



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	3 October 2011	B8	Canonbury

Delete as appropriate	Exempt	Non-exempt

**Subject: PREMISES LICENCE NEW APPLICATION  
RE: GARDEN CAFÉ, 418 ESSEX ROAD, LONDON, N1 3PJ**

**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 sale of alcohol from 11:00 until 23:00 Monday to Sunday.;

**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 of the current premises licence;
  - ii. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (See appendix 3);
  - iii. conditions recommended by responsible Authorities (see appendix 3);
  - iv. any conditions deemed necessary by the Committee to promote the four licensing objectives.

**3. Background**

- 3.1 Papers are attached as follows:-

- Appendix 1: application form;  
Appendix 2: representations;  
Appendix 3: suggested conditions and map of premise location.  
Appendix 4 an extract of the section of Development Planning from the Licensing Policy 2011-14.

3.2 The Licensing Authority has received representations from the Councils Noise team, of which the applicant have agreed to three of the four suggested conditions, and a representation from the Councils Health and Safety officer which have been agreed by the applicant. The only outstanding issue is the use of the garden for licensable activities.

3.3 In addition the Councils Planning Department has informed the licensing team that the premises is subject to the following restrictions;

- i) That it shall not operate except between the hours of 07:00 and 17:00 on Monday to Saturday and 09:00-16:00 on Sundays, and not at all on Bank Holidays.
- ii) That the rear garden forming part of the property, which is the subject of this permission, shall be permanently not used as a sitting- area for customers.

3.4 The reasons given in the planning consent for these restrictions are to ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their premises, and to protect the amenities of the neighbours and the locality

#### 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 2011-14  
Licensing Act 2003  
Secretary of States Guidance

Final Report Clearance

Signed by

  
Service Director – Public Protection

Date 22/9/11

Received by

Head of Scrutiny and Democratic Services

Date

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NF.  
OK?  
✓ 25/7/11

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We Mr Turgay Mizan

(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 Garden Café 418 Essex Road			
Post town	London	Post code	N1 3PJ
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£9600	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as  
Please tick yes

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

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- 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  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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> Mizan			<b>First names</b> Turgay		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
<b>Current postal address if different from premises address</b>		18 PRIESTLEY CLOSE RAVENSDALE ROAD			
<b>Post Town</b>	London			<b>Postcode</b>	N16 6SJ
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**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)	
<b>Surname</b>			<b>First names</b>		
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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day	Month	Year
2	2	08 2011

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

Day	Month	Year

Please give a general description of the premises (please read guidance note1)  
Please refer to the enclosed plan.

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 yes**

- 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 entertainment facilities:**

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

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

**In all cases complete boxes N, O and P**

**A**

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

**B**

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



**C**

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

**D**

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

**E**

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

**F**

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

**G**

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

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the type of entertainment you will be providing</u></b>		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)		
Fri					
Sat			<b><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></b> (please read guidance note 5)		
Sun					

I

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

**J**

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



**K**

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

**L**

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

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) N/A		
Mon	11:00	23:00			
Tue	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	23:00			
Fri	11:00	23:00			
Sat	11:00	23:00			
Sun	11:00	23:00			
			<b>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</b> (please read guidance note 5) N/A		

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

<b>Name</b> Turgay Mizan	
<b>Address</b> 18 PRIESTLEY CLOSE RAVENSDALE ROAD LONDON	
<b>Postcode</b>	N16 6SJ
<b>Personal Licence number (if known)</b> Application in Progress	
<b>Issuing licensing authority (if known)</b> London Borough of Hackney	

**N**

**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)**  
 N/A

**O**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4) N/A
Day	Start	Finish	<b>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</b> (please read guidance note 5) N/A
Mon	07:00	23:15	
Tue	07:00	23:15	
Wed	07:00	23:15	
Thur	07:00	23:15	
Fri	07:00	23:15	
Sat	07:00	23:15	
Sun	07:00	23:15	

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

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

The standard practices listed below will be maintained at all times. All reasonable steps will be taken to ensure that the premises will have a positive impact upon the local environment and its residents at all times.

**b) The prevention of crime and disorder**

CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable a frontal head and shoulders image 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.

**c) Public safety**

Appropriate fire safety procedures are in place along with appliances including fire extinguishers (Foam, H<sub>2</sub>O and CO<sub>2</sub>), fire blankets, internally illuminated fire exit signs, a smoke detector and emergency lighting. All appliances are checked annually and comply with relevant British Standards.

All fire escapes/escape routes will be clearly marked and kept free from obstructions at all times.

**d) The prevention of public nuisance**

All customers are asked to leave quietly. Clear and legible notices will be displayed to remind customers to leave quietly.

Ventilation and extract systems are designed and maintained so as to prevent noxious smells causing a nuisance to nearby properties.

**e) The protection of children from harm**

To protect the children from harm we have following steps taken:

- 1- the premises are effectively and responsibly managed
- 2- provision of a sufficient number of people employed or engaged
- 3- appropriate instruction, training and supervision of those employed or engaged

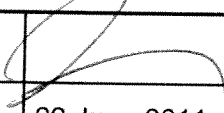
Please tick yes

- 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 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 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**

**Part 4 – Signatures** (please read guidance note 10)

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

Signature	
Date	22 June 2011
Capacity	Authorised Agent

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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)

Licensing Department  
NARTS  
55 Stoke Newington High Street

Post town	London	Post code	N16 7XB
Telephone number (if any)	020 8090 0376		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) info@act2003.com			

Part A

Consent of individual to being specified as premises supervisor

I ..... TURGAY MIZAN ..... [full name of prospective premises supervisor]

of 18 Priestley Close  
Ravensdale Road, London, N16 6ST ..... [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 ..... New Premises Licence app ..... [type of application]

by ..... Turgay Mizan ..... [name of applicant] relating to a premises licence ..... Not known yet ..... [number of existing licence, if any] for

Garden Cafe, 418 Essex Road, London, N1 3PJ

[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

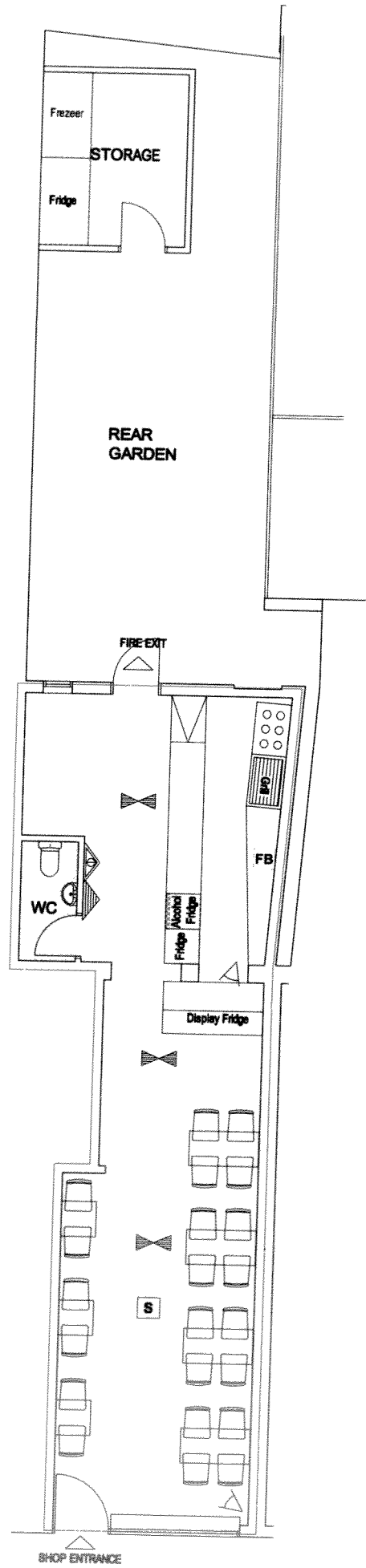
..... Turgay Mizan ..... [name of applicant] concerning the supply of alcohol at Garden Cafe, 418 Essex Road, London, N1 3PJ ..... [name and address of premises to which application relates].

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 ..... Application in progress ..... [insert personal licence number, if any]

Personal licence issuing authority L.B. of Hackney

..... signed  
TURGAY MIZAN ..... name (please print)  
22/7/11 ..... dated



**LEGEND**

- WC AREA
- ALCOHOL FRIDGES
- FRIDGES
- AMBIT OF LICENSED PREMISES
- SAFETY LIGHTS
- S SMOKE DETECTOR
- CCTV
- POWDER FIRE EXTINGUISHER
- FOAM FIRE EXTINGUISHER
- FB FIRE BLANKET

**GARDEN CAFE** 418  
 ESSEX ROAD  
 LONDON  
 N1 3PJ

**PROPOSED  
 GROUND FLOOR PLAN**

SCALE : 1/100@A4 DATE : 15/06/11

REF. NO : E150611

**ACT 2003**  
 55 STOKE NEWINGTON  
 HIGH STREET  
 LONDON N168EL  
 Tel : 020 7241 3636(4line)  
 www.act2003.com



## Forde, Niall

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**From:** Imoke, Christopher  
**Sent:** 07 September 2011 16:56  
**To:** ozlem@narts.org.uk  
**Cc:** Forde, Niall  
**Subject:** RE: Garden Cafe, 418 Essex Road N1 3PJ

**Importance:** High  
**Sensitivity:** Confidential

Miss Ozlem Ozcan,

Again thank you for quick responses,

The Noise Team object to the proposed licence, due to item 1 of the Noise Team conditions "no customers are to be allowed to use the rear yard of the premises at any time." being rejected by your client.

Regards

Chris Imoke  
Senior Environmental Health Officer (Noise) London Borough of Islington - Public Protection And Development Management Division 3rd Floor 222 Upper Street, LONDON N1 1XR  
\*020 7527 3471 Fax: 020 7527 3059  
\*chris.imoke@islington.gov.uk\*www.islington.gov.uk

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

**From:** Ozlem Ozcan [mailto:ozlem@narts.org.uk]  
**Sent:** 07 September 2011 16:10  
**To:** Imoke, Christopher  
**Cc:** Licensing  
**Subject:** RE: Garden Cafe, 418 Essex Road N1 3PJ

Dear Mr Imoke

Please be advised that our client is accepting conditions 2, 3 and 4 proposed by the Noise team.

However condition 1 has not been accepted by the client.

If you require any further information please do not hesitate to contact me.

Many Thanks,

Miss Ozlem Ozcan  
Licensing

Tel: 020 8090 0376  
Mob: 07940 414 890

55 Stoke Newington High Street, London N16 8EL

<<http://www.narts.org.uk/>> <[http://www.narts.org.uk/index.php?option=com\\_content&view=article&id=89&Itemid=124](http://www.narts.org.uk/index.php?option=com_content&view=article&id=89&Itemid=124)>

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From: Imoke, Christopher [mailto:Chris.Imoke@islington.gov.uk]  
Sent: 03 August 2011 14:19  
To: ozlem@narts.org.uk  
Subject: Garden Cafe, 418 Essex Road N1 3PJ  
Importance: High

Hello Mr Kilic,

<<scan 418 Essex Rd N1.pdf>>

I am sending you my representation for the Garden Cafe 418 Essex Road London N1 3PJ.  
If you could kindly return your client's acceptance or not to the stated conditions.

I must also make you aware that your client is using 1 table and 2 chairs outside the front of the premises, your Client will need to apply for a licence for the use of the table and chairs outside on the public highway; contacting the Highways Service, Technical Officer Ms Georgina Fitch, who can be contacted on telephone number 020 7527 6487, or email her on [www.georgina.fitch@islington.gov.uk](mailto:www.georgina.fitch@islington.gov.uk) <file:///\\www.georgina.fitch@islington.gov.uk>

If your client is granted a table and chairs licence, I would have no objection to the use of 1 table and 2 chairs being used until 9:30pm in the front of the premises.

Regards

Chris Imoke  
Senior Environmental Health Officer (Noise) London Borough of Islington - Public Protection And Development Management Division 3rd Floor 222 Upper Street, LONDON N1 1XR \*020 7527 3471 Fax: 020 7527 3059  
\*chris.imoke@islington.gov.uk\*[www.islington.gov.uk](http://www.islington.gov.uk)

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Islington Licensing Authority  
Licensing Act 2003

**REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES**

Responsible Authority - Environmental Protection

Your Name	Chris Imoke
Job Title	Senior Environment Health Officer
Postal and email address	Municipal Offices 222 Upper Street Islington N1 1XR chris.imoke@islington.gov.uk
Contact telephone number	0207527-3471
Name of the premises you are making a representation about	Garden Cafe
Address of the premises you are making a representation about	418 Essex Road, London, N1 3PJ

*Please detail the evidence supporting your representation. Or the reason for your representation.*

*Please use separate sheets if necessary*

**To prevent public nuisance**

The application advises that the applicant wishes to sell alcohol between 11:00 until 23:00 every day. There are a number of residential flats, directly above to side and rear of the premises, one particular concern, are the proximity of residential gardens and properties, which are overlooked by the commercial premises rear open yard area. Noise generated from customer's use of this area would be highly likely to cause noise nuisance to residents nearby; I am also concerned that noise will generated from deliveries and collections, again highly likely to impact on these residential occupiers, if the hours are not controlled.

The application has not indicated a time for deliveries or waste collection. There is mention of displaying signs for customers to leave quietly. I am therefore concerned that we will receive complaints of noise from local residents due to late night/early morning deliveries and waste collections.

**The Noise Team therefore object to this licence. I would add that the objection will be withdrawn provided the paragraphs below are accepted as conditions.**



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.

1. No customers are to be allowed to use the rear yard of the premises at any time.
2. No deliveries will take place on Sundays or Bank Holidays and between the hours of 10pm and 7am other days of the week.
3. No rubbish including bottles will be moved, removed or placed in outside areas on Sundays or Bank Holidays and between the hours of 10pm and 7am other days of the week.
4. Customers of the premises shall be encouraged, by signs within the premises prominently displayed at the exit, to leave the premises quietly.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

*3 August 2011*

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

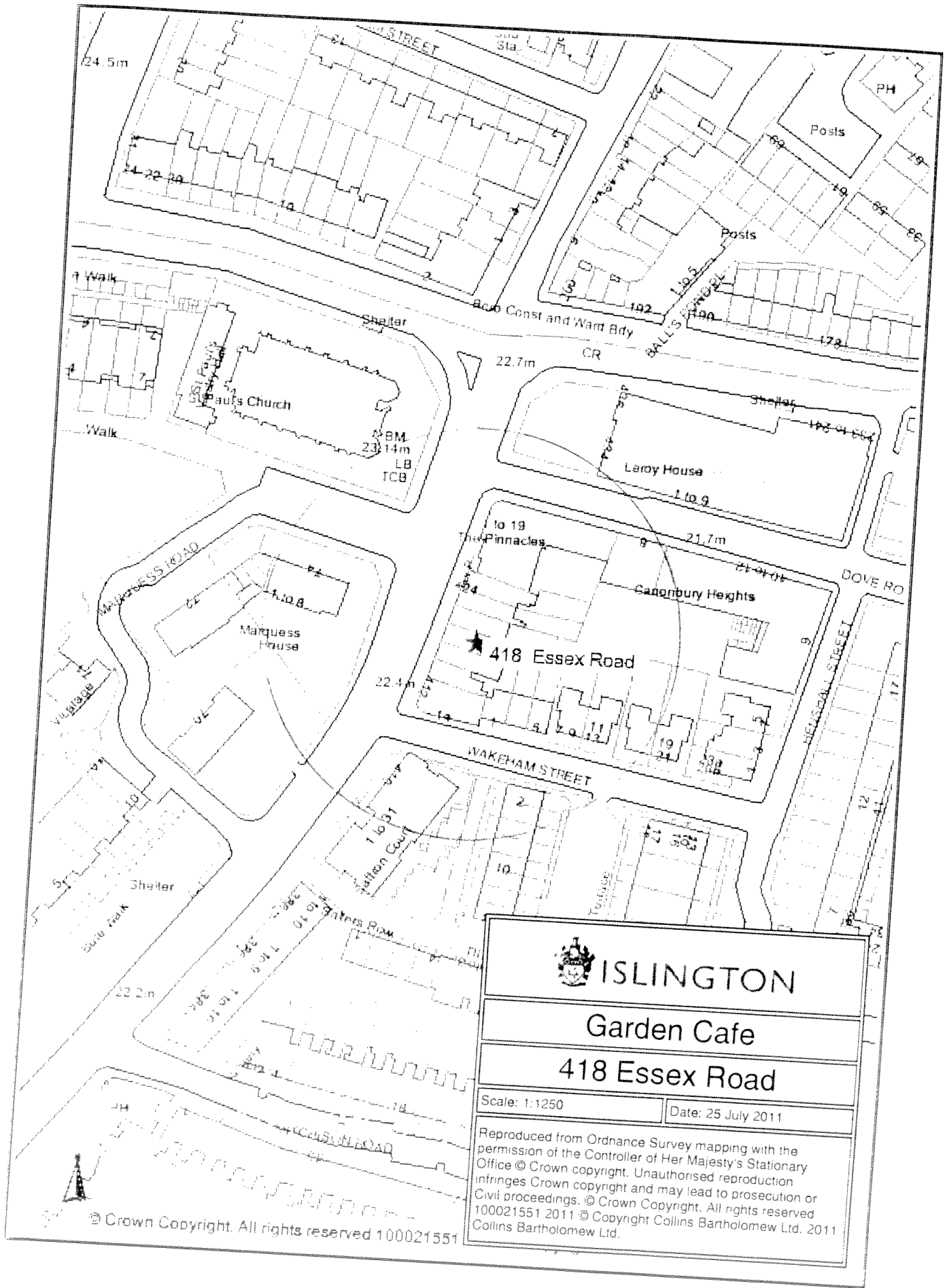
**This form must be returned within the Statutory Period. For more details please check with the Licensing Support Team on 020 7527 3031**

**Suggested conditions of approval consistent with the operating schedule**

1. CCTV system shall be installed and maintained inside and outside the premises, including a CCTV unit, which monitors the front of the premises. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 30 days with time and date stamping. Tape recordings shall be made available to an authorised officer or a police officer (subject to Data Protection Act 1998) with 24 hours of any request.
2. Appropriate fire safety procedures are in place along with appliances including fire extinguishers (foam, Co2 and Co2), fire blankets, internally illuminated fire exit signs, a smoke detector and emergency lighting. All appliances are checked annually and comply with relevant British Standards.
3. All escape routes will be clearly marked and kept free from obstruction at all times.
4. All customers shall be reminded by way of signs displayed at the exit, to leave the premises quietly.
5. No deliveries will take place on Sundays or Bank Holidays and between the hours of 10pm and 7am other days of the week.
6. No rubbish including bottles will be moved, removed, or placed in outside areas on Sundays or Bank Holidays and between the hours of 10pm and 7am other days of the week.
7. Ventilation and extract systems are designed and maintained so as to prevent noxious smells causing a nuisance to nearby properties.
8. The licence holder shall ensure that all staff employed at the premise has received full training into measures to ensure the protection of children from harm.
9. The premises shall not be used under the licence until the requirement specified in the schedule dated 16 August 2011 have been completed and approved in writing by the responsible authority for Health and Safety.

**Suggested condition of approval consistent with representation from the Council Noise Team (not agreed).**

10. No customers are to be allowed to use the rear yard of the premises at any time.



**Licensing Policy 9**

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

61. The Planning Consent for a premise determines its use and the hours of operation. If this is not in place at the time the licensing application is heard, there may be a conflict between the two and the applicant will be required to comply with any planning consent granted. It is expected that the necessary planning consent will be in place to ensure that this conflict does not arise and applicants receive a decision from the licensing process which they can immediately implement.
62. Where the terminal hour has been set as a condition of planning permission and these hours are different to the licensing hours, applicant must observe the earlier closing time. The granting of a licence by the licensing committee does not mean the applicant will not need to apply for planning permission. Premises operating without the necessary planning permission will be liable to prosecution under planning law.
63. Planning permission is usually granted for the permitted opening hours of the premises and will include the time it takes customers to leave the premises. This time will normally be later than the time when licensing activities cease so that there is sufficient time for customers to leave the premises gradually to minimise impact on nearby residents.
64. The process of applying for a licence or varying an existing licence should not be a re-run of the planning process. Where premises have obtained planning permission prior to the submission of a licence application, the determination of the licence will focus on controls necessary to achieve the licensing objectives. Objectors within the planning process who are dissatisfied with the planning outcome may still object through the licensing process but their objections will only be relevant where they relate to one or more of the four licensing objectives.
65. Where appropriate (e.g. as part of planning policy), the licensing committee will report to the Planning Committee; relevant area committee or other devolved arrangements on the situation regarding licensed premises in their area, including the general impact of alcohol related crime and disorder. The council's planning policies are set out in the Unitary Development Plan, the emerging Core Strategy, the Development Planning documents, the Supplementary Planning Documents and local planning guidance, together with national and strategic policies and guidance. Together with other council policies, they set out the overall strategy for shaping the future of the borough.

