

Report of: Assistant Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	17 January 2012	B1	Bunhill

Delete as appropriate	Exempt	Non-exempt

**Subject: PREMISES LICENCE NEW APPLICATION
RE: Unit 2, 1 Olivers Yard, 55 City Road EC1Y 1HQ**

1. Synopsis

- 1.1 This is an application for a new premise licence under the Licensing Act 2003.
- 1.2 The new application is to:
 - i) Allow the playing of recorded music 8:00 to 23:30, Mondays to Fridays, and 09:00 to 23:30, Saturdays and Sundays;
 - ii) Allow the supply of late night refreshment between 23:00 and 23:50, Mondays to Sundays;
 - iii) Allow the sale of alcohol, for consumption on the premises, 9:00 to 23:30, Mondays to Sundays.

2. Recommendations

- 2.1 To determine the application for a new premises licence under Section 17 of the Licensing Act 2003.
- 2.2 If the Committee grants the application it should be subject to:
 - i. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (See appendix 3);

- ii. conditions recommended by responsible Authorities (see appendix 3);
- iii. any conditions deemed necessary by the Committee to promote the four licensing objectives.

3. Background

3.1 Previous operators of this premises held a premises licence when it was known as Piya Piya. This licence is no longer in effect however this former licence allowed the provision of live music, recorded music, performance of dance, facilities for making music and dancing and the sale of alcohol, for consumption on the premises, between 07:00 and 01:30 hours, Mondays to Sundays. The licence also permitted the supply of late night refreshment between 23:00 and 01:30, Mondays to Sundays.

3.2 The Licensing Team received 9 representations to this application, seven from interested parties and two from responsible authorities. One interested party has requested anonymity however it can be confirmed that they reside within the immediate vicinity. The responsible authorities for health and Safety have withdrawn their representations on the basis that conditions have been agreed.

3.3 Papers are attached as follows:-

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

4. Conclusion and reasons for recommendations

4.1 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

5/1/12

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Simon Gallacher

Tel: 0207 527 3879

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

LONDON COUNCIL LICENSING	
Date: 22/11	Fee Paid: £315
Reference: 100469	
Control Number: 50321	
Phone: KTO	

London Borough of Islington
Application for a premises licence
Licensing Act 2003

For help contact
licensing@islington.gov.uk
Telephone: 02075273031

* required information

Section 1 of 22

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

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

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

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

Applicant Business

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

* Registration number

* Business name If your business is registered, use its registered name.

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

* Legal status

Continued from previous page...

* Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

The information given here will be saved and will be pre-filled in future forms.

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Continued from previous page...

Non-domestic rateable
value of premises (£)

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

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NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Continued from previous page...

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Address

Building number or name

Street

District

City town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

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OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

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

Provide a general description of the premises

Continued from previous page...

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.

The premises is a restaurant/cafe which seats approximately 60 dine in customers and will include a display counter at the front of the premises (entered from City Rd) to serve takeaway food (eg. sandwiches, soup) and non alcoholic drinks (coffee and soft drinks).

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PROVISION OF PLAYS

Will you be providing plays?

Yes No

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PROVISION OF FILMS

Will you be providing films?

Yes No

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PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

Yes No

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PROVISION OF LIVE MUSIC

Will you be providing live music?

Yes No

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PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start 08:00

End 23:30

Start

End

WEDNESDAY

Start 08:00

End 23:30

Start

End

THURSDAY

Start 08:00

End 23:30

Start

End

FRIDAY

Start 08:00

End 23:30

Start

End

SATURDAY

Start 09:00

End 23:30

Start

End

SUNDAY

Start 09:00

End 23:30

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

State any seasonal variations for playing recorded music

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

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

Continued from previous page...

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

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PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

- Yes No

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

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

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PROVISION OF FACILITIES FOR MAKING MUSIC

Will you be providing facilities for making music?

- Yes No

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PROVISION OF FACILITIES FOR DANCING

Will you be providing facilities for dancing?

- Yes No

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PROVISION OF FACILITIES FOR ENTERTAINMENT OF A SIMILAR DESCRIPTION TO THOSE PROVIDED FOR MAKING MUSIC OR DANCING

Will you be providing facilities similar in nature to those provided for making music or dancing?

- Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start 23:00

End 23:50

Start

End

WEDNESDAY

Start 23:00

End 23:50

Start

End

THURSDAY

Start 23:00

End 23:50

Start

End

FRIDAY

Start 23:00

End 23:50

Start

End

SATURDAY

Start 19:00

End 23:50

Start

End

SUNDAY

Start 23:00

End 23:50

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

State any seasonal variations

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

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

Continued from previous page...

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

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY



Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End



FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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.

Continued from previous page...

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

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

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

Name

First name

Family name

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

Continued from previous page...

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

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

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

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LICENSING OBJECTIVES

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

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

List here steps you will take to promote all four licensing objectives together.

We have outlined below the measures that we will take to promote each of the four licensing objectives. The management team for the proposed restaurant has a proven track record in managing a licensed premises (see attached Overview) and has a demonstrated ability to meet its legal obligations and the policy objectives relating to licensed premises. The measures outlined below will be monitored and reviewed on an ongoing basis by the restaurant management team and, where necessary steps will be taken to implement any changes for improvement.

b) The prevention of crime and disorder

a) Report all instances of crime to the police

b) Maintain an incident book to record all instances of public disorder

c) Ensure all staff are trained to understand the social responsibilities associated with the sale and supply of intoxicating liquor

d) Prevent customers leaving the premises with bottles or glass drinking vessels

e) Encourage responsible drinking by making sure free tap water is available, not engaging in any promotional offers such as "2 for 1" offers which encourage binge drinking and making customers aware that alcohol is available in the following measures:

- beer or cider: 1/2 pint

- gin, rum, vodka, or whiskey: 25ml or 35ml

Continued from previous page...

- wine in a glass: 125ml

f) Train staff to ensure they understand their legal obligations in relation to the responsible sale of alcohol

c) Public safety

- a) Keep all exit routes unobstructed with non-slippery and even surfaces, free of trip hazards and clearly identified
- b) Secure containment of empty glasses and bottles eg. prompt clearing of glasses throughout operating times
- c) Carry out risk assessments appropriate for the safe operation of the premises
- d) Provide access routes for emergency vehicles and procedures for emergencies
- e) Carry out regular electrical and gas safety checks
- f) Provide training for staff in evacuation procedures
- g) Ensure adequate and appropriate first aid equipment and materials are available on the premises together with trained first aiders
- h) Ensure adequate and appropriate lighting and ventilation is in place

d) The prevention of public nuisance

- a) Deposit waste glass into receptacles at times when it will cause minimum disturbance to residents
- b) Keep all refuse, including bottles, in an industrial bin located in a room inside the building from which rubbish contractors will collect directly (ie. no rubbish outside the building that will disturb nearby properties).
- c) Control sources of noise eg. fridges and hard flooring with noise attenuation devices (eg. ceiling rafts with insulation)
- d) Ensure recorded music is played at an ambient volume
- e) Place signs at exits requesting customers to leave the premises quietly

e) The protection of children from harm

- a) Adopt the Challenge 25 and the BII National Standards proof of Age Scheme
- b) Train staff to ensure compliance with the law in relation to consumption of alcohol by persons under 21 years of age including prevention of adults buying alcohol for children
- c) Have a stated policy that anyone who looks under 21 years of age will be challenged for proof of age and require staff to ask to see accredited proof of age cards before serving alcohol to young persons
- d) Ensure that standing and seating arrangements are suitable for children

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

Continued from previous page...

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

315.00

ATTACHMENTS

- Premises plan
- Consent form of premises supervisor

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	Public Protection
Street	Islington Council
District	London
City or town	222 Upper Street
County or administrative area	
Postcode	N1 1XR
Country	UK

DECLARATION

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

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	SHELAGH RYAN
* Capacity	APPLICANT
Date (dd/mm/yyyy)	22/11/11

Add another signatory

Supporting Information

The applicant, (Shelagh Ryan Limited which is a holding company for a restaurant business) is in the process of acquiring a lease for the ground floor unit of One Olivers Yard, 55 City Rd which we intend to fit out as a restaurant and takeaway food and coffee business to trade under the name "Salvation Jane".

Salvation Jane will be a sister cafe/restaurant to the award winning Lantana (www.lantanacafe.co.uk), in Charlotte Place, which is also owned and run by the applicant. The two restaurants will be very similar in style and offering. Lantana, also within Islington Council, has traded for over three years, and is open 7 days a week with a premises licence that allows: the sale by retail of alcohol, late night refreshment and recorded music.

In 2009 Lantana was awarded TimeOut's Best New Cafe Award and in 2010 it was the overall category winner, Best Cafe. Other recognition that the cafe has received includes:

- Best reason to get up in the morning – Olive Magazine Restaurant Awards 2010
- Best Coffee – special mention in TimeOut feature on Best breakfasts in central London

Lantana has built a reputation for breakfast and brunch and also trades into the evening with an interesting menu of small share plates. Occasionally, there are private functions at Lantana: corporate events, birthday parties and the like. In general, trading is between 7am and midnight. Food is served until 10.30pm and drinks can be served until midnight. Ambient recorded music is played during opening hours.

Shelagh Ryan (an owner of both Lantana and Salvation Jane) is the Designated Premises Supervisor at Lantana, and will be the DPS at Salvation Jane. Shelagh is involved in the business on a day-to-day basis and will provide constant supervision to both sites.

At Salvation Jane we will follow a similar pattern to Lantana and are requesting a premises licence permitting the sale of alcohol from 9am (for example, Bucks Fizz or Bloody Mary with weekend brunch) until midnight, seven nights a week. Salvation Jane will be a laid back, casual and atmospheric cafe and restaurant, not a thronging pub or bar. Salvation Jane will most certainly lead with a food and coffee offering.

Salvation Jane is to be located at One Oliver's Yard, on the ground floor of a large office building. Specific features of the site worth noting in relation to our application for a premises licence are:

- The site has previously had a premises licence.
- The site is within a large commercial office building, not residential.
- The site opens out onto two sides, neither of which appears to be residential in character. One is to the courtyard of the office building above and the other is to the busy (and noisy) City Road. Beyond the courtyard there is a laneway and then a derelict office building. Across City Rd appears to be mostly commercial. It would therefore appear that there would be very little residential accommodation in the near vicinity.
- The site has it's own service entrance through the building for the taking of deliveries and for the disposal of rubbish. Rubbish is held for collection in an industrial bin located in a room inside the building. The rubbish contractors collect directly from this room and there will never be rubbish left outside the building.

PART A

Consent of individual to being specified as premises supervisor

I SHELLAGH RYAN

[full name of prospective premises supervisor]

Of

FLAT 1, 58 PARKER ST.
LONDON
WC2SWZ

[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 SHELLAGH RYAN

[name of applicant]

Relating to a premises licence

[number of existing licence, if any]

for

UNIT 2
OLIVER'S YARD
55 CITY ROAD.
EC1Y1HQ

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



ISLINGTON

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

SHELAGH RYAN
[name of applicant]

concerning the supply of alcohol at

UNIT 1, OLIVER'S YARD 55 CITY RD. ECIYHQ.
[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

08/051573/2
[insert personal licence number if any]

Personal licence issuing authority

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

Signed

SHL

Name (Please Print)

SHELAGH RYAN

Date

16/11/11

Rep 1

Dear Simon,

UNIT 2 OLIVERS YARD 55 CITY ROAD LONDON EC1Y 1HQ

I am writing to formally object to the granting of a premises licence at the above premises on the following grounds.

We as residents of the Lexington would appeal to you to decline to grant a licence on the grounds that an additional licence at this address will increase anti-social behaviour and create additional noise issues in this part of city road.

The premises is directly opposite a 91 apartment building and due to the location this will directly affect residents in both the Lexington building and also the surrounding area.

Please note for the record that a former licensed premises at this same address known as PiYA Piya and run as a restaurant/nightclub recorded extremely high levels of anti-social behaviour and in addition led to high attendance by local police in order to break up disturbances and to stop crime caused by its patrons.

The residents in our building have enjoyed much improved levels of peace and quiet since PIYA PIYA closed at this premises and granting another licence once again to a business on this site will create more noise and anti-social behaviour from patrons using this business.

CITY road is already saturated with pubs, nightclubs and licensed premises selling alcohol which means that Lexington residents already having to contend with raised noise levels and daily instances of people urinating and vomiting in both our buildings doorway and along alleyways in the street.

Thank you for your consideration

Kind Regards



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

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

Our ref : GW
Your ref:

Date: 14 December 2011

Shelagh Ryan Limited
1st Floor Southdown House
Station Road
Petersfield
Hants
GU32 3ET

Dear Sirs

**Licensing Act 2003
Representation from Responsible Authority for Health and Public Safety
Unit 2, 1 Olivers Yard, 55 City Road EC1Y 1HQ**

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

The proposed arrangements at the premises as shown on the submitted plan are insufficient for health and public safety. Attached is a schedule of the requirements necessary for the minimum acceptable standards. The premises should be inspected and approved by the responsible authority for health and safety before the premises can be used under the licence.

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

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

Please give notification of the commencement and completion of the works. Should you require any advice or information please contact me at the above address.

Yours faithfully

Geoff Weaver
Senior Building Surveyor (Licensing Health and Safety)



**Islington Licensing Authority
Licensing Act 2003**

Representation form from Responsible Authority for Health and Public Safety

Name	Geoff Weaver
Job title	Senior Building Surveyor (Licensing Health and Safety)
Postal address	Islington Council, Building Control Service 222 Upper Street, London N1 1XR
email	geoff.weaver@islington.gov.uk
Contact telephone number	020 7527 5986
Name and address of the premises concerning the representation	Unknown Unit 2, 1 Olivers Yard 55 City Road EC1Y 1HQ
Public Safety	The proposed arrangements at the premises are insufficient for health and public safety. See attached requirements schedule.
Suggested conditions that could be added to the licence to remedy the public safety representation	The premises shall not be used under the licence until the requirements specified in the schedule dated 14 December 2011 have been completed and approved in writing by the responsible authority for health and public safety.

Signed: _____ Date: _____

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

**Licensing Act 2003 – Requirements schedule dated 14 December 2011 for
Unit 2, 1 Olivers Yard, 55 City Road EC1Y 1HQ**

(1) In addition to the lighting, emergency lighting in compliance with BS 5266 – 1 should be provided in the parts of the premises specified below:

- Every toilet cubicle and toilet lobby area.
- Public areas of the premises and exit routes.
- Staff areas including kitchen, wash up area and exit routes.

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

(2) A fire alarm and fire detection system in accordance with BS 5839 – 1 should be provided throughout the premises. Details should be submitted for consideration and approval.

(3) Fire fighting appliances should be provided in the locations specified below:

- Fire blanket, Carbon dioxide fire extinguisher (rating 34B) and Foam fire extinguisher (rating 13A) – adjacent to the exit from the Kitchen area.
- Carbon dioxide fire extinguisher (rating 34B) and Foam fire extinguisher (rating 13A) – adjacent to the exit from sales counter.

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

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

(4) The clear width of the public entrance/exit doors shown on the plan should be 1000mm.

(5) Graphic symbol exit signs in compliance with the Health and Safety (Safety Signs and Signals) Regulations should be provided over the two public entrance/exit doors and over the staff exit door in the kitchen area.

The minimum depth of the exit signs should be not less than 125mm

(6) Exit doors that can be used by the public should be free from fastenings when the premises are occupied or secured with panic bolts or panic latches operated by horizontal push bars in conformity with BS EN 1125. Doors secured with panic bolts or panic latches operated by horizontal push bars should have signs above the push bars worded **Push bar to open**.

Exit doors that can only be used by the staff should be free from fastenings or secured with simple fastenings that can be readily operated without having to use two hands, keys, cards, codes or similar means.

(7) The layout of the wheelchair-accessible toilet should be in compliance with Diagram 24 in Approved Document M of the Building Regulations.

(8) Means to cut off the gas/electrical supply to the cooking equipment by hand in an emergency should be provided in a readily accessible position adjacent to the exit from the cooking area. A sign should be provided adjacent to the emergency cut off control suitably worded **Gas/Electricity emergency cut off control** and the off position or method of operation clearly indicated.

Lighting and emergency lighting circuits should not be affected by the operation of the emergency cut off control.

- (9) Adequate ventilation for healthy conditions should be provided to all parts of the premises.

Extract ventilation hoods providing not less than 30 air changes per hour should be installed over deep fat fryers and cooker grills. Extract ventilation hoods should be fitted with grease filters, which can be removed for cleaning.

Mechanical extract ventilation should be installed in the toilets extracting direct to external air at a rate of not less than 6 litres/second per water closet. Extract fans should have a 15 minute over-run controlled by the light switches or occupant detecting sensors. Air inlets to the toilets should be provided, e.g. 10mm gaps under the doors.

- (10) Copies of the inspection and test certificates specified below, certified by an approved competent person, should be submitted to the responsible authority for health and public safety.

- Electrical installation
- Emergency lighting
- Fire alarm
- Fire fighting appliances
- Gas boilers, gas installations and appliances

An approved competent person for the testing and certification of electrical installations and emergency lighting should be one of the following:

- (i) A qualified member of the Institution of Engineering and Technology, or
- (ii) A contractor enrolled with the National Inspection Council for Electrical Installation Contracting, or a member of the Electrical Contractors Association, or a competent person from an appropriate approved organisation.

For fire alarms any of the above, or

A member of the Loss Prevention Council 1014 Scheme, or a member of the British Approvals for Fire Equipment SP203 Scheme.

Inspection and service certificates for fire fighting appliances should be obtained from an organisation certified by the British Approvals for Fire Equipment (BAFE), or a competent person from an appropriate approved organisation.

Gas boilers, gas installations and appliances should be inspected and tested by a Gas Safe registered engineer.



ISLINGTON

Environment and Regeneration

Public Protection Division

Licensing Act 2003

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority - Public Protection

Your Name	Fanos Santis
Job Title	Senior Environmental Health Officer
Postal and email address	3 rd Floor, 222 Upper Street Islington, London N1 1XR
Contact telephone number	0207527 3963

Name of the premises you are making a representation about	Lantana
Address of the premises you are making a representation about	Unit 2, Oliver's Yard, 55 City Road, London EC1Y 1HQ

Please detail the evidence supporting your representation. Or the reason for your representation.
Please use separate sheets if necessary

To prevent public nuisance

The premises are currently under refurbishment. It is situated on the ground floor of a commercial complex near Old Street Station. Above and next door to the unit are commercial premises; opposite is a mixture of commercial units with residential units above. In the past, Piya, Piya, a restaurant bar/night club, occupied Unit 2, Oliver's Yard; that business caused disturbance and nuisance to local residents opposite the premises. This culminated in a review of the licence for Piya Piya and its subsequent reduction in operating hours. Whilst it is accepted that Lantana is not Piya Piya and will not operate as a night club, nevertheless, local residents have and can be affected by people noise from the venue. It is proposed by the applicant that recorded music will be played, albeit background levels, and that the side courtyard will be used for eating and drinking. The operating hours have been stipulated to midnight, 7 days a week. In view of the application, previous history of the site, the sensitivity of the local residents and that no conditions have been proposed by the applicant, I am objecting to the application. My objection will be withdrawn subject to conditions listed below.

<p>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary.</p>	<p>1) Any refuse collections, or bottling out, or deliveries shall be carried out at designated areas between the following hours: Mondays to Saturdays- 7am to 10pm; Sundays and Public Holidays- 9am to 9pm;</p> <p>2) Doors and windows are to be kept shut except for access and egress after 10pm</p> <p>3) In the event of a noise complaint received and substantiated by the council's noise service caused by the mechanical extract system, an acoustic survey shall be carried out by an acoustic consultant registered with either the Institute of Acoustics or the Association of Noise Consultants on the fixed plant and machinery.</p>
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The existing or installation of new items of fixed plant shall be such that, when operating, the noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of 5dB(A) below the background noise level LAF90 Tbg.

The reference time interval Tr shall be 1 hour during the day (07.00 to 23.00 hours) and 5 minutes during the night (23.00 to 07.00 hours). The measurement and/or prediction of the noise should be carried out in line with BS 4142: 1997 and as such, may make use of measurements over a shorter period if appropriate.

For the background noise measurement, the reference time interval Tbg shall not be less than 15 minutes and the measurements made in accordance with BS 4142: 1997 at a time representative of the hours of operation of the plant. The "Fast" time weighting should be used. The measurements should be reported as façade noise levels. If it is not possible to measure at 1m from a façade, the measurement can be made at an equivalent free-field position with a +3dB correction added to calculate the equivalent façade level.

The report shall be submitted to the Council's Noise Team for approval and any works identified to prevent the likelihood of noise nuisance shall be carried out prior to the business continuing to be open for licensable activities.

4) Provision of recorded music must be ancillary to the main activity of the provision of table meals and limited to background levels only.

5) A policy and procedure for customers smoking outside and for dispersing customers when leaving the premises, including at closing times, shall be developed and approved by the Council's Noise Team prior to the variation of the licence application taking effect. This policy and procedure shall be fully implemented after its approval and any necessary training, information and instruction to implement the procedure given to staff.

6) All tables and chairs to be made unusable after 11pm. There shall be no drinks taken outside after 11pm.

7) There shall be no music at all played in the internal courtyard.

Signed: FA Santis

Date: 6th December 2011 _____

Please send this form along with any additional sheets to the applicant. A copy should be sent to: Islington Council, Licensing Team, 3rd Floor, Upper Street London N1 1XR or email to licensing@islington.gov.uk

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

Rep 4

Dear Sirs,

We write to object in the strongest terms to the above application particularly in connection with the proposed closing hours.

We are private residents at 40 City Road and our property faces directly the road and the premises the subject of this application.

We object on two grounds in particular:

1. The prevention of Nuisance.

We have direct experience from premises previously situated in the proposed position on City Road which allowed the provision of music and permitted the premises to sell alcohol as well as provided late night refreshments. Our experience is far from acceptable and amounts to maximum nuisance possible in that it prevented us from being able to sleep at night due to the noise travelling to our property, making it sound as though the music was emanating from just below or right next to our flat. At that time this was only occurring on Friday and Saturday nights. The idea that this kind of nuisance is to go on all week is simply unacceptable.

We are working people who have to wake in the morning to go to work. Sleep deprivation through the noise pollution amounts to more than a grave nuisance.

2. The Prevention of Crime and Disorder.

The crime and disorder were significantly heightened at the time of the previous licensed premises' operation. Drunken brawls outside the premises were an every time occurrence, often resulting in smashing of glasses, and police being called. There is a bus stop situated immediately outside of the premises which is likely to increase still the risk of crime and disorder as these tend to attract vandalism, as well as cause further antisocial behaviour and issues with the use of the bus stop.

In conclusion, we believe that the venue could be an asset - but not with the late closing hours.

We look forward to hearing from you.

Rep 5

Dear Simon,

I just wanted to let it be know that the proposed above mentioned planning application causes me a concern in that both my bedroom face directly onto Olivers Yard and I fear that with the late license aspect of the planning application will cause excessive noise late at night and therefore in the interest of 'preventing a nuisance' wish to object to this part.

Kind regards,

Rep 6

We live at The Lexington, City Road, London EC1Y 2AN which is directly opposite the premises where the application is being made by Lantana for what I understand is a 7 day licence operating until 23.30 with the premises closing at midnight.

This application gives us great cause for concern taking into account the problems we have had with the previous residents (Piya Piya) and the current issues with CAMP, these problems being noise, rubbish, noise from smokers outside of the buildings and generally making our lives pretty miserable especially as our bedroom faces onto City Road and in fact directly opposite Olivers Yard.

As a cafe/restaurant they will be serving late food which will entice those people who attend CAMP and the other clubs in the vicinity. It will not necessarily entice those of us who live at The Lexington (as we all tend to stay away from Old Street at night, especially at weekends) or the other many residents in the area as we do not want to be faced with drunken yobs from the various clubs around the area.

We then have the issue with the bus stop outside of the Olivers Yard, which is busy enough at any time and especially late at night because there are night busses, all of which makes a huge amount of noise with people shouting and calling; and the same issue at the bus stop right outside of our building. There have been many incidents of people fighting in the street whilst waiting for a bus.

We then come to the issue of music, whereas it will probably be at a more muted level than a night club, it still reverberates around and can be heard along City Road.

I am concerned that the intended residents have perhaps not done their homework as they would appear to think that the area is commercial and not residential – which is incorrect. If they look at the restaurants along City Road, they close early in the evening because people from offices have gone home their busy time is during lunchtime. The clients they will attract are not local people wanting a meal, but more like people on their way to a club, having already had a drink and now want something to eat.

Our final concern is that in the future the intended closure at 23.30 will move to a late night licence and we are back to square one and in a similar, very bad, position as we were when Piya Piya was there.

We are deeply concerned that should this licence be granted for those residents in The Lexington, and for us in particular, will make live intolerable. We are well aware of what it is like to live in a busy City but we should not be put in a position now, or in the future, where our life is miserable as stated in our concerns above.

Please consider these concerns when looking at this application.

Rep 7

Dear Mr Gallacher

Thank you for your Notice to Residents undated, advising us residents of the Lexington of the forthcoming License Application. My full address can be found in my signature at the bottom of this email.

I have been provided with a "Supporting Information" document submitted to the Islington Licensing Team by the applicant, Shelagh Ryan Limited (SRL).

This "Supporting Information" document contains a serious number of wholly false and very misleading assertions and statements, which I trust it is in order for me to bring to your attention.

SRL maintains that their Lantana café in Charlotte Place is also within Islington Council. It is not. Charlotte Place is either in the City of Westminster or Camden Council, it is hard to tell.

I have searched Licensing Records for both City of Westminster and Camden and cannot find Lantana recorded in either. I must assume my search of the records was not diligent enough. When we visited Lantana in Charlotte Place last week we could not see the Premises license displayed. Clearly we did not look sufficiently carefully for it.

The Supporting Information document claims : "Across City road appears to be mostly commercial. It would therefore appear that there would be very little residential accommodation in the near vicinity". This is an egregious misinterpretation of the location SRL is attempting to describe. DIRECTLY OPPOSITE No 1 Olivers Yard is The Lexington, my home, and an apartment block of 90 flats. A few yards North of the premises is the Bezier, with 200 flats approximately, including the affordable housing element. At the rear of the premises, backing onto Leonard Street, and currently under construction, are a further 40 or so apartments. Featherstone street, to the north and heading west, has several apartment blocks. And just to the south of the premises is John Wesley's Chapel, the world centre of Methodism. In the near vicinity to No 1 Olivers Yard are a multitude of residential buildings, a world renowned Church, and an ancient graveyard and burial ground – Bunhill Fields.

The document describes a Laneway and a derelict office building beyond the courtyard of Olivers Yard. The so called derelict office building is a Squat, and has been for the nearly 5 years I have lived in the Lexington.

For SRL to describe the location of their next venture so falsely implies they have not even visited the premises, or if they have, have not understood what they have seen, and who their putative neighbours will be. I think this is material to the application submitted.

Rep 8

To: Simon Gallacher Licensing Officer.

Re: Application for Premises Licence Unit 2 Oliver's Yard, 55 City Rd. London EC1Y 1HQ

Introduction

I have been asked by the Board of Directors of Lexington Apartments Management Ltd to write on behalf of the residents in relation to the above application.

The Lexington consists of 90 Apartments which is home to over 150 residents.

As residents we chose the hassle and bustle of inner city life and generally enjoy all the conveniences associated with it.

However it is late night Licences which generates the most concerns for us and this application is no exception.

The supporting statement submitted by the applicant includes a number of errors. We believe that Shelagh Ryan Ltd have not researched this site fully or visited this section of City Rd on Thursday, Friday and Saturday nights at about 11.30pm to soak up the atmosphere of our community before proceeding with the application.

Errors include:

Who issues their Premises Licence in Charlotte Place. (Although corrected by Islington)

"very little residential accommodation in the near vicinity" Also corrected by the Licensing Officer who has informed them of the presence of The Lexington which is immediately opposite the entrance to Unit 1 Oliver's Yard. But we are not the only residents.

The presence of the residents in the Wesley Chapel Courtyard or indeed the long term squatters in the 'derelict' Oliver's House. (Although after yesterday morning's fire it may well now become derelict) The residents in Leonard St (No 7- Housing Association Block and 3 Sets of Bezier City Apts) - who use the Southbound City Rd Bus Stop – and would walk pass the Unit to or from their homes.

On behalf of the Board, I have visited Lantana Café in Charlotte Place W1 just off Goodge St. and this is in a very different location of a pedestrianized small Street. However this operates very much as a 'regular café' including the sale of alcohol Mon – Friday 8-6 pm and Sat and Sun 9-5pm.

The proposed café of "Salvation Jane" in Unit 2 Oliver's Yard would be a welcome addition to our community by serving warm food and complementary to the dine in food outlets of Pret a Manger in Unit 1 Oliver's Yard or underneath our block - Caffe Nero and Abokado.

Pret a Manger also opens 7 days a week but closes at 19.00 Mon – Fri, and on Sat –Sun at 16.00. Caffe Nero similar hours but Abokado does not open at the weekends .

Our local public house "The Angel" which is less than 50m from this Unit is an exceptionally well run establishment and does not open at the weekends.

Opposition to this application.

It is the late night aspect of this application which concerns the residents most and we are obliged to oppose. We have enjoyed a peaceful 10 months following the closure of the business by the previous occupant of this unit.

The Prevention of Nuisance.

The "Canyon Effect" created between Oliver's Yard Building and the Lexington results in street noise being reflected upwards especially to the 4 residential floors which face City Rd with 18 Apts directly affected since their bedrooms are on this side of the building.

This application proposes to operate 7 nights a week with alcohol being served until 23.30 and Take Out Food until 23.50 and since no such licenced café exists in our vicinity each night when it closes at midnight there will be Street Noise. As up to 78 people exit onto the street at midnight – we will certainly hear them. Sunday evenings are generally 'peaceful' and that no longer would be the case. Historically we have had a lot of experience of Street Noise from this Location and of disrupted sleep

Thankfully even CAMP (City Arts and Music Project) at 70 -74 City Rd, and diagonally across the road from Oliver's Yard does not open on a 7 day basis.

Take Out food simply translates- to more street rubbish to greet us in the mornings and for Islington Council to clean up. The Bus Stops act as outside diners and most people doing take outs at that time of night will not be sober and antisocial behaviour prevails as litter bins are ignored.

The Prevention of Crime and Disorder

Following the departure of the previous tenants of this Unit the level of crime in Oliver's Yard (described by the applicant as a laneway) decreased and fewer drug dealers have been observed. However with the potential of more customers the drug dealers will be back. They appear to have only moved around the corner to Mallow St with 5 drug related crimes recorded for October. It is noted that on the Police UK website that for October, in Oliver's Yard there was 2 cases of theft and 2 cases of violent crime.

Since this section of City Rd is part of the migratory route used by the Clerkenwell, Shoreditch and Hoxton Clubbers - some of the more unsavoury characters find them easy prey.

Personal safety remains very much a concern for residents especially in the evenings as antisocial behaviour increases.

Public Safety.

Primarily relates to the free movement of people on the pavement between the entrance to the café and the bus stop as the pavement is restricted by a pavement mounted cash machine and telephone.

This relates to when Take Out customers hang around outside consuming their purchases.

Proposal.

As stated in the introduction – we would welcome the addition of "Salvation Jane" into our community but not with the late licence but a compromise of closing at 20.00 Mon – Fri (Pret closes at 19.00) and Sat –Sun closes at 17.00 (Pret closes at 16.00).

Lexington Apartments Management Ltd

Yvonne MacAlpine – Director

Rep 9

Dear Mr. Gallacher,

I am writing as requested to make a representation with regards to application for a premises Licence at Unit 2, 1 Olivers Yard, 55 City Road London EC1Y 1HQ

My concern centres on the following aspects of the application:

Number of days opening

Open 7 days a week for 17 hours from 7 am –midnight will mean that with deliveries we expect there to be almost all day all week noise levels being generated by this new licensed venue (with alcohol and music), affecting the 90 apartments of the Lexington block directly across from this location.

Opening hours

Having licensed premises open from 7 am – midnight would affect the quality of life of the residents of the Lexington Apartments (90 flats in total) with a large number of apartments directly opposite these premises on City Road. It's concerning that the applicant has not taken note of the residential nature of their neighbouring dwellings.

Given their additional intent to hire out the venue for events or corporate parties :

I fear that the noise factor will render weekday and weekend nights uncomfortable for 90 apartments in the Lexington Building, opposite the planned venue's location, in terms of getting a decent night's sleep.

I fully expect there to be issues with drunken disorderly behaviour as is regularly witnessed at other locations in Shoreditch. I do not wish to be faced with drunken patrons or alcohol fuelled corporate events. I fear that they will aim to evict drunken patrons out onto the street giving rise to the opportunity for these drunken evicted patrons to foul our entranceway or obstruct our safe passage to our building. Please note that this is a regular occurrence at CAMP another licensed premise on the corner of Featherstone street who have taken over the pavement from eleven pm onwards on Thursdays-Saturdays; with their drunken patrons forcing me to cross the road and take a circuitous route to my apartment to avoid a confrontation with them. (I was challenged when I asked them to give way on a public highway to allow me to walk directly to my apartment building).

In addition, another adverse factor will be smokers who undoubtedly despite all assurances given to the contrary, will mill outside talking or when drunk engaging in rowdiness.

There will also be noise generated by their patrons waiting to enter the restaurant or indeed hailing down taxis until past midnight, seven nights a week.

I beg to differ from the applicant's description of City Road as a non residential and noisy road and this gives rise to the concern that the applicant expects their surroundings to be noisy and non residential and hence their application to open licensed premises open from 7 am –midnight to add to what they perceive to be a noisy and non residential environment.

As residents at since April 2002 and council tax payers to Islington Council we strongly protest against this development and the impact it will have on

- 1) Our quality of sleep due to the noise levels

2) The additional issues created by drunken patrons leaving a licensed premise as late as past midnight, seven nights a week

3) The addition of a venue in a area with over 90 residential units directly opposite it as well as nearly 2-300 apartments at the nearby Bezier complex

We welcome new amenities being introduced to our area and feel a community cafe or even an unlicensed chain cafe like Pret a Manger across the road is welcome where trading hours and days are sensible and no alcohol is served/ recorded music is played would be more suitable in this semi residential location.

We strongly feel that the hours of trading are excessively long especially until midnight. In addition seven days a week opening at these long hours will adversely affect us and give us no chance of respite

Finally, I would request that you keep details of our name and address confidential as I do not wish to engage with members of the licensed trade as their agenda is at odds with the requirements of a local council charged with providing its residents with a quiet, safe and peaceful environment.

Yours sincerely

Suggested conditions of approval consistent with the operating schedule

1. All instances of crime shall be reported to the police.
2. An incident log shall be maintained to record all instances of public disorder.
3. The licensee shall ensure all staff are trained to understand the social and legal responsibilities associated with the sale and supply of alcohol.
4. Customers shall be prevented from leaving the premises with bottles or glass drinking vessels.
5. All exit routes shall be kept unobstructed with non-slippery surfaces, free of trip hazards and clearly identified.
6. Secure containment of empty glasses and bottles, e.g. prompt clearing of glasses throughout operating times, shall be maintained.
7. Access routes for emergency vehicles and procedures for emergencies shall be provided.
8. Regular electrical and gas safety checks shall be carried out.
9. Staff shall be trained in evacuation procedures.
10. The licensee shall ensure adequate and appropriate first aid equipment and materials are available on the premises together with trained first aiders.
11. Adequate lighting and ventilation shall be maintained in place.
12. Waste glass shall be deposited into receptacles at times when it will cause minimum disturbance to residents.
13. All refuse, including bottles, shall be kept in an industrial bin located in a room inside the building from which rubbish contractors will collect directly (i.e. no rubbish outside the building that will disturb nearby properties).
14. Sources of noise associated with the premises shall be controlled with appropriate attenuation devices.
15. Recorded music shall be played at an ambient level.
16. Signs shall be placed at exits requesting customers to leave the premises quietly.
17. The "Challenge 25" and the BII National Standards Proof of Age schemes, or similar, shall be adopted.
18. Ensure that standing and seating arrangements are appropriate for children.

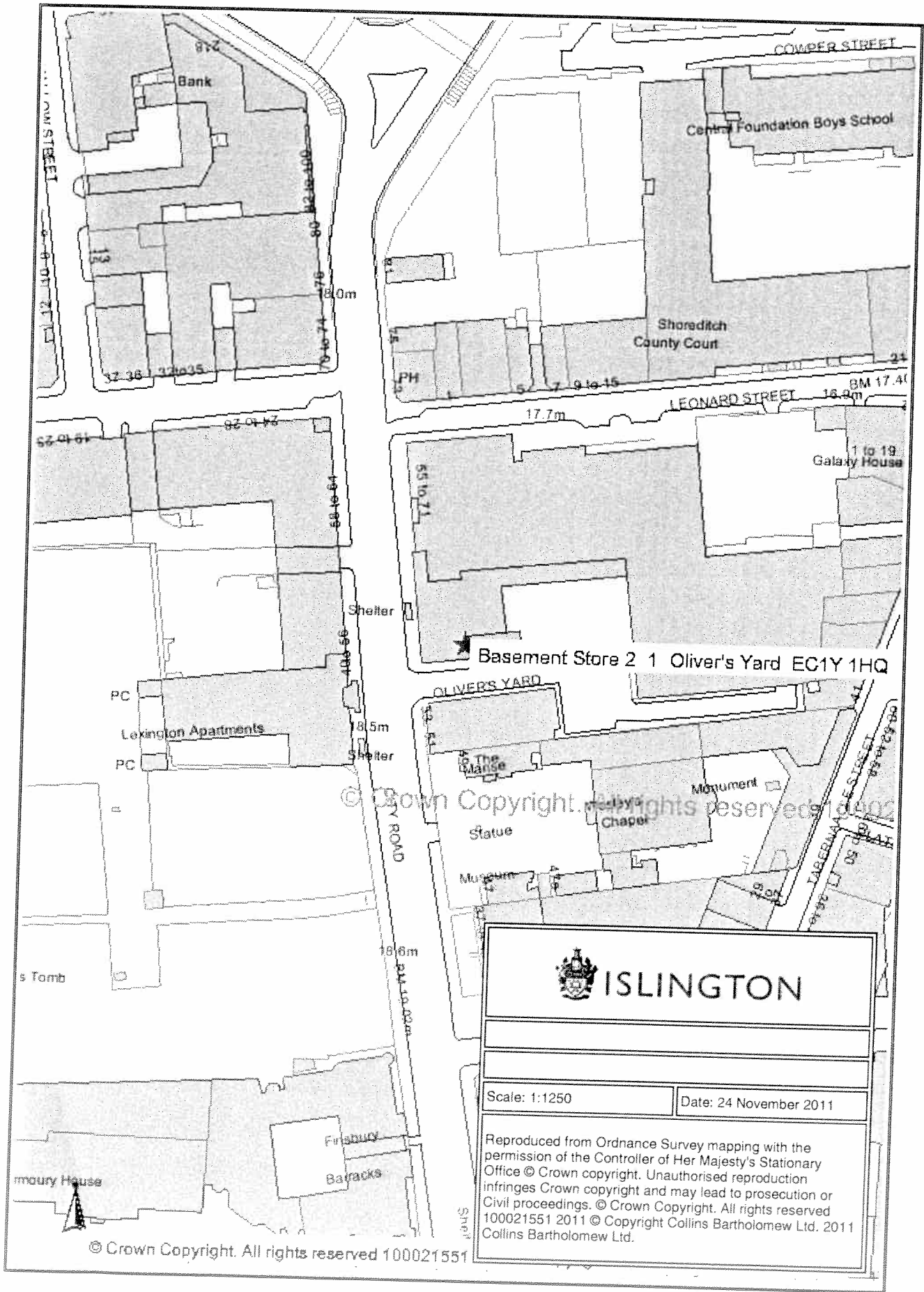
Suggested conditions of approval recommended by Health and Safety Officer (Agreed)


19. The premises shall not be used under the licence until the requirements specified in the schedule dated 14 December 2011 have been completed and approved in writing by the responsible authority for health and public safety.

Suggested conditions of approval recommended by Noise Team

20. Any refuse collections, or bottling out, or deliveries shall be carried out at designated areas between the following hours: Mondays to Saturdays- 7am to 10pm; Sundays and Public Holidays- 9am to 9pm;
21. Doors and windows are to be kept shut except for access and egress after 10pm

22. Provide an acoustic survey, carried out by an acoustic consultant registered with either the Institute of Acoustics or the Association of Noise Consultants on the existing or any new fixed plant and machinery.
23. The existing or installation of new items of fixed plant shall be such that, when operating, the noise level $LA_{eq} T_r$ arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of 5dB(A) below the background noise level $LAF_{90} T_{bg}$.
24. The reference time interval T_r shall be 1 hour during the day (07.00 to 23.00 hours) and 5 minutes during the night (23.00 to 07.00 hours). The measurement and/or prediction of the noise should be carried out in line with BS 4142: 1997 and as such, may make use of measurements over a shorter period if appropriate.
25. For the background noise measurement, the reference time interval T_{bg} shall not be less than 15 minutes and the measurements made in accordance with BS 4142: 1997 at a time representative of the hours of operation of the plant. The "Fast" time weighting should be used. The measurements should be reported as facade noise levels. If it is not possible to measure at 1m from a facade, the measurement can be made at an equivalent free-field position with a +3dB correction added to calculate the equivalent facade level.
26. The report shall be submitted to the Council's Noise Team for approval and any works identified to prevent the likelihood of noise nuisance shall be carried out prior to the business being open for licensable activities.
27. Provision of recorded music must be ancillary to the main activity of the provision of table meals and limited to background levels only.
28. A policy and procedure for customers smoking outside and for dispersing customers when leaving the premises, including at closing times, shall be developed and approved by the Council's Noise Team prior to the variation of the licence application taking effect. This policy and procedure shall be fully implemented after its approval and any necessary training, information and instruction to implement the procedure given to staff.
29. All tables and chairs to be made unusable after 11pm. There shall be no drinks taken outside after 11pm.
30. There shall be no music at all played in the internal courtyard.



 **ISLINGTON**

Scale: 1:1250	Date: 24 November 2011
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