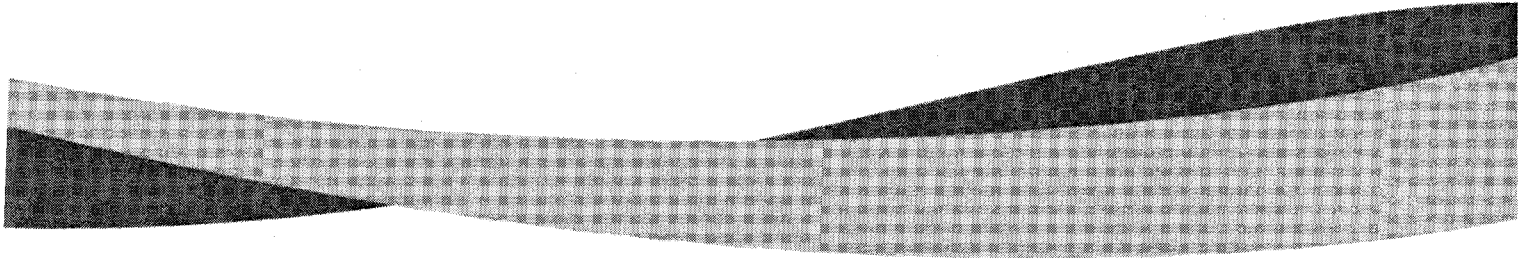


Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	25 th March 2014	31	St. Mary's
Delete as appropriate		Non-exempt	



Subject: PREMISES LICENCE NEW APPLICATION
RE: ZONE 8 MEDIA LTD, 11 SHILLINGFORD STREET, LONDON, N1 2DP

1. Synopsis

- 1.1 This is an application for a new premise licence under the Licensing Act 2003.
- 1.2 The new application is to allow:
 - i) The sale by retail of alcohol, off supplies only, Mondays to Sundays from 09:00 until 17:00.

2. Recommendations

- 2.1 To determine the application for a new premises licence under Section 17 of the Licensing Act 2003.
- 2.2 To consider that this address is in the Angel and Upper Street Saturation or "Cumulative Impact Policy" of Islington. This special policy creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that are likely to add to the existing cumulative impact will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.

- 2.3 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 3);
 - iii. any conditions deemed necessary by the Committee to promote the four licensing objectives.

3. Background

3.1 Papers are attached as follows:-

- Appendix 1: application form;
- Appendix 2: representations;
- Appendix 3: suggested conditions and map of premise location.

3.2 The Licensing Authority has received 2 letters of representation, none of which are from people who 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

B/3/14

Received by

Head of Scrutiny and Democratic Services

Date

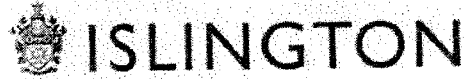
Report author: Licensing Service

Tel: 020 7527 3031

Fax: 020 7527 3430

E-mail: licensing@islington.gov.uk

Appendix 1
2014 35148



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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I/We Nick Baker

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 11 Shillingford Street			
Post town	Islington	Postcode	N1 2DP

Telephone number at premises (if any)	07973 654097
Non-domestic rateable value of premises	£ This is a domestic premises

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

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

JWL / 133
£100.00 / PARIS
10/10/14

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

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

Please tick yes

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Nick Baker
Address Zone 8 Media Ltd 11 Shillingford Street Islington N1 2DP
Registered number (where applicable) 4984998
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited company
Telephone number (if any) 0203224392
E-mail address (optional) nick@zone8media.com

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	02	014

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
 The property is a private domestic residence, with a monitored alarm system throughout and we are looking to store and dispatch small quantities (single bottles) of high value champagnes (cheapest is £160 a bottle) from sales generated through the website www.thefinestbubble.com

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

0

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

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

Provision of regulated entertainment

Please tick any that apply

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

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

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

In all cases complete boxes K, L and M

A

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

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>	
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue						
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)			
Thur						
Fri						
Sat			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 (please read guidance note 5)			
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			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 (please read guidance note 5)
Fri			
Sat			
Sun			

D

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

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed						State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur								
Fri								
Sat						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 (please read guidance note 5)		
Sun								

F

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

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri					
Sat			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 (please read guidance note 5)		
Sun					

H

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

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
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) We are looking to store and dispatch small quantities (single bottles) of high value champagnes (cheapest is £160 a bottle) from sales generated through the website www.thefinestbubble.com – There are no sales “on-premise” or “off premise” generated at the property, so no visitors or opening times since all sales are generated on the website and we just dispatch them via a courier during normal business hours of 09:00 to 17:00	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sun					
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

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

Name Nick Baker
Address [REDACTED]
Postcode [REDACTED]
Personal licence number (if known)
Issuing licensing authority (if known) Islington

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).
 none

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) Not open to the public as all sales generated on line and the property is just a warehouse to dispatch the product.
Day	Start	Finish	
Mon			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) none
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

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

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

This applies to all categories of a to e since we are not open to the public:
We are looking for a premises licence to store and dispatch small quantities (single bottles) of high value champagnes (cheapest is £160 a bottle) from sales generated through the website www.thefinestbubble.com – We are not open to the public as all sales generated on line and the property is just a warehouse to dispatch the product.

b) The prevention of crime and disorder

The property is secure and monitored alarm

c) Public safety

The location is not open to the public

d) The prevention of public nuisance

The location is not open to the public and one person will walk once a day to the post office with the items to be dispatched.

e) The protection of children from harm

The site is not open to the public

Checklist:

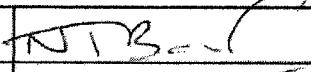
Please tick to indicate agreement

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

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

Part 4 – Signatures (please read guidance note 10)

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

Signature	
Date	6 th January 2014
Capacity	Director

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

PART A

Consent of individual to being specified as premises supervisor

I Nick Baker

[full name of prospective premises supervisor]

Of

[Redacted area]

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

Premises Licence

[type of application]

by Nick Baker

[name of applicant]

Relating to a premises licence

[number of existing licence, if any]

for 11 Shillingford Street
Islington
N1 2DP

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

Nick Baker

[name of applicant]

concerning the supply of alcohol at

11 Shillingford Street, N1 2DP

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

[insert personal licence number if any]

Personal licence issuing authority

Islington

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed



Nick Baker

Name (Please Print)

6th January 2014

Date

**LICENSING ACT 2003
NOTICE OF APPLICATION FOR A PREMISES LICENCE/
CLUB PREMISES CERTIFICATE**

Premises Name and Full postal address of premises

**11 Shillingford Street
Islington
N1 2DP**

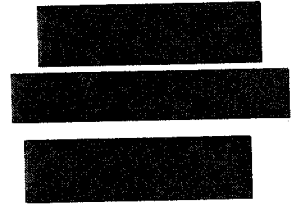
Notice is given that Nick Baker has applied to Islington Council for a Premises Licence or Club Premises Certificate under the Licensing Act 2003.

The proposed licensable activities are: Premises Licence application to allow storage and dispatch of small quantities of Champagne from the premises (There will be no public access or sales on the premises as all sales generated through a website)

Anyone who wishes to make representations regarding this application must write to the: Licensing Support Team, Public Protection, 222 Upper Street, London N1 1XR. Representations must be received no later than

The Application Record and Register may be viewed during normal office hours at the above address or at www.islington.gov.uk.

It is an offence under Section 158 of the Licensing Act 2003, knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence is up to level 5 on the standard scale (£5000).



Licensing Service
London Borough of Islington
3rd Floor, 222 Upper Street
London N1 1XR
BY HAND

5 February 2014

Dear Sir/Madam

Representations about licence application ref WK/2014 35148 by ZONE 8 LIMITED OF 11 SHILINGFORD STREET, LONDON N1 2DP for a new premises licence application under the Licensing Act 2003 to the Licensing Authority, Islington LBC.

There are three preliminary points I wish to address:

First, the letter containing notification of the licence application appears to have been hand delivered, without an envelope and is undated. It was not addressed to me personally, it only had "Flat A" handwritten on it.

Secondly, I attended the council's Licensing Service at 3rd floor, 222 Upper Street, London N1 on Friday, 31 of January 2014 to inspect and to obtain copies of the licence application and plan of the premises which would indicate where alcohol would be sold and consumed. I spoke to the council officer in charge who told me that the documents in question were not available for inspection and I had to make do with making my written representations. This was totally unexpected and has left me at a considerable disadvantage in relation to the submission of cogent objections based on the information submitted by the applicant in his application.

Thirdly, my interest in this matter stems from the fact that I occupy a neighbouring property situated to the back of the applicant's property. I occupy the two bedroom ground floor council maisonette at [REDACTED] with my wife and our three children aged 11 years, 9 years and 8 months. I work part-time to allow me to study for my doctorate. The work-study balance also allows me to be an active parent and carer. However, the combination of fatherhood, study and work means I am fully stretched during every day of the week and rest is always at a premium. The current use of applicant's property (parties and the like) and particularly their garage has frequently produced unacceptable noise levels and disturbance at different hours of day, both during the day and at night.

BACKGROUND

According to Islington's website, their Licensing Policy is intended to inform applicants and residents about the way in which the Licensing Authority will make licensing decisions and how licensed premises are likely to be permitted to operate so as to promote the licensing objectives.

This Licensing Policy only becomes relevant when the Licensing Authority receives representations about licence applications. Where no representations are received, applications will be granted on the terms and conditions applied for.

As a Licensing Authority Islington LBC have a duty to promote the following four licensing objectives and these objectives will underpin every decision they undertake:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance;
- the protection of children from harm.

In 2012 Islington reviewed their licensing policy as a result of feedback from residents, the police and other partner agencies. They considered a wide range of evidence to help them understand the positive and negative impacts of alcohol, entertainment and late night refreshment on the borough and led them to:

- designate areas of cumulative impact and saturation in Clerkenwell, Bunhill, Kings Cross, Angel and Upper Street, Holloway Road and Finsbury Park, and Archway

- adopt a guide-line framework of closing times for businesses applying for new and variation applications as follows:

Off-licences - 11pm

Night clubs - 1am Sunday to Thursday, 2am Friday and Saturday

Restaurants, cafes and bars - 11pm Sunday to Thursday, midnight Friday and Saturday

Hot food and drink from takeaways- midnight Sunday to Thursday, 1am Friday and Saturday

24 hour sales of alcohol to hotel residents

Details of these and other measures which Islington LBC feel are appropriate for promoting the licensing objectives are contained in their Licensing Policy.

Through their Licensing Policy Islington LBC will:

- Continue to consider each application on its merits;
- Carefully manage the number of premises supplying alcohol, imposing restrictions where appropriate;
- Encourage and support businesses that are unlikely to add to the cumulative impact in terms of crime, disorder and public nuisance; and
- Continue to seek high standards of management in licensed premises.

ISLINGTON'S LICENSING POLICY 2013-2017 STATES:

In reviewing our Licensing Policy we have been mindful that Islington's residents suffer from high levels of alcohol-related ill health and early deaths. Alcohol consumption is increasingly identified as a major factor behind violent crime and disorder in the borough with serious consequences to victims, businesses and local communities.

The number of licensed premises continues to grow rapidly so that Islington has one of the highest densities of pubs, bars, clubs and off licences in the country and second highest in London after the City of Westminster.

SAFER ISLINGTON PARTNERSHIP

Alcohol related anti-social behaviour and crime is frequently committed away from the licensed premises where alcohol has been consumed or purchased. Licensing is not the primary mechanism for controlling anti-social behaviour away from licensed premises and in some cases will be beyond the direct control of operators. It is, however, an important aspect of control and licensing law is part of the holistic approach to the management of the evening and night time economies of towns and city centres. **Restricting the number of outlets supplying alcohol in cumulative impact areas is an additional means of control.**

With over 1300 premises licensed to sell alcohol, and nearly a third of these licensed to sell after midnight, parts of the borough have now reached saturation point. It is clear that we have now reached a watershed with the economic benefits of the night time economy starting to be outweighed by the health impacts, loss of amenity and the costs of excessive alcohol consumption, crime and disorder.

PART ONE - LOCATION, CUMULATIVE IMPACT AND SATURATION

Licensing Policy 1

Islington has one of the highest densities of licensed premises in England and careful consideration will be given to the need to add to these numbers when applications are received. As there is no delineation between residential and commercial areas careful management is required to prevent conflict between the different uses. In considering applications for new licences, variations to existing licences and licence reviews **the Licensing Authority will take the matters listed below into account:**

- **Whether the premises is located in an area of cumulative impact;**
- The type of premises and their cumulative impact upon the area and the mix of premises in the area;
- **The location of the premises and character of the area;**
- **The views of responsible authorities;**
- The views of other persons;
- Past compliance history of current management;

- The proposed hours of operation;
- The type and numbers of customers likely to attend the premises;
- Whether the applicant is able to demonstrate commitment to a high standard of management, for example through active participation in pub watch, adopting the Licencee's Charter and holding the Best Bar None Award:
- **The physical suitability of the building proposed for licensable activities, i.e. in terms of safety, access, noise control etc.**

CUMULATIVE IMPACT AREAS

Licensing Policy 2

The Licensing Authority has adopted a special policy relating to cumulative impact in relation to:

- Clerkenwell
- Bunhill
- Kings Cross
- **Angel and Upper Street**
- Holloway and Finsbury Park
- Junction area of Archway

This special policy will create a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that are likely to add to the existing cumulative impact will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.

The effect of adopting a special policy of this kind is to create a rebuttable presumption that where representations are received applications will normally be refused unless the applicant can demonstrate, in their operating schedule, that there will be no adverse cumulative impact on the licensing objectives.

CUMULATIVE IMPACT AREAS - SUPPORTING EVIDENCE

The headline statistics that underpin Islington's approach to introducing Cumulative Impact Areas are that in 2011 Islington:

- was the second highest London Borough and well above the London average, for violent crimes attributable to alcohol per head of population;
- was above average in London for sexual offences in which the suspect had been drinking alcohol;
- had the highest hospital admission rates in London due to alcohol attributable conditions;
- had the sixth highest rate of alcohol related ambulance calls in London;
- had 40% of its alcohol-related ambulance calls between 11pm and 4am with a peak callout on Fridays and Saturdays.

The evidence from these sources confirms the national picture in that as the density of premises in Islington increases so does both the number of ambulance callouts and the level of alcohol related crime.

Although it can be argued that in recent years there has been a year on year reductions in the level of alcohol related crime, the levels remain significantly higher than in 2004 with the impacts extending across a greater period of the night / early morning. The Licensing Authority is determined to impose strict licensing controls until the impact of alcohol consumption on the community, emergency services and local hospitals has reduced significantly.

To assist in identifying the five specific cumulative impact areas in Islington the Licensing Authority has considered:

- Alcohol Related Crime and Disorder Statistics
- Ambulance alcohol related call out data.
- Noise and antisocial behaviour callouts
- Licensing data – residents' complaints and representations
- Feedback from residents following the 2010 policy consultation
- Feedback from Safer Islington Partners

ANGEL AND UPPER STREET AREA

As Islington's most significant town centre the Angel has a thriving night time economy providing a wide cultural and entertainment offer. Upper Street is well renowned for its extensive choice of restaurants and cafes and the whole area has seen an increase in the predominance of bars targeting younger people which impact on the character of the area.

Contained within the Angel and Upper St Cumulative Impact Area is the Angel Business Improvement District which has been instrumental in developing and promoting the retail and leisure economy in the area and securing resources to improve the look and feel of the Town Centre.

The Licensing Authority believes that the area has reached saturation and any further expansion in the night time economy should not adversely affect the quality of life for residents. The adoption of a cumulative impact area will give the Licensing Authority the ability to carefully manage the impact on residents through making decisions on any proposed expansion of the night time economy which are consistent with the licensing objectives.

Recent independent research commissioned by the council concerning the impact of licensed premises on Clerkenwell has indicated that "the impact of licensed premises is a major issue affecting the daily lives of the residents we spoke to".

DEVELOPMENT PLANNING

Licensing Policy 6

The Licensing Authority expects applicants to ensure that they have planning consent for the intended use and hours of operation, or otherwise have lawful planning status, before making an application for a premises licence. The Licensing Authority will only grant licences for premises without planning consent in exceptional circumstances.

A comparison of alcohol related violence prior to deregulating licensing hours in 2004 with 2011 shows that in 2004 alcohol related crime peaked between the hours of 11pm and midnight. By 2011 the peak hours for alcohol related crime had expanded and shifted to midnight to 5am with a corresponding 600% increase in alcohol related crime.

Furthermore the Licensing Authority considers that the possibility of disturbance to residents is more likely to occur at night and in the early hours of the morning and despite the best efforts of businesses to manage the dispersal of patrons it can be very difficult to eliminate that any such disturbance to residents when patrons have left the vicinity of a licensed premises.

Applicants who wish to provide licensable activities outside the hours specified above should ensure that the operating schedule specifies detailed measures to mitigate against crime, disorder and public nuisance taking into account:

- A. the location of the premises and the character of the area in which they are situated;
- B. the proposed hours during which licensable activities will take place;
- C. the adequacy of the applicant's proposals to prevent crime and disorder and prevent public nuisance;
- D. whether customers have access to public transport when arriving at or leaving the premises;
- E. the proximity of the premises to other licensed premises in the vicinity and the hours of operation of those other premises policies and proposals for the orderly dispersal of customers.

ALCOHOL INDUCED CRIME AND DISORDER AND ANTISOCIAL BEHAVIOUR

Licensing Policy 13

The Licensing Authority expects licensees to operate to the highest standards of management, and to cooperate with responsible authorities, to prevent:

- # The sale of alcohol to underage children;
- # Drunkenness on premises; and
- # Irresponsible drinks promotions.

NOISE

Licensing Policy 18

Complaints about noise in Islington have risen substantially over the last ten years and the considerable expansion of the night-time economy has increased noise within urban settings above the national average. It is in the context of these trends that noise disturbance from licensed premises will be considered by the Licensing Authority. The Licensing Authority will seek to balance the protection of residents from undue disturbance against noise and the activity that is the natural by-product of people going about their business, entertainment or leisure.

NOISE AND DELIVERIES & COLLECTIONS

Licensing Policy 19

Licence holders and applicants are encouraged to consider whether early morning deliveries and collections to their premises could potentially result in a public nuisance and to introduce measures to minimise the impact where appropriate. The Licensing Authority recognises that refuse collection times can sometimes be outside the control of the premises licence holder. When representations have been received from residents in the vicinity of licensed premises stating that they are being disturbed by early morning collections and deliveries, the applicant or premises licence holder is encouraged, whenever possible, to renegotiate different times with the relevant contractor and to liaise with local residents where appropriate to seek agreement on acceptable hours.

THE LICENSING OBJECTIVES

PREVENTION OF CRIME AND DISORDER

Angel and Upper Street has been designated as a Cumulative Impact and Saturation Area.

In 2011, statistics indicated that Islington was the second highest London Borough and well above the London average, for violent crimes attributable to alcohol per head of population; and was above average in London for sexual offences in which the suspect had been drinking alcohol;

I should mention that it does not appear that the licence application has been brought to the attention of the local Police. On Tuesday, 4th February I visited the St Mary's Safer Neighbourhood Team and spoke with the duty police officer about the matter. The officer in question was both surprised and concerned that the application had not been brought to their attention and vowed to investigate the matter immediately. He was concerned that the council may entertain an application from premises in such a high density residential area with high incidence of alcohol related public order offences. Moreover, he could not believe that alcohol would be sold in such close proximity to a primary school, the St Mary's C o E Primary School, Fowler Road, N1 2EP. He could not assist me with any information about crime statistics or the such but advised me to seek this information from Islington Council's licensing department. I told him about my experience with trying to obtain copies of the licence application.

The failure by the council to consult the local Police, who are their partners in the licensing strategy, makes the whole application process flawed.

PROMOTION OF PUBLIC SAFETY

Angel and Upper Street has been designated as a Cumulative Impact and Saturation Area.

In 2011, statistics indicated that Islington was the second highest London Borough and well above the London average, for violent crimes attributable to alcohol per head of population; and was above average in London for sexual offences in which the suspect had been drinking alcohol.

In reviewing its Licensing Policy, Islington LBC have been mindful that Islington's residents suffer from high levels of alcohol-related ill health and early deaths. Alcohol consumption is increasingly identified as a major factor behind violent crime and disorder in the borough with serious consequences to victims, businesses and local communities.

The number of licensed premises continues to grow rapidly so that Islington has one of the highest densities of pubs, bars, clubs and off licences in the country and second highest in London after the City of Westminster.

The applicant's premises are situated in a narrow street where additional vehicular activity will in all likelihood increase the level of traffic hazards and inconvenience to local residents, whilst also putting extra strain on the already scarce parking spaces. The close proximity of the premises to the St Mary's CoE primary school is a major concern for the safety and wellbeing of the children, their parents, the teachers and the wider community.

PREVENTION OF PUBLIC NUISANCE

Angel and Upper Street has been designated as a Cumulative Impact and Saturation Area.

In 2011, statistics indicated that Islington was the second highest London Borough and well above the London average, for violent crimes attributable to alcohol per head of population; and was above average in London for sexual offences in which the suspect had been drinking alcohol;

I occupy a neighbouring property situated to the back of the applicant's property. I occupy the two bedroom ground floor council maisonette at Flat A, 30 Hawes Street, London N1 with my wife and our three children aged 11 years, 9 years and 8 months. I work part-time to allow me to study for my doctorate. The work-study balance also allows me to be an active parent and carer. However, the combination of fatherhood, study and work means I am fully stretched during every day of the week and rest is always at a premium. The current use of applicant's property (parties and the like) and particularly their garage has frequently produced

unacceptable noise levels and disturbance at different hours of day, both during the day and at night. Issues of public nuisance include such matters as:

Noise and/or vibration from collection/delivery trucks and entertainment;

Noise and disturbance from customers within the premises and from those leaving it, bearing in mind the license proposes to allow trading seven days a week; and

Refuse collection will increase and so will the noise associated with it; as well as adding to congestion.

PROTECTION OF CHILDREN FROM HARM

Angel and Upper Street has been designated as a Cumulative Impact and Saturation Area.

In 2011, statistics indicated that Islington was the second highest London Borough and well above the London average, for violent crimes attributable to alcohol per head of population; and was above average in London for sexual offences in which the suspect had been drinking alcohol.

The close proximity of the applicant's premises to the St Mary's CoE primary school, situated on the opposite side of the street from the applicant's premises, is a major concern for the safety and wellbeing of the children, their parents and school staff.

When I spoke to [redacted] school about the application, they were greatly dismayed at not having been given notice by Islington LBC of the application to sell alcohol on and off premises opposite their school.

As a unitary authority, Islington LBC is under a positive duty to promote and safeguard the welfare and best interests of all children living within its area and to take all reasonable steps to prevent any harm from coming to them. It will be difficult for the council to meet these aims and at the same time justify granting a licence to premises to sell alcohol right opposite a primary school.

No, I do not wish my identity to be kept anonymous.

I therefore object to the grant of licence.

Signature:-----



Date:-----

06/02/14

Return to:

Licensing Service

London Borough of Islington

3rd Floor, 222 Upper Street

London N1 1XR

②

Sender, Yesim

From: [REDACTED]
Sent: 06 February 2014 12:47
To: Licensing
Subject: FW: Application Number WK/2014 35148 for Media Ltd

Dear Sirs

I am the owner of [REDACTED]
[REDACTED] the property at 11 Shillingford Street where we note an application has been made by Media Ltd for a liquor license to sell champagne.

[REDACTED]

On the matter of the proposed license due to the use and activities in a Residential Street immediately opposite a school and the additional fact that it has a substantial roof terrace we would strongly object due to the potential public disturbance and to protect the young children due to the proximity of the school from any harm due to such activities that the effect of alcohol could cause. It is also of deep concern as to how the deliveries would be made in this narrow road and when i.e. large Lorries parking and partially blocking the roads possibly after hours and this also would impact on the safety of pedestrians and the school children as well as local residents.

I consider both Florence and Shillingford St to be quiet residential streets and feel very strongly against the introduction of an alcohol related business to be granted permission as it appears wholly inappropriate for this road in this location.

We would therefore request that this application is refused for the reasons as stated above.

Yours Faithfully

[REDACTED]

Suggested conditions of approval consistent with the operating schedule

1. All sales of alcohol authorised under this licence must be completed remotely by way of the internet. No customer access is authorised at this address.
2. All alcohol supplied under this licence must be sent directly to the customer. The dispatch of alcohol will be carried out via the local Post Office.
3. There shall be no more than one dispatch of alcohol a day.
4. No single unit (bottle) of alcohol sold under this licence must cost less than £160.00.

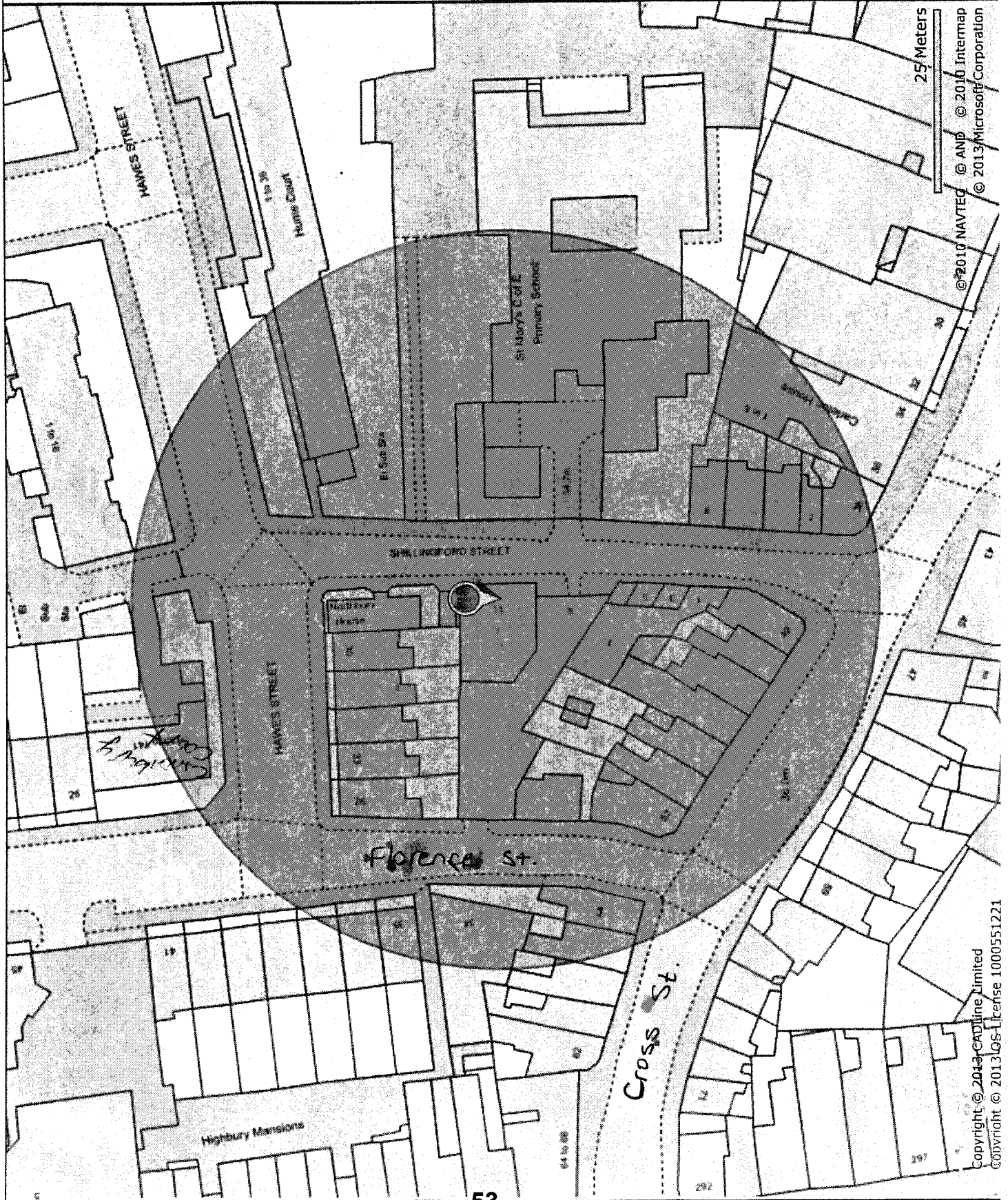
Title : 11 Shillingford Street

Islington Borough Boundary

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