a reduction to our evening hours.

You have said that you have concern over music being played into the night. Our licence application is for **background music** only, which you would not be able to hear from over the road.

We have been trading since July 2013 and therefore you have already experienced the kind of business we attract and the impact of summer trading. We are not changing anything and we do not believe will have any detrimental impact on you in any way. However, if there are any specific restrictions to Sunday trading you would like to propose then I would be willing to consider these.

I hope this reassures you that we are and will continue to be good neighbours and a welcome addition to the local community.

Yours sincerely,

Adrian Morgan
Owner | Director
Niche Food & Drink Ltd

Suggested conditions of approval consistent with the operating schedule

No additional conditions suggested.



Title : Niche

Islington Borough
Boundary

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