



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	27 th March 2013	B1	St. Mary's

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE NEW APPLICATION
RE: RATTLESNAKE, 56 UPPER STREET, LONDON, N1 0NY

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) permit the premises to sell alcohol, on & off supplies, Mondays to Sundays from 09:00 until 03:00 the following day;
 - ii) allow the performance of live music, Mondays to Sundays from 09:00 until 03:00 the following day;
 - iii) allow the playing of recorded music, Mondays to Sundays from 09:00 until 03:30 the following day;
 - iv) allow the performance of dance, Mondays to Sundays from 09:00 until 03:30 the following day; and
 - v) allow the provision of late night refreshment, Mondays to Sundays from 23:00 until 03:30 the following day.

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 the representation from the Police in the light of the revised Secretary of State Guidance to Local Authorities issued on 25th April 2012 namely:

The Licensing Authority should accept all reasonable and proportionate representations made by the Police unless the Authority has evidence that to do so would not be appropriate for the promotion of the Licensing Objectives.

2.3 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.

2.4 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 4);
- ii. conditions recommended by responsible Authorities (see appendix 4); and
- 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: premises licence already in effect at this location;
- Appendix 3: representations;
- Appendix 4: suggested conditions and map of premise location.

3.2 There is a premises licence currently in effect at this location held by the applicant, Rattlesnake Angel Limited. This licence allows:

- the premises to sell alcohol, on & off supplies, Mondays to Sundays from 09:00 until 02:00 the following day;
- the performance of live music, Mondays to Sundays from 09:00 until 02:00 the following day;
- the playing of recorded music, Mondays to Sundays from 00:00 until 00:00 the following day;
- the performance of dance, Mondays to Sundays from 09:00 until 02:00 the following day; and
- the provision of late night refreshment, Mondays to Sundays from 23:00 until 02:00 the following day.

3.3 An application sought by the applicant, Rattlesnake Angel Limited, was refused by Licensing Sub-Committee D at a meeting on 18th December 2012, this decision is currently the subject of an appeal. The refused application was seeking to;

- permit the premises to sell alcohol, on & off supplies, Mondays to Sundays from 09:00 until 04:00 the following day;
- allow the performance of live music, Mondays to Sundays from 09:00 until 02:00 the following day;
- allow the playing of recorded music, Mondays to Sundays from 09:00 until 04:30 the following day;
- allow the performance of dance, Mondays to Sundays from 09:00 until 04:30 the following day; and

- allow the provision of late night refreshment, Mondays to Sundays from 23:00 until 04:30 the following day.

3.4 The Licensing Authority has received 4 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

14/3/13

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

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E-mail: licensing@islington.gov.uk

Appendix 1.

DW
JE?
19/12/12

London Borough of Islington. 222 Upper Street, London, N1 1XR

checked OK
(1/12/12 DW)

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

Dur: 16/10/12

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 Rattlesnake Angel Limited
(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 Rattlesnake 56 Upper Street			
Post town	London	Postcode	N1 0NY

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£1

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)

IP/0118845
£100.00
19/12/12

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

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

Please tick yes

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input 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 Rattlesnake Angel Limited
Address 26 High Street Rochester Kent ME1 1PT
Registered number (where applicable) 07918661
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	7	01 2013

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)

Licensed Premises – Live music venue providing both live and recorded music, dancing and a wide range of food.

Please refer to the premises plan attached herewith.

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

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"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment 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 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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) The applicant wishes to be able to provided both live amplified and unamplified music and singing as may from time to time compliment the range of entertainment being provided at the premises whether as the principal entertainment or in conjunction with dancing and/or any other permitted activity.		
Mon	09:00	03:00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Tue	09:00	03:00			
Wed	09:00	03:00			
Thur	09:00	03:00			
Fri	09:00	03:00			
Sat	09:00	03:00			
Sun	09:00	03:00			
			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) Please refer to box M for non-standard timings.		

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 checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) The applicants wish to have the facility for the provision of recorded music whether as the principal entertainment provided or in conjunction with dancing or any other permitted activity.	
Mon	09:00	03:30		
Tue	09:00	03:30		
Wed	09:00	03:30		
Thur	09:00	03:30		
Fri	09:00	03:30		
Sat	09:00	03:30		
			State any seasonal variations for the playing of recorded music (please read guidance note 4)	
			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) Please refer to box M for non-standard timings.	
Sun	09:00	03:30		

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) The applicants wish to provide such performance of dance as may be required from time to time to compliment the range of entertainment or in conjunction with dancing or any other permitted activity		
Mon	09:00	03:30			
Tue	09:00	03:30	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Wed	09:00	03:30			
Thur	09:00	03:30	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Please refer to box M for non-standard timings.		
Fri	09:00	03:30			
Sat	09:00	03:30			
Sun	09:00	03:30			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing Anything of a similar description and not specified elsewhere in this application.</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input checked="" type="checkbox"/>
Mon	09:00	03:30		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	09:00	03:30	<p><u>Please give further details here</u> (please read guidance note 3) The applicant wishes to provide such other entertainment of a like kind as may be required from time to time to compliment the range of entertainment or in conjunction with dancing or any other permitted activity</p>		
Wed	09:00	03:30			
Thur	09:00	03:30	<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri	09:00	03:30			
Sat	09:00	03:30	<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Please refer to box M for non-standard timings.</p>		
Sun	09:00	03:30			

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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) The applicants wish to be able to provide facilities for late night refreshment as may be required from time to time to compliment the range of activities (whether licensable or not) being provided at the premises whether as principal or in conjunction any other pennitted activity		
Mon	23:00	03:30			
Tue	23:00	03:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed	23:00	03:30			
Thur	23:00	03:30	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) Please refer to box M for non-standard timings.		
Fri	23:00	03:30			
Sat	23:00	03:30			
Sun	23:00	03:30			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	09:00	03:00	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	09:00	03:00			
Wed	09:00	03:00			
Thur	09:00	03:00	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)		
Fri	09:00	03:00	On the following days the permitted hours may be extended for an additional hour: Thursday, Friday, Saturday and Sunday of the Easter weekend. Friday, Saturday and Sunday of the two May Bank Holidays and the August Bank Holiday, Christmas Eve and Boxing Day. Burns Night, Valentine's Day, St David's Day, St Patrick's Day, St George's Day, St Andrew's Day and Halloween, if that day is not followed by a normal working day.		
Sat	09:00	03:00	On New Year's Eve from the end of permitted hours until the start of permitted hours on the following day.		
Sun	09:00	03:00			

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

Name Mr Paul Nicholas Daly	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

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)
Day	Start	Finish	<p>The premises may be open to members of the public for non-licensable activities without limit.</p> <p><u>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</u> (please read guidance note 5)</p> <p>Please refer to box M for non-standard timings.</p>
Mon	09:00	03:30	
Tue	09:00	03:30	
Wed	09:00	03:30	
Thur	09:00	03:30	
Fri	09:00	03:30	
Sat	09:00	03:30	
Sun	09:00	03:30	

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)

1. A policy has been adopted by the premises licence holder which deals with the approach of the premises towards responsible drinks retailing. This policy or any subsequent amended policy will be applied as appropriate to the premises. Upon request the policy will be made available within a reasonable time period to any responsible authority. ✓
2. Toughened glass only shall be used on the premises. ✓

b) The prevention of crime and disorder

1. No less than two Door Supervisors shall be located outside the premises from 21:00 until half an hour after closing time on Fridays and Saturdays. ✓
2. Door Supervisors shall search no less than two out of every ten persons entering the premises on Fridays and Saturdays after 21:00 and shall use wands to conduct these searches. ✓
3. CCTV shall be maintained on and off the premises and the recordings shall be kept for at least 31 days. The recording shall be made available to any inspecting officer of the Licensing Authority and Metropolitan Police. ✓
4. The premises shall implement and maintain an incident book. Upon request the incident book will be made available within a reasonable time period to any responsible authority. ✓

c) Public safety

1. The maximum number of persons accommodated at any one time in the premises shall not exceed the following: Ground Floor – 280 persons (including staff and performers). ✓
2. The premises shall be in accordance with the Technical Standards for Places of Entertainment. ✓

d) The prevention of public nuisance

1. The licensee shall ensure that at all times his licence is in operation all amplified sound and music played on the premises is subject to the control of an entertainment noise control system set to music noise level thresholds approved by, and in conjunction with, the Council's Noise Team. The noise limiting device shall be tested yearly by an acoustic consultant and reset to the agreed levels if necessary. Access to the noise limiting device shall be restricted to the premises licence holder and manager of the venue to prevent tampering by unauthorised persons. ✓
2. There shall be no drinks taken outside the venue after 23:00 on any day, including the roof terrace. ✓
3. All external tables and chairs shall be made unusable by 23:00. ✓
4. A management policy and procedure on the dispersal of patrons shall be developed and approved by the council and fully adopted and implemented by the premises licence holder. A copy shall be kept on site and readily available for both staff referral and for Council Officers. ✓
5. At least one set of the double door lobbied entrances and exits shall be kept in the closed position when patrons enter or leave the venue to prevent noise breakout. ✓
6. All windows and doors to be kept in the closed position after 23:00 hours, except for access and egress from the building. ✓
7. Signs shall be displayed at the outside drinking/smoking areas asking patrons to consider neighbours and to be quiet. ✓
8. After 23:00 hours, areas identified as smoking areas shall be monitored by the premises licence holder or his representatives and control noise from patrons. ✓

e) The protection of children from harm

1. The premises shall implement and operate a Challenge 25 policy at the premises.

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	<i>Dads</i>
Date	19 th December 2012
Capacity	Applicant’s Solicitor/Advocate

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)

Dadds LLP Licensing Solicitors
Crescent House, 51 High Street

Post town	Billericay, Essex	Postcode	CM12 9AX
Telephone number (if any)	01277 631 811		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Consent of individual to being specified as premises supervisor

Mr Paul Nicholas Daly

I
[full name of prospective premises supervisor]

of

.....
[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

The grant of a Premises Licence under the Licensing Act 2003

.....
[type of application]

by

Rattlesnake Angel Limited

.....
[name of applicant]

relating to a premises licence n/a
.....
[number of existing licence, if any]

for

Rattlesnake
56 Upper Street
London
N1 0NY

.....
[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

Rattlesnake Angel Limited

[name of applicant]

concerning the supply of alcohol at

Rattlesnake
56 Upper Street
London
N1 0NY

[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

London Borough of Hackney

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

Signed



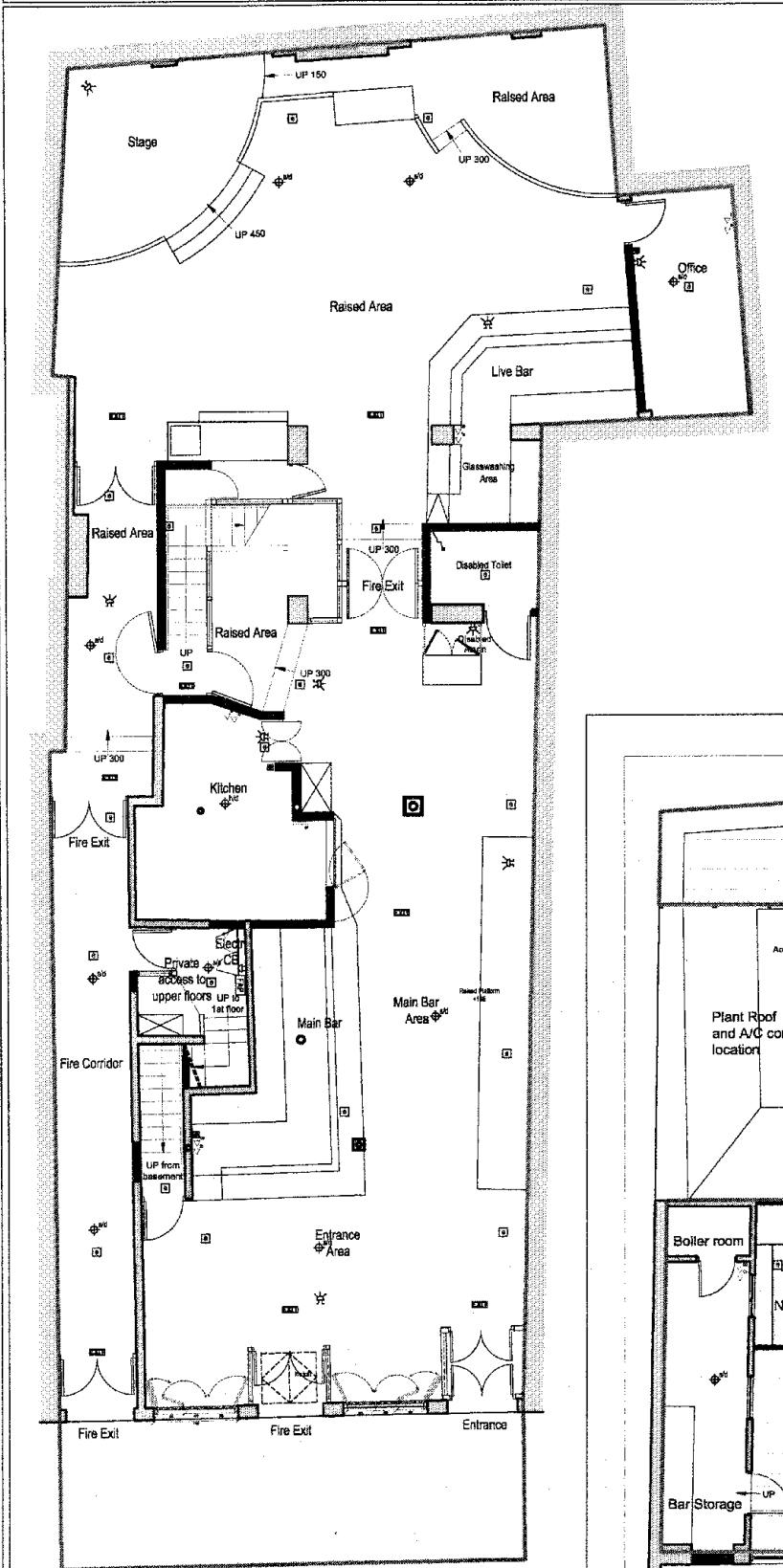
Name (please print)

Mr Paul Nicholas Daly

Date

19th December 2012

PLEASE NOTE:
 - The location for all the emergency lighting and fire equipment is here shown as proposed and may be moved in consultation with the Fire Officer
 - All licensable activities can take place anywhere within the red line.
 - The position of any loose furniture or equipment is shown for diagrammatic purposes only.

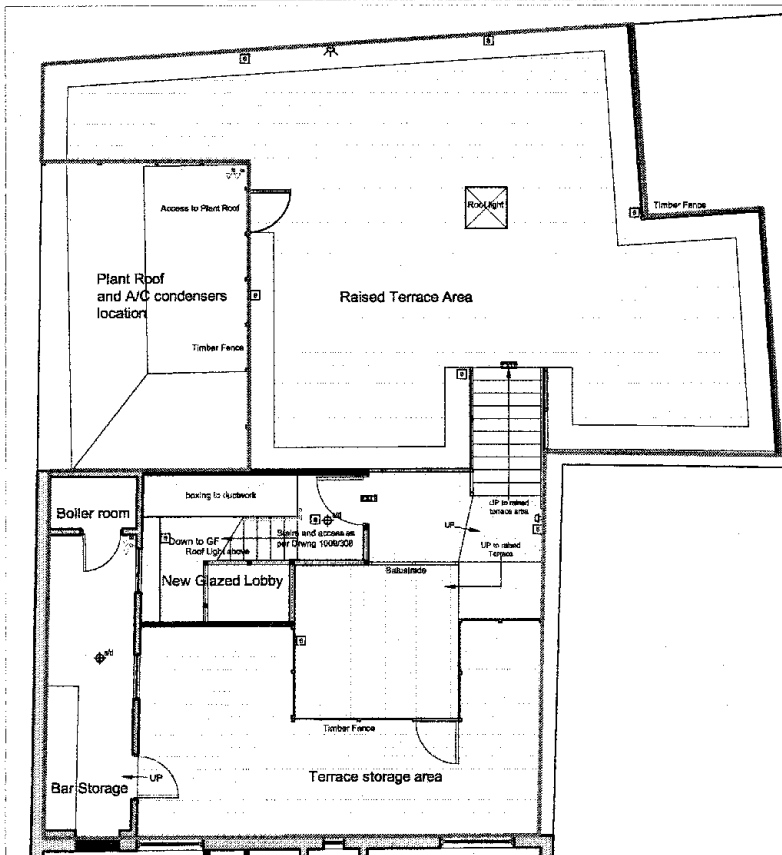


01
 SCALE 1:100
 Ground Floor Plan

Fire Layout Legend

The location of any fire equipment is shown on the date hereof but may be moved with the fire officer's consent.
 The location of loose furniture is shown for diagrammatic purposes.
 Licensable activities can take place anywhere within the red line

- EXIT Maintained Emergency Exit Sign
- Non Maintained Emergency Light Fitting
- ⊕ Non Maintained Emergency Downlight
- ⊕/s/d Smoke Detector
- ⊕/h/d Heat Detector
- ⊕/b/h Bulk Head
- ⊕ Fire Alarm Sounder
- ⊕ Fire Alarm Flashing Light
- ⊕ Break Glass Call Point
- ⊕ Water Fire Extinguisher
- ⊕ Foam Fire Extinguisher
- ⊕ CO2 Fire Extinguisher
- ⊕ Wet Chemical Fire Extinguisher
- ⊕ Dry Powder Fire Extinguisher
- ⊕ Fire Blanket
- FAP Fire Alarm Panel
- ⊕ Pull Cord Disabled Toilet Alarm Switch
- ⊕ Fire Door Magnetic Release



02
 SCALE 1:100
 Terrace Plan

All work to be completed in accordance with Building Regulations and to the satisfaction of the Building Inspector.
 All work to comply with the relevant British Standards and codes of practice. Fire Alarm installed in accordance with current edition of BS 5839.
 Drainage work to be in accordance with current edition of BS 5592 - 1992 CP 301 and manufacturers' instructions.
 Compliance with fire is to be installed in accordance with current edition of BS 5839-1. Signs and notices are to be installed in accordance with current edition of BS 5499-1.
 Partitions, structure of place with drainage are to be finished by structural engineer. Drawings and calculations are to be submitted to the Local Authority for approval.
 Works to some areas are to provide one hour fire resistance to protect structural elements (shown in hatched and all services are shown by the walls or floors to be substituted fire escape).
 An electrical circuit to be provided to one hour fire resistance (see note and schedule).
 All existing floor surfaces are to be removed and new concrete laid (where provided). To provide one hour fire resistance.
 New construction forming extension to rear of building are to include a minimum U_v value of 0.18W/m² K. These include external walls, roof, external and internal spaces walls.
 Surfaces exposed to these to circulation areas are to be finished to be class 'T' wall and ceiling. All other areas are to be class 'T' wall and ceiling.
 Other areas are to be finished to class 'T' wall and ceiling.
 Any fixtures and fittings are to be installed to the engineer.
 Proposed measurements are to be taken from the structural engineer's drawings.
 Do not scale.
 Copyright reserved by Paul Daly Design Studio.

REV.	DATE	BY	COMMENT
-	-	-	-

PROJECT:	RATTLESNAKE
CLIENT:	RATTLESNAKE
DRAWING TITLE:	LICENSING PLAN
DRAWING NO.	1009/000
DATE:	27/06/2012
SCALE:	1:100 @A3
STATUS:	FOR INFORMATION
AUTHOR:	LS

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 Paul Daly Design Studio
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 11 Hoxton Square
 London
 N1 6NU
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 Fax: +44 (0) 207 613 6848
 email: studio@pauldaly.com
 www.pauldaly.com



**PREMISES LICENCE
LICENSING ACT 2003**

Premises licence number	LN/7638-010512		
Postal address of premises, or if none, ordnance survey map reference or description			
RATTLESNAKE 56 UPPER STREET			
Post town	London	Post code	N1 0NY
Telephone number			

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Ground floor
<ul style="list-style-type: none"> • The provision of regulated entertainment by way of: <ul style="list-style-type: none"> The performance of live music The playing of recorded music The performance of dance • The provision of entertainment facilities for: <ul style="list-style-type: none"> Making music Dancing • The provision of late night refreshment • The sale by retail of alcohol

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- The provision of entertainment facilities for making music:

Monday	09:00	to	02:00	the following day
Tuesday	09:00	to	02:00	the following day
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Sunday	09:00	to	02:00	the following day

- The provision of entertainment facilities for dancing:

Monday	09:00	to	02:00	the following day
Tuesday	09:00	to	02:00	the following day
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- The provision of late night refreshment:

Monday	23:00	to	02:00	the following day
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- The sale by retail of alcohol:

Monday	10:00	to	02:00	the following day
Tuesday	10:00	to	02:00	the following day
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Non standard timings:

To permit the sale of alcohol until 04:00 on the days following: Easter Saturday, Friday of August Bank Holiday, Saturday of August Bank Holiday and Christmas Eve.

To permit the sale of alcohol, late night refreshment and regulated entertainment until 04:00 on Boxing Day if the day falls on a Friday or Saturday and until 02:00 if the day falls on any other day.

To extend the permitted hours to sell alcohol, late night refreshment and regulated entertainment until 02:00 if the day falls on a Sunday on the following days: Australia Day 26 January, Waitangi Day 6 February, St Patrick's Day 17 March, Anzac Day 25 April, Freedom Day 27 April, Queen's official birthday 9 June.

On no more than 12 occasions per calendar year and following 10 working day's notice to be given to the police (or such lesser time as may be agreed with the police), the hour for the provision of licensable activities currently provided at the premises be extended to such time as agreed with the police, the police having the power to veto any such application.

Gaming Machine Provision:

Not authorised.

The opening hours of the premises:

Monday	09:00	to	02:30	the following day
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Sunday	09:00	to	02:30	the following day

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

On and off supplies

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

Rattlesnake Angel Limited
 26 High Street
 Rochester
 Kent
 ME1 1PT

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

07918661

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

Paul Nicholas Daly

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

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

Service Manager (Commercial)

Date of Issue

Licensing

Annex 1 - Mandatory conditions

1. No supply of alcohol may be made under the premises licence:
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. All door supervisors shall be licensed by the Security Industry Authority.
4. The admission of children to the exhibition of a film shall be restricted in accordance with the recommendation of a film classification body as defined in the Video Recordings Act 1984 or Islington Council acting as the licensing authority where it has given notice in section 20(3) of the Licensing Act 2003.
5. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any "irresponsible promotions" in relation to the premises.

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

 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on:
 - i) the outcome of a race, competition or other event or process, or
 - ii) the likelihood of anything occurring or not occurring;
 - e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
6. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
7. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

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

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

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

Annex 2 - Conditions consistent with the Operating Schedule

1. The maximum number of persons accommodate at any one time in the premises shall not exceed the following: Ground Floor: 280 (including staff and performers).
2. The licence shall be subject to the Council's standard conditions for Places of Entertainment.
3. The licence shall be subject to the Council's technical standards for Places of Entertainment.
4. On Thursday, Friday & Saturday SIA registered door staff are to be employed at the premises from 21:00 until 30 minutes after the premises closes at the ratio of 1 door supervisor to every 100 customers. At times when a DJ and/or live music is provided, door supervisors shall be employed 30 minutes before the beginning of the event until closing time at a ratio of 1:100.
5. The licensee shall ensure that at all times that his licence is in operation, all amplified sound and music played on the premises is subject to the control of an entertainment noise control system set to music noise level thresholds approved by, and in conjunction with the Council's Noise team.
6. There shall be no admission or re-admission to the premises after 01:30.
7. The Licensee shall adopt the Challenge 25 and the BII National Standards Proof of Age Scheme. The Licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The Licensee shall keep records of training and instruction given to staff.
8. On days when door supervisors are employed, they are to carry wands for periodic/random searching of persons entering the premises.

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

1. Drinks shall be served in toughened glass in the back room whilst live music is being performed.
2. CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable frontal identification of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request.

Annex 4 – Plans

Plan Reference Number: LS 1009/001-06/12/2011

Licence



Premises Licence Summary

Licensing Act 2003

Premises licence number	LN/7638-010512		
Postal address of premises, or if none, ordnance survey map reference or description			
RATTLESNAKE 56 UPPER STREET			
Post town	London	Post code	N1 0NY
Telephone number			

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Ground floor
<ul style="list-style-type: none"> The provision of regulated entertainment by way of: <ul style="list-style-type: none"> The performance of live music The playing of recorded music The performance of dance The provision of entertainment facilities for: <ul style="list-style-type: none"> Making music Dancing The provision of late night refreshment The sale by retail of alcohol

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- The provision of entertainment facilities for dancing:

Monday	09:00	to	02:00	the following day
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Saturday	23:00	to	02:00	the following day
Sunday	23:00	to	02:00	the following day

- The sale by retail of alcohol:

Monday	10:00	to	02:00	the following day
Tuesday	10:00	to	02:00	the following day
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Non standard timings:

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Gaming Machine Provision:

Not authorised.

The opening hours of the premises:

Monday	09:00	to	02:30	the following day
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Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On and off supplies

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

Rattlesnake Angel Limited
 26 High Street
 Rochester
 Kent
 ME1 1PT

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

07918661

Name of designated premises supervisor where the premises licence authorises the supply of alcohol

Paul Nicholas Daly

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

It is an offence to allow persons under the age of 16 years to be on the premises whilst it is open exclusively or primarily for the supply of alcohol for consumption on the premises unless they are accompanied by a person aged 18 or over. No unaccompanied person under the age of 16 years shall be permitted on the premises between 12 midnight and 5am if alcohol is supplied for consumption on the premises.

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

Summ



Rattlesnake Area (500m Radius)- Alcohol Related Crime:
October 2011-September 2012

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8. Borough Comparison Figures.....8

I formally oppose the granting of this licence application on behalf of Islington Police. This statement provides the rationale for my decision.

Over recent years Islington has experienced rapid growth in its night time economy. The cumulative effect of this is a heavy footfall of persons who are not resident in Islington Borough but who are present between the hours of 8pm and 6am to take advantage of the extremely vibrant night-time economy.

Unfortunately there has not been commensurate increase in public services. Each new license or extension of an existing license will create additional demand on a range of public services. There is a direct link between the number of persons in public places who have consumed alcohol and the number of violent assaults that take place in that public place. This 'new' business for the police will involve reporting and investigating more instances of theft, anti social behaviour, drunkenness and serious assaults. No additional police resource will be available to cope with this extra demand. More people will be the victims of crime and more people will be injured.

The number of Police personnel available both in terms of uniform deterrence and investigative capacity is at its lowest between the hours of 11pm and 8am. At a time when both Police resources are being severely squeezed long with the resources available to NHS I would strongly resist increasing the number of persons who have consumed alcohol onto the streets of Islington. I have dwindling resources to deal with the consequences. The average investigation into an allegation of Grievous Bodily Harm costs Islington Police £2000 to investigate. Last year Islington investigated over 350 such crimes. This takes no account of the costs to the NHS. It also takes no account of the thousands of alcohol-related Actual Bodily Harm and Common Assault investigations that are taken on by Islington Police every year.

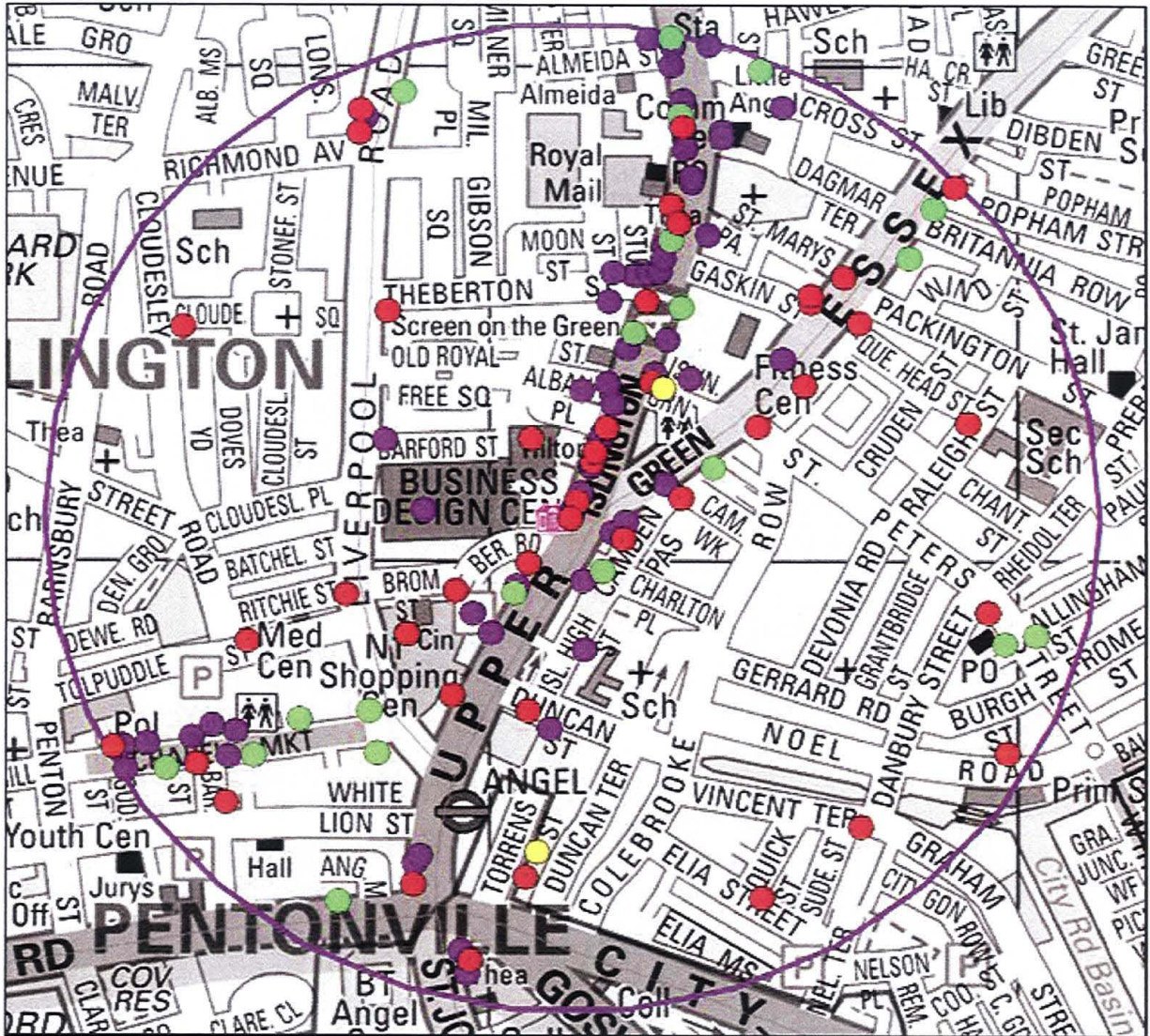
In an area that is already saturated with Licensed Premises it is just not sustainable to keep increasing the number of people on those streets after midnight. No matter how well any establishment is run internally their very business case is based on growing the number of people who end up on the streets of Islington having been drinking. As local public services are already stretched then the inevitable consequence of granting more post-midnight licences is an increase in the number of victims of serious violence. I would ask that the licence application be rejected.

Detective Chief Inspector Steven Wallace
Islington Police



Licensed Premises within 500m of Rattlesnake PH

The map below shows licensed premises within 500m of Rattlesnake according to MapInfo Points of Interest dataset:



There are 44 **pubs**, 67 **restaurants**, 27 **off licenses**, and 2 **nightclubs** in this area.

Alcohol Related Violence

The maps and tables below show locations and hotspot areas for alcohol related violent crime offences within 500m of Rattlesnake PH, and a breakdown of crime types and peak days/times:



Most offences are located along the main roads where the majority of licensed venues are located. The main hotspot area extends from Islington Green down to the end of Upper Street.

Offences	Total
ABH & M/Wound	33
Common Assault	14
Pub Order S 5	6
Crime Related Incident	5
Racial Agg Har	5
Ass Pol	4
GBH W/I	4
GBH/Wound	4
Harassment	3
Pub Order S 4	3
Race Dis	3
Race Comm Ass	2
Threat to kill	2
Other offence	7
Grand Total	95

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
0800-1159			1	2	2	2	1	8
1200-1559	2		1	1			1	5
1600-1959	3	4	2	1		3		13
2000-2359	3	3	3	1	8	3	3	24
0000-0359	4	2		1	3	15	14	39
0400-0759				1	2	3		6
Total	12	9	7	7	15	26	19	95

ABH and common assault are the most frequent types of alcohol violence. Saturday and Sunday are the peak days overall, with peak times between 2000-0400 hours. Alcohol related violence in Angel made up 12.4% of the borough total.



Alcohol Related Crime

The maps and tables below show locations and hotspot areas for all alcohol related crime offences, and a breakdown of crime types and peak days/times:



Chapel market and Islington Green are the busiest hotspot areas.

Offences	Total
ABH & M/Wound	33
Other theft	22
Common Assault	14
Crime Related Incident	14
Spec Investing	10
Theft Person	10
Pos Cocaine	7
Pub Order S 5	6
Poss Cannabis	5
Racial Agg Har	5
Shoplift <£200	5
Ass Pol	4
GBH W/I	4
GBH/Wound	4
Other offence	54
Grand Total	197

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
0800-1159	1		1	2	4	2	1	11
1200-1559	3	2	3	1		1	2	12
1600-1959	3	5	4	4		3		19
2000-2359	4	8	9	5	21	12	7	66
0000-0359	8	2	5	6	9	24	19	73
0400-0759	1			1	3	7	4	16
Total	20	17	22	19	37	49	33	197

ABH and other theft are the most frequent offences. Friday-Sunday are the busiest days overall, with peak times being between 2000-0400 hours. Alcohol related crime in this area made up 12.5% of the borough total.

999 Calls - Alcohol Qualifiers

The tables below show areas of high 999 call activity within the defined area that include an alcohol qualifier in the report, along with main call types and peak days/times:

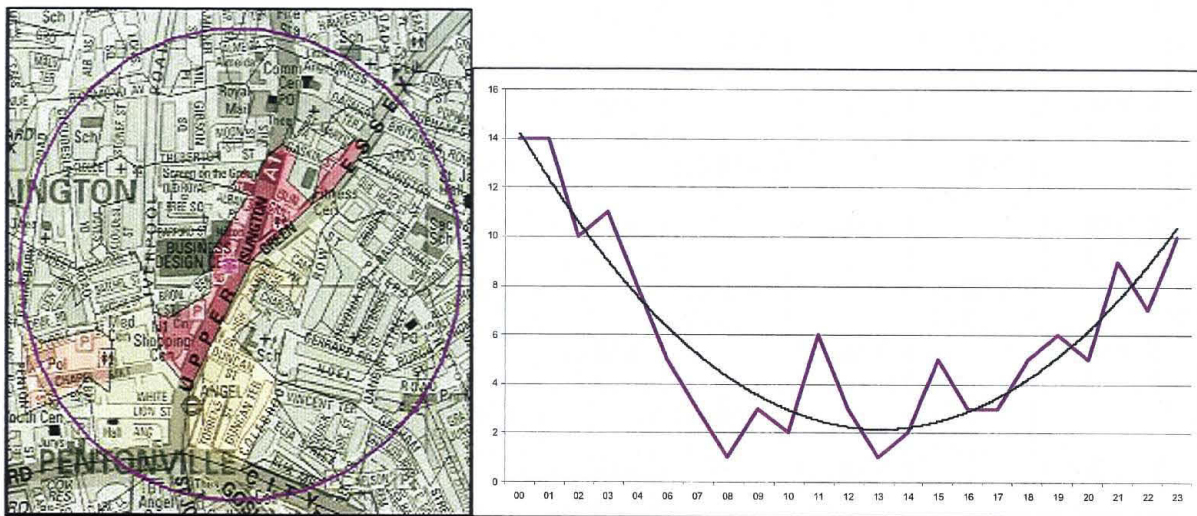
CAD Type	Total	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
Rowdy behaviour	28				1	1	2	2	6
Police activity	15		4	1	1		1		7
Violent offence	11		2	1	1	1	2	1	8
Illness/injury	8			3	8	5	5	2	23
Concern for safety	3	3	3		3	4	8	8	29
Criminal damage	2				1	1	4	2	8
RTC - injury	2								
Suspicious circs	2								
Contact	2								
Res-burglary	1								
Non res burglary	1								
Robbery	1								
Other theft	1								
Malicious comms	1								
Begging	1								
Abandoned call	1								
Civil dispute	1								
Grand Total	81	3	9	5	15	12	22	15	81

Calls for rowdy behaviour and violent offences are most frequent here, as well as CADs created in relation to police activity in the area. Thursday-Sunday are the peak days, with peak times between 2000-0400 hours. Alcohol related calls in this area made up 10.0% of the borough total overall.



Angel Alcohol Issues

London Ambulance data indicates that between October 2011 and September 2012 ambulances were called to 136 incidents in the area where alcohol was noted as a feature. Data mapped according to output areas highlights Upper Street/Islington Green, and Chapel Market areas.



Temporal data for the town centre indicates that alcohol related attendances peaked between 23:00-03:00 hours over the period. The general trend data indicates that call out levels were higher in the hours around/following midnight.

Outreach

No outreach data available for this area.

Angel Key Issues

The figures for below highlight some of the key issues linked to alcohol and the night time economy within 500m of Rattlesnake. Offences listed have occurred during the hours of 8pm to 6am between October 2011-September 2012.

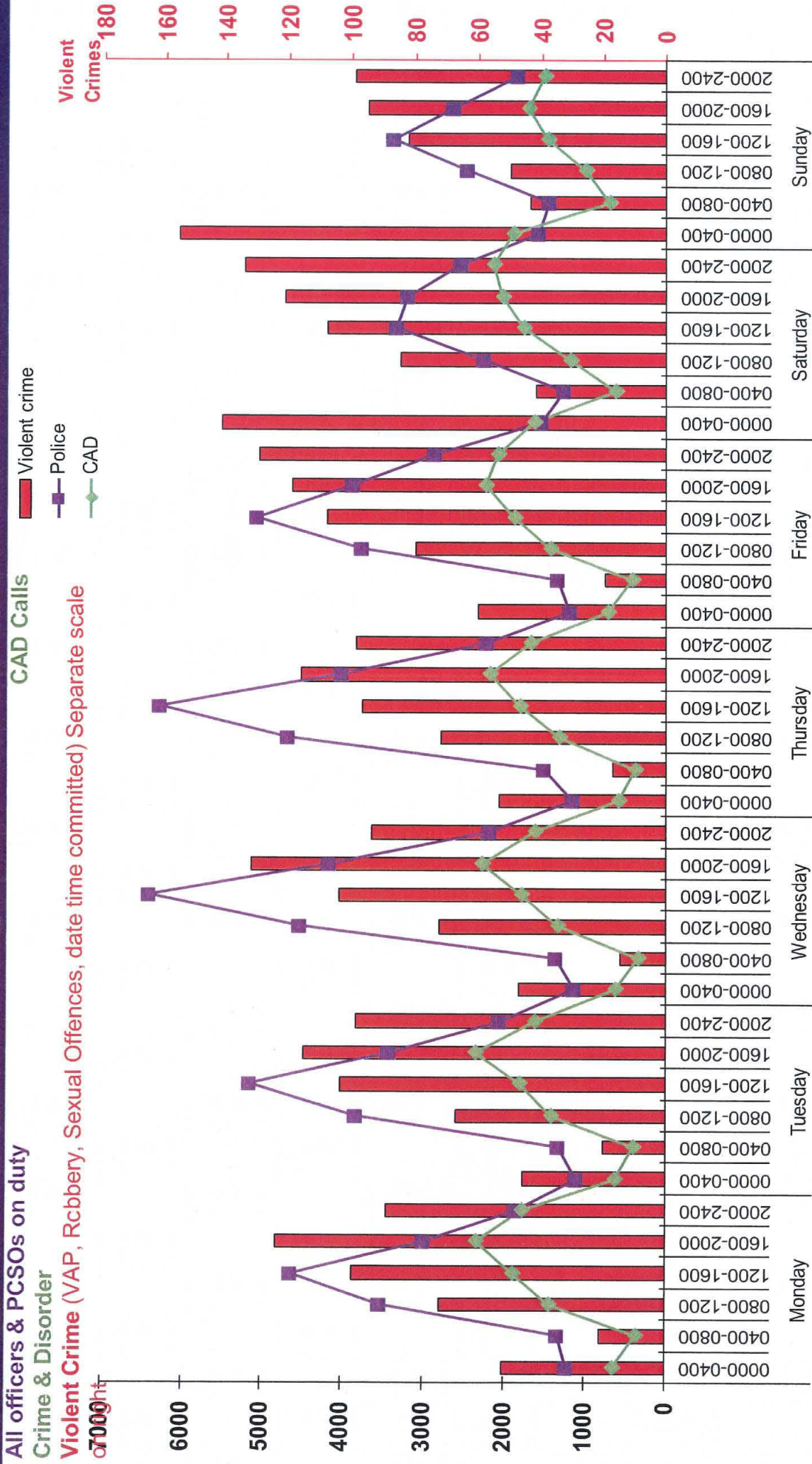
- There were 176 violent offences, including:
 - 1 attempted murder
 - 1 wounding
 - 2 kidnapping
 - 3 threats to kill
 - 12 GBH
- There were 1177 property crimes, including 55 personal robberies.

Borough Comparison Figures

The figures below show borough wide statistics for alcohol violence, alcohol related offences, and 999 calls with an **alcohol qualifier**. The time period in question is October 2011-September 2012 unless stated:

- There were 763 violent offences involving alcohol.
- The borough suffered 1575 crimes with alcohol as a contributing factor.
- Police were called to 840 emergency calls involving alcohol.
- There were 1862 violence offences between the hours of 2000-0600.
- There were 7146 property crime offences between the hours of 2000-0600.
- The London Ambulance Service attended 1272 incidents in Islington between Oct 2011 and Sep 2012 where alcohol was recorded as a feature.
- Islington has a known cohort of street drinkers. These individuals often congregate in favoured places such as particular parks or areas of street pavement. Between Oct 2011-Sep 2012, outreach teams recorded a total of 230 contacts with street drinkers across the borough.

Resource vs Demand



The above chart shows all officers and PCSOs on duty for the 4 week period which has been divided by 4 to give a daily average from PIB. Similarly with all cad calls for crime or disorder as far as possible the duplicates have been deleted data from CAD. Similarly violent crime offences based on the date and time committed from CRIS data. Met wide the availability of warranted officers and PCSOs on wednesdays and thursdays appears significantly higher compared to the demand at the week end. Select required borough from drop down box top left corner.

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **Robin Clark** URN:

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Age if under 18 **Over 18** (if over 18 insert 'over 18') Occupation: **Police Officer 181475**

This statement (consisting of: **1** pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature:  Date: **16.01.2013**

Tick if witness evidence is visually recorded (supply witness details on rear)

My name is Robin Clark and I am a Police Sergeant with the Metropolitan Police Service. I currently work as a Licensing officer at Islington Police Station. I have been given this specific responsibility by the Borough Commander who is acting under the written delegated authority of the Commissioner of Police for the Metropolis. A copy of this authority has been lodged with Islington Council Legal Department.

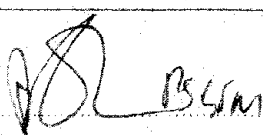
This statement is submitted in response to the Licence application submitted for the premise Rattlesnake, 56 Upper Street, London, N1 ONY. I am aware of the representation submitted by D.C.I Wallace and the report contained within. These being the same facts used on the application heard on the 18th of Dec are used in this application as although refused the premises have submitted an application asking for the same thing but one hour earlier. As it is the same application we feel the same facts are relevant and rather than use resources to produce another report we have relied on those facts but now include a snap shot of recent incidents in that area to show the type of problems that are making demands on police and LAS resources.

The first example would be cris 2729911/12, this relates to an assault that occurred o/s 49 Upper Street which is on the junction of Upper Street and Berners Road. This is used as a cab marshalling area with people using the cab office to book cabs then being assigned one for the journey. At 0115 hrs on the morning of Sunday 02nd Dec a fight broke out between 2 groups, this was caused by one group not wishing to queue or book a cab, when arrested the males who were part of the group were found to be very intoxicated. This incident led to 3 people being arrested and 5 officers spending many hours dealing with it on the night with further resources being tasked with the subsequent enquiry.

The second example would be cris 2700405/13 and 2700407/13, this incident happened between 0100 hrs and 0120 hrs on Sunday 6th Jan 2013. This incident occurred at a premise about 300 yds from Rattlesnake and involved a group of 5 males who cause a disturbance inside the venue, the door staff try to deal with it and police are called, as they are ejected from the premise the fight continues and a member of the public who is in the queue waiting to enter the venue is punched in the face causing injury and severe bleeding and hospital treatment. This incident tied up at least 6 officers at the scene plus further officers for the subsequent enquiry. The parties involved were also found to be intoxicated.

These are obviously not the only incidents of note happening in this area and there were further assaults and disorder associated with the night time economy in the Angel area, these are just examples of the problems Islington Police face in this area in the early hours of the morning.

Both these incidents required ambulances and in one case an operation was carried out on the victim due to his facial injuries. I feel both these incidents highlight the problems being caused by the late night venues in the Islington Green. Upper street area. They are typical of what happens in the area and I submit that it is a reasonable presumption that the granting of a later opening hours for these premise will contribute to an increase in these types of incidents thus making further demands on both police and the ambulance service. Therefore for reasons of public safety and to prevent further disorder I submit it would be proportionate to refuse this application.

Signature:  Signature witnessed by:

(2)

Licensing Act 2003- Representation from the Licensing Authority
Application: RATTLESNAKE 56 UPPER ST LONDON N1

This representation is submitted on behalf of the Licensing Authority against the variation application to the above premises licence to permit:

- the sale of alcohol, until 3.00am Mondays to Sundays
- late night refreshment, live music, recorded music and performance of dance until 3.30am Mondays to Sundays
- an additional hour for the above licensable activities on 22 days as specified in the non-standard timings section of the application form

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

The grounds for the representation are:

- Public nuisance
- Crime and disorder

This premise was recently subject of an application to permit the sale of alcohol until 4am and other licensable activities until 4.30 am. This application was refused by the Licensing Committee In December 2012.

The revised application for reduced hours has been considered to assess the impact on the licensing objectives. The Licensing Authority remains concerned that if this application is granted it will increase the availability of alcohol for consumption in the early hours of the morning thereby adding to the cumulative impact in terms of public nuisance, crime and disorder.

The premises is located in Upper St, which although it is a busy night time area, the impact of the late night activities are already having an adverse impact on residents living in the wards of St Marys and St Peters.

The premise is located in St Marys Ward on the boundary with St Peters Wards. There are 169 premises licensed to sell alcohol in St Mary's ward and 70 in St Peters Ward

The table below provides the alcohol licensing hours of the 8 bars and pubs that providing late night activities that are closest to Rattlesnake

		Thurs	Fri	Sat	Sun – Wed
O Neil's	59 Upper Street,	1am	2am	2am	12
Cubra Libra	72 Upper Street, ,	24 hours	24 hours	24 hours	24 hours
Pitcher and Piano	68 Upper Street,	4am	4am	4am	4am
Ladybird	70 Upper St	2am	4am	4am	2am
Steam Passage	44-45	1am	2.30am	2.30am	12
Browns	9 Islington Green	1am	1am	1am	12
Slug and Lettuce	1 Islington Green	1am	1am	1am	12
Rattlesnake (current)	56 Upper St	2am	2am	2am	2am
Rattlesnake (proposed)	56 Upper ST	3am	3am	3am	3am

The council has adopted a flexible approach to licensing hours and the above table demonstrates the how this has been implemented the immediate area in which Rattlesnake

is located. The Angel area is already saturated with late night venues and any extension in the operating hours of Rattlesnake will be detrimental to the local residents in terms of noise and disturbance in the early hours of the morning.

Whilst there are a small number of residential properties in the immediate area in which the Rattlesnake is located the council regularly receives feedback from residents concerning the impact of the late night economy from residents who live slightly further field in the densely residential parts of St Peters and St Marys ward. Many of issues that they bring to our attention concern the impact of late night visitors leaving the area as they make their way home or to other licenced premises. They highlight various issues such as noise, nuisance and antisocial behaviour of people enjoying the night time offer in the area.

The extension of the licensing hours for Rattlesnake will encroach into the quiet period during the early hours of the morning with their customers leaving the premises after 4.30am. This will extend the period that residents living in St Peters and St Marys ward could be disturbed by customers leaving the venues until 5-5.30am.

The Licensing Authority has been working with the Police Islington NHS and other key partners, through the Safer Islington Partnership, to reduce the level of alcohol related violence within the borough. The Licensing Authority fully supports any representations for the Police and is committed to supporting the Reclaim the Night programme of activities to reduce the incidence of alcohol related crime through reducing access to alcohol late at night.

In determining this application the Licensing Committee should be mindful of the relevant section of the Licensing Policy 2011-2014:

Licensing Policy 23 – *'... the type of premises and their cumulative impact upon the area.*

Rattlesnake is located in the Angel Town Centre special interest area as defined in Licensing Policy 40. This is one of several areas that the Licensing Authority is concerned that the benefits of the thriving night time economy in the area could outweigh the negative impacts experienced by residents to such an extent that the licensing objectives are undermined. New and variation applications in these areas need to be examined in detail to ensure that the proposals do not add to the cumulative impact

Licensing Policy paragraphs 169 advises applicants that the Licensing Authority expects operating schedules to show evidence of:

- steps to prevent crime and disorder emanating from the premises and escalating in the area;
- steps applicants intend to take to educate their customers and prevent public nuisance arising from illegally dumped waste and litter, and prevent the use of alleyways, street corners, and open pavements in the vicinity of their premises as urinals;
- how applicants intend, through the provision of licensed door staff, to assist in the control of illegal minicab touting which is associated with the serious crimes of abduction, rape and other sexual assaults and is becoming an issue of growing concern for the police;
- applicants' intention to be active members of the pub watch, or shop watch schemes operating in this area;
- a regard for the nature of the area and provision of premises that will be welcomed by the wider community;
- applicant's intention to adopt the Licensees' Charter.

These issues are not adequately addressed in the operating schedule.

It is the view of the Licensing Authority that this application to extend the hours of operation will adversely add to the cumulative impact in the area and the additional measures proposed in the operating schedule do not provide sufficient evidence to indicate otherwise.

In conclusion it is recommended that this application be refused.

Janice Gibbons
Service Manager
Islington Council
Public Protection Division

15 January 2013

3

Sender, Yesim

From: [REDACTED]
Sent: 04 January 2013 14:34
To: Licensing
Subject: Rattlesnake Pub, 56 Upper Street, London N1 0YN

Re Rattlesnake Pub: Application dated 19 December 2012: extension of hours to 3am.

Dear Sirs

This Association represents residents in the Upper Street Area. Please can we object to any extension of hours for the Rattlesnake pub. Recently an application to extend to 4am was turned down. We object to any extension on grounds of noise, public nuisance, social order and policing requirement.

We very much oppose any extension of pub hours in Islington, especially the Upper Street and Essex Road areas, and welcome the review of the drink and entertainment industry now being undertaken by the Licensing Committee.

Yours faithfully

[REDACTED]
Chair

The Upper Street Association

14 Compton Terrace

London

N1 2UN
[REDACTED]



I am writing to oppose the application of the Rattlesnake bar on Islington Green to extend its licensing hours to between 9am and 3am/3.30am Monday to Sunday inclusive.

I attended the last licensing application meeting regarding the Rattlesnake on December 18 and do not feel that the objections I made were taken seriously by the applicant and its legal team, which commented that as I was the only resident who had made a written objection, this did not constitute "public opinion".

It became clear however, that neither the applicant nor its legal team had much current experience or knowledge of the area in which the Rattlesnake operates; whereas I have lived here for many years and witness the activities on Islington Green and in the area – including the location where the Rattlesnake is situated – on a 24/7 basis.

Rattlesnake

I have visited the Rattlesnake and other bars in the area and it has become clear that the Rattlesnake during the day did not attract as much custom as the bars nearest to it during the period I visited. Customer levels during the day may be relevant to the application to extend hours of operation to capitalise on night-time trading levels – and improve daytime trade by offering live events such as live music, dancing and alcohol sales from 9am every day of the week, including Sundays.

I have checked levels of customers at the Rattlesnake at various times of the day and compared these with the bars nearest to the Rattlesnake. I have attached these on a separate file as supporting information.

The spot checks cover an unusually quiet period for this area, but they also revealed that customers at the Rattlesnake were more often than not male and were mainly young males; whereas all the other bars I visited attracted a mixed group of customers across all age ranges and backgrounds.

I understand from the last licensing application meeting that the applicant wishes to introduce to Islington an authentic live music venue, run independently – as opposed to being managed by a chain, like the other bars on Upper Street; and various additional supporting reasons were that the applicant was in a band and lived on Upper Street in the 1980s, and formerly managed a brasserie on Upper Street (opposite the Rattlesnake's site). However, Upper Street has changed since the 1980s when the applicant was familiar with the area on a daily basis – whereas heavy traffic used to take the Liverpool Road in the 1980s, Upper Street has since become a Red Route and now takes most of the heavy traffic. Liverpool Road has been fitted with speed ramps and was narrowed at the Angel to accommodate the N1 shopping centre and so Upper Street is now extremely busy, with the Upper Street/Essex Road junction at Islington Green already a flashpoint for accidents and crowds throughout the day and at night-time.

Islington is also extremely well served by existing live music venues and local bars, which do not tend to host live music or events during the day and most of which do not trade until 3pm, except in the case of the one bar which does have a 4am licence. Re the current premises with a 4am licence, I was not offered the chance to challenge this at the time it was granted, or would have done so. The fact that a 4am licence exists on Upper Street is not, however, a reason why the applicant should be licensed to provide live entertainment and dancing or alcohol and refreshments until 3am/3.30am every day of the week or, indeed, all day every day from 9am to 3am/3.30am.

A live music culture during daytime may potentially change the nature of this area – and also impact on the safety of schoolchildren and young adults in this area during the day, as adult music venues can sometimes attract elements not compatible with minors. Islington Green and Upper Street are used by families and schoolchildren for transport links and recreation and therefore need to provide a safe environment.

Licensing – Islington Green

Regarding licensed premises, more alcoholic consumption in this area is not to be encouraged and not from 9am. Recently I have noticed that Tesco Metro on Islington Green is displaying small bottles of wine offering a single glass directly above the sandwich display. The level to which alcohol is being promoted in this area is already excessive and the community is well served by licensed premises – and encouraging drinking during the day potentially impacts on public safety and crime and disorder in the area, as well as having implications for the protection of children from harm, as some practices in this area are already making alcohol more accessible.

If the Rattlesnake is granted a 3am/3.30am licence there is also potential for it to absorb customers from bars which currently close at 2am. The applicant stated at the previous licensing meeting that the door policy of the Rattlesnake was “picky”, but given the numbers of drinkers who might try to gain access to the bar and music venue after 2am and remain drinking until closing time at 3am/3.30am, this would create a potential flashpoint after 2am – especially as the daytime clientele of the Rattlesnake seems to suggest that groups of young male adults are likely to use the venue and young males are more at risk from street crime and violence. The attacks I have witnessed in this area have all involved young males, and include a stabbing and a group of young males kicking another repeatedly in the head outside my flat. Some years ago I also came across a corpse in the street in the early morning still with a bottle in his hand – and this is not the sort of environment which should be encouraged in any area.

At the last licensing meeting the applicant claimed that the clientele of the Rattlesnake was different from other bars on Upper Street – and that poetry readings and art films were interspersed with live music and dancing to help customers wind down at closing time.

However, it was also made clear at the last licensing application meeting that it is essential for the Rattlesnake to be able to schedule its events as it wishes throughout the day from 9am until the early hours (currently proposed as 3am/3.30am) seven days a week – and this potentially is going to cause congestion to the area and place stress on the emergency services and the community. It will certainly impact on my ability to enjoy my property and potentially sleep for eight hours a night undisturbed, an issue I covered in my previous statement opposing the Rattlesnake's licensing application.

Emergency Services

The images I have attached show that, even during unusually quiet periods, as has been the case this Christmas and New Year, the police and emergency services continue to be stretched in this area and heavy traffic in the early hours continues. If drinkers had been on the streets in large numbers when these recent incidents were taking place, potentially another incident could have occurred. At the last meeting, the applicant's legal team asserted that the Licensing Act does not require licensees to consider the conditions on the highway into which customers are released after closing time; and furthermore, that the issues of policing in this area are solely a matter for the police to deal with and not the concern of the licensee. However, the Licensing Act also allows for representations to be made opposing a licence application on the grounds of public safety, preventing public nuisance, protection of children from harm and crime and disorder, and therefore these should be taken into consideration.

The images I have attached suggest that any extension to the licence would not be in the best interests of the community, the emergency services who serve the area – or even customers of the Rattlesnake, who may well have been drinking heavily for hours and will be dispensed onto a Red Route in the early hours of the morning and throughout the day, where heavy traffic and container lorries are operating, which is a public safety issue.

Dispersal beyond the immediate frontage of a bar is also not possible for licensees to control – despite the reassurances given by the applicant and its legal team at the last meeting. Drinkers during the summer months simply do not disperse, especially when signage in the area creates a feeling that activities are still continuing – and the Rattlesnake's own neon signage operates 24/7. I discussed the impact of drinkers remaining in this area into the early hours in my last objection attached and at the last meeting.

Diversity of cultural events in Islington

The applicant's legal team raised the issue of diversity of cultural activities in Islington, which is encouraged by council policy. Islington has a premier music venue in the N1 centre and many authentic music venues – plus bars with dancing, an art cinema, Mexican food outlet opposite the Rattlesnake (which also offers Mexican cuisine) and cafes offering all-day breakfasts, like the Rattlesnake.

This leaves the Rattlesnake's live poetry readings and US-themed bar as possible cultural innovations in central Islington, but none of the various activities the Rattlesnake is offering seem to be attracting daytime trade, while bars nearby do, without having to provide live bands or dance events, which may well have a detrimental impact on this area for the reasons stated above.

Health & Safety – Acoustic audit

I note from the applicant's last-minute submissions to the licensing committee and interested parties before the last licensing application meeting that the levels of noise in the venue exceed recommended safety levels of 85dB from time to time. The applicant's legal representative claimed that the Rattlesnake added no more noise to the area above that which already exists.

However, the sound audit is based on current licensing hours and a brief assessment of the venue's sound system before opening and a week after opening last July, when levels of customers attending were not known and street noise levels could therefore not be assessed accurately.

With regard to "safe" levels of sound inside the bar, there are no known safe levels and guidance given by experts is simply guidance. The Rattlesnake's live music venue is extremely small and narrow in design and speakers will be close to the performers and the audience, which increases the risk of hearing impairment to both, as well as to staff working in the music venue itself.

I refer to the website Hearing_Lossweb.com and an article on the "timebomb" suffered by music lovers, which illustrates the issues:

"The UK is facing a hearing loss timebomb, according to RNID research which reveals that 90 per cent of young people experience the signs of hearing damage after a night out, yet do nothing to prevent it.

The charity's 'Like it Loud?' report, published today as part of its Don't Lose the Music campaign, shows that 70 per cent of clubbers, 68 per cent of gig-goers and 44 per cent of people who go to bars experience the symptoms of hearing damage after their night out, such as dullness of hearing or tinnitus - ringing in the ears.

"The charity, which represents the UK's 9 million deaf and hard of hearing people, is also urging music lovers to invest in a pair of reusable earplugs - which reduce the volume but not the quality of the music - to protect their ears from damaging decibels. It also advises people to stand away from loud speakers and spend time in quieter areas to give their ears a rest"

The size and design of the live music venue does not allow the audience to stand very far back from speakers – and the sound does not travel very far before it hits the back wall of the venue.

If the Rattlesnake is licensed to operate as a live music venue throughout the day and into the early hours of the next morning, then it is possible some performers, members of staff and customers will suffer hearing distortion and possibly permanent damage to their hearing because of their proximity to the speakers in such a narrow space; as well as the fact that levels may frequently be near or exceed 85dB for long periods in a small, narrow, enclosed space.

Public safety: Recent incidents involving police/ambulance attendances, Islington Green

There have been several incidents requiring the attendance of the police and/or ambulance services at the junction of Upper Street and Islington Green where the Rattlesnake is situated since 28 December and I have listed these and attached images.

- Friday 28 December – police and ambulance attended a road traffic accident at the junction of Islington Green and Upper Street, after a van collided with bollards on the Essex Road in wet weather in the afternoon.
- Saturday 5 January – Police and ambulance attended an incident involving an individual collapsed on the central reservation of Upper Street near the Rattlesnake at around 1am.
- Wednesday 9 January – Police and paramedics attended incident on Upper Street on Islington Green at around 3am.
- Saturday 12 January – police were in attendance outside the Rattlesnake bar at around 10pm.

I have also attached images of the junction of Upper Street and Essex Road in the early hours of the morning between 1am and 3.30am, which show the type of traffic using the roads at that time, including large container lorries, as well as the emergency services. In one image (5 Jan), an ambulance is parked on Upper Street, while another passes it at speed heading in the direction of the Pentonville Road. In this area, it is a common occurrence for emergency vehicles to use the A1 and Essex Road at speed and travelling in both directions during the day, at night and in the early hours.

Antisocial behaviour – Islington Green

I have also attached an image taken on Friday 11 January at around 11am, showing a stain on the pavement and in my doorway from vomit left in the doorway overnight, which had been cleared away by council cleaners, although traces of vomit can still be seen on the pavement. When this occurs, I am unable to use my front door in case I tread in the vomit or the door has been contaminated with vomit – and others who may use the door or tread

through the vomit bring it into the residents' hallway and tread it into the carpet. I am also unable to disinfect the area myself as it is on the public highway and if a member of the public slipped on water, detergent or disinfectant, potentially I would be liable.

The doorway is directly next to Barclays ATMs, and therefore any bacteria contained in the vomit can be spread easily if the individual who has vomited touches them. Such bacteria from the vomit might include Streptococcus A, Norovirus, flu virus, salmonella, E.coli etc., and therefore vomit on the pavements in this area is a public health risk. It is not hygienic for people using Barclays ATMs – and these include parents with pushchairs – to be exposed to this risk. The frequent year-round incidences of vomit and urine deposited in the doorway to my home suggest this latest incident is more likely to be the result of heavy drinking than attributed to recent outbreaks of Norovirus and levels of vomit in the area are quite possibly fuelled by the amount of fast food outlets open in the early hours to cater for drinkers.

For this reason, I would oppose the Rattlesnake serving food into the early hours of the morning to customers who might have been drinking to excess.

I oppose the application to extend the hours of the Rattlesnake to 3am/3.30am for the reasons stated above, as well as those stated in my previous statement opposing the licence application, as attached – and for the reasons as stated at the previous licensing meeting on 18 December.

[REDACTED]
[REDACTED], London N1.

Islington Green bars – customer levels at the Rattlesnake and others

Tuesday 18 December (date of licensing application meeting)

Rattlesnake (4.15pm) – One customer; (5.20pm) No customers

The Angelic, Liverpool Road (4.15pm) – Half full

Steam Passage (4.30pm) – Half full

O'Neill's – (4.35pm) – 22 customers

Camden Head (5.15pm) – Half full inside and outside

Slug & Lettuce (5.35pm) – Almost full

Since then I have spot checked the level of customers at the Rattlesnake and the nearest bars the Steam Passage and O'Neills and found a similar pattern:

Saturday 22 December (3.30pm)

Rattlesnake – No customers

Steam Passage – Half full

O'Neills (not checked)

Monday 24 December (3.20pm)

Rattlesnake – 2 customers

Steam Passage – Half full

O'Neills – 13 customers

Friday 28 December (11.40am)

Rattlesnake – No customers

Steam Passage – 10 customers

O'Neills – 6 customers

Thursday 3 January 2013 (5.30pm)

Rattlesnake – 9 customers

Steam passage – 20 customers

O'Neills – 16 customers

Monday 7 January (6.45pm)

Rattlesnake – 6 customers

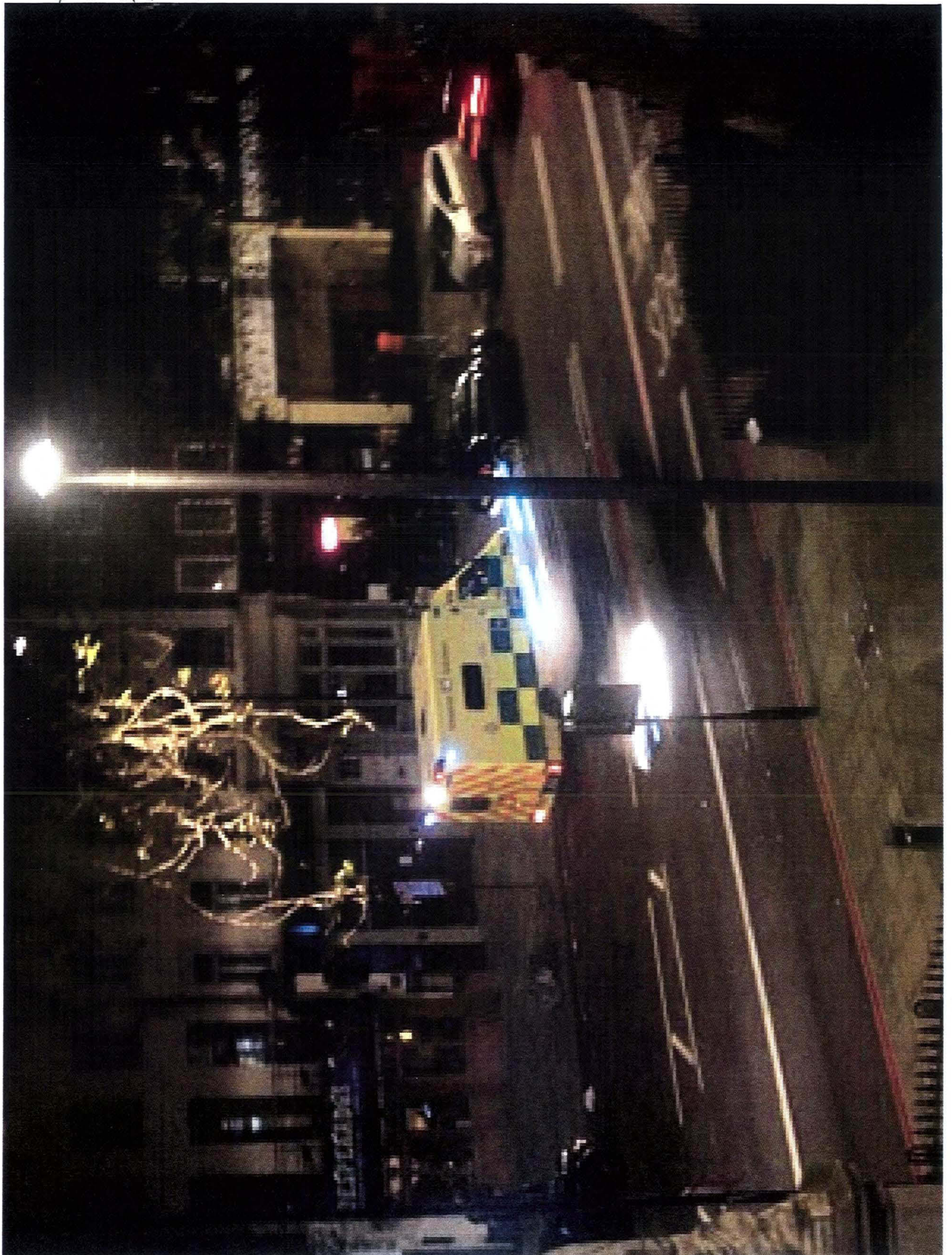
Steam Passage – 20 customers.

O'Neills – 26 customers

05 JAN 13



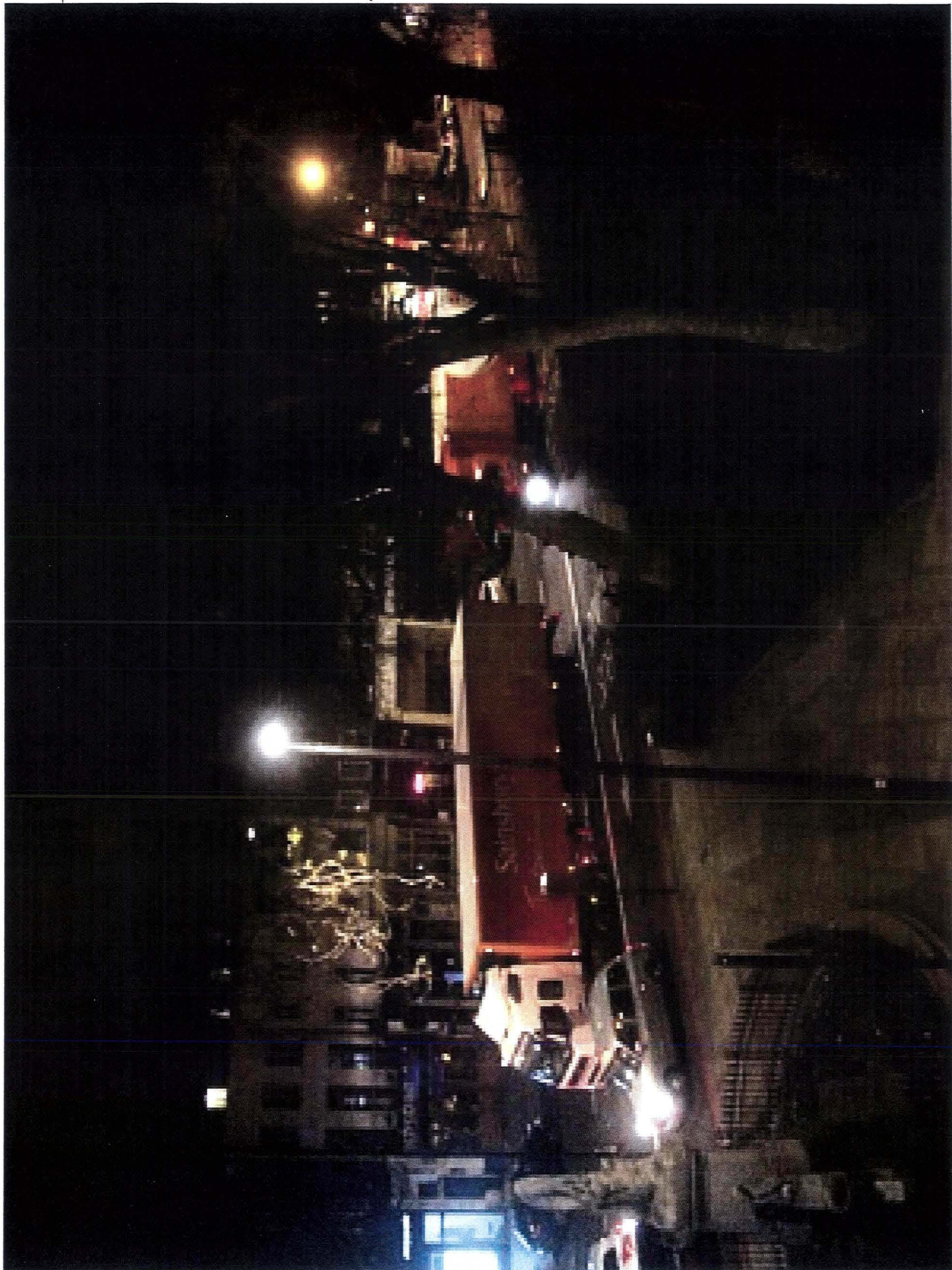
05 JAN 13 -



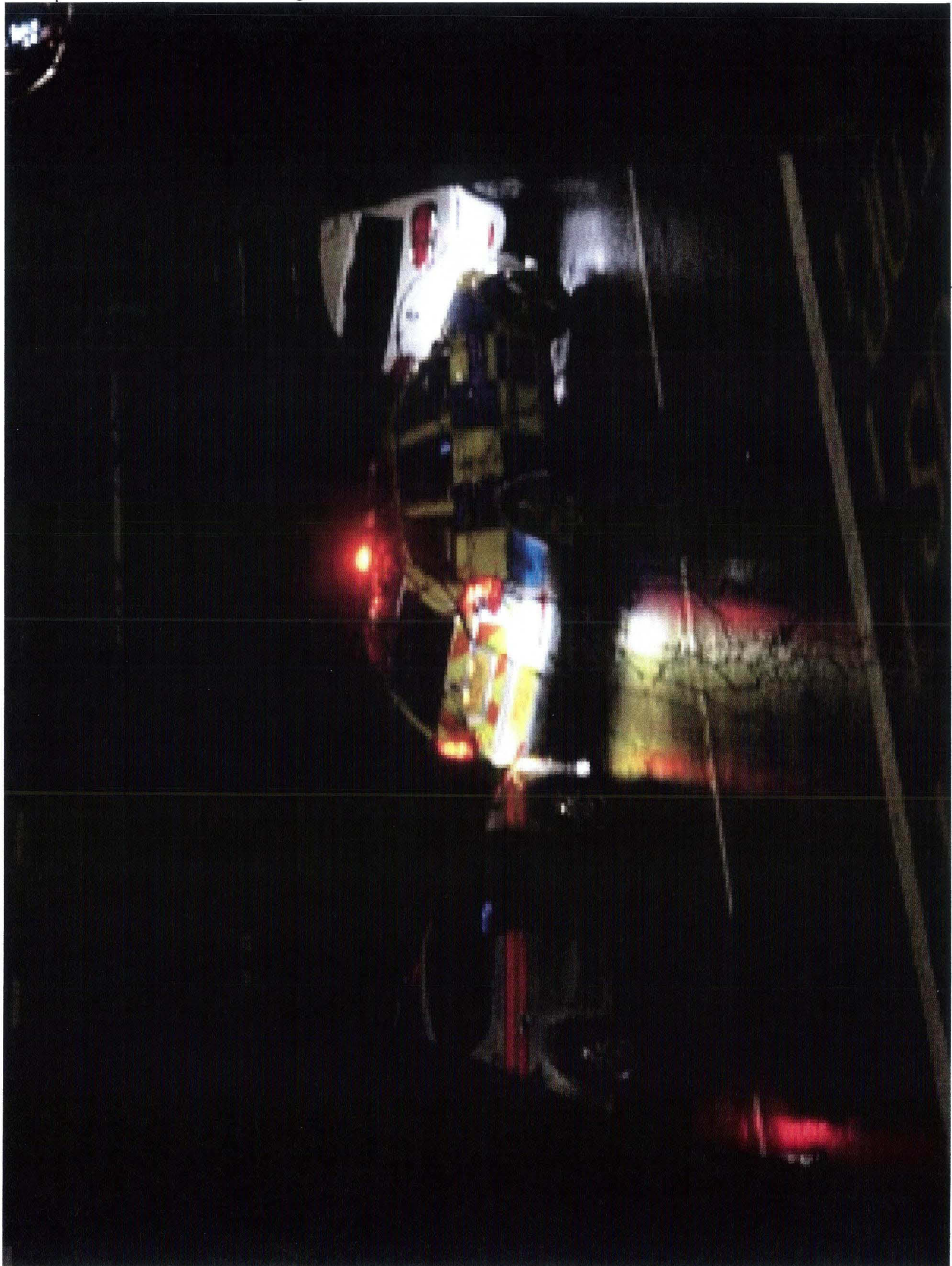
05 JAN 13



ØSTJAN 13 - 01:45.



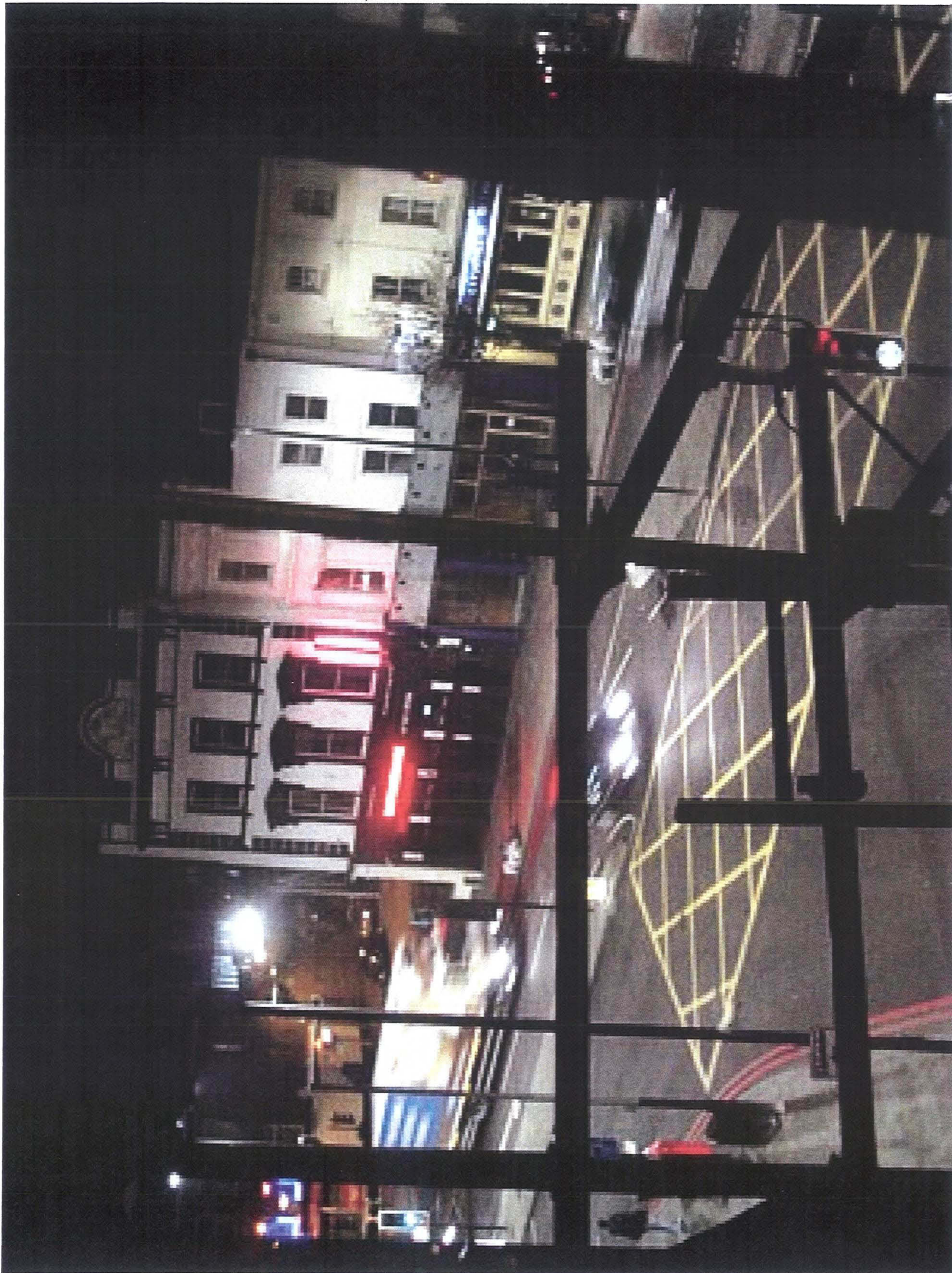
09 JAN 13 - 03:02



12 JAN 13 - 22:05



12 JAN 13 - 03:37



12 JAN 13 - 03:45



DOORWAY - ISLINGTON GREEN - JAN 2013 - 11am.



Suggested conditions of approval consistent with the operating schedule

1. The premises shall implement and operate a Challenge 25 policy at the premises.
2. No less than two Door Supervisors shall be located outside the premises from 21:00 until half an hour after closing time on Fridays and Saturdays.
3. Door Supervisors shall search no less than two out of every ten persons entering the premises on Fridays and Saturdays after 21:00 and shall use wands to conduct these searches.
4. A policy has been adopted by the premises licence holder which deals with the approach of the premises towards responsible drinks retailing. This policy or any subsequent amended policy will be applied as appropriate to the premises. Upon request the policy will be made available within a reasonable time period to any responsible authority.
5. CCTV shall be maintained on and off the premises and the recordings shall be kept for at least 31 days. The recording shall be made available to any inspecting officer of the Licensing Authority and Metropolitan Police. The Islington Crime Prevention Officer will be consulted as to the locations of the CCTV positions.
6. Toughened glass only shall be used on the premises.
7. The maximum number of persons accommodate at any one time in the premises shall not exceed the following: Ground Floor: 280 (including staff and performers).
8. The premises shall be in accordance with the Technical Standards for Places of Entertainment.
9. The premises shall implement and operate an incident book. Upon request the incident book will be made available within a reasonable time period to any responsible authority.
10. There shall be no drinks taken outside the venue after 23.00 on any day, including the roof terrace.
11. All external Tables and Chairs shall be made unusable by 23.00.
12. A management policy and procedure on the dispersal of patrons shall be developed and approved by the council and fully adopted and implemented by the premises licence holder. A copy shall be kept on site and readily available for both staff referral and for Council Officers.
13. The licensee shall ensure that at all times his licence is in operation all amplified sound and music played on the premises is subject to the control of an entertainment noise control system set to music noise level thresholds approved by, and in conjunction with, the Council's Noise Team. The noise limiting device shall be tested yearly by an acoustic consultant and reset to the agreed levels if necessary. Access to the noise limiting device shall be restricted to the premises licence holder and manager of the venue to prevent tampering by unauthorised persons.
14. At least one set of the double door lobbied entrances and exits shall be kept in the closed position when patrons enter or leave the venue to prevent noise break out.
15. All windows and doors to be kept in the closed position after 23.00 hours, except for access and egress from the building.
16. Signs shall be displayed at the outside drinking/smoking areas asking patrons to consider neighbours and to be quiet.
17. After 23.00 hours, areas identified as smoking areas shall be monitored by the licensee or his representatives and control noise from patrons.

