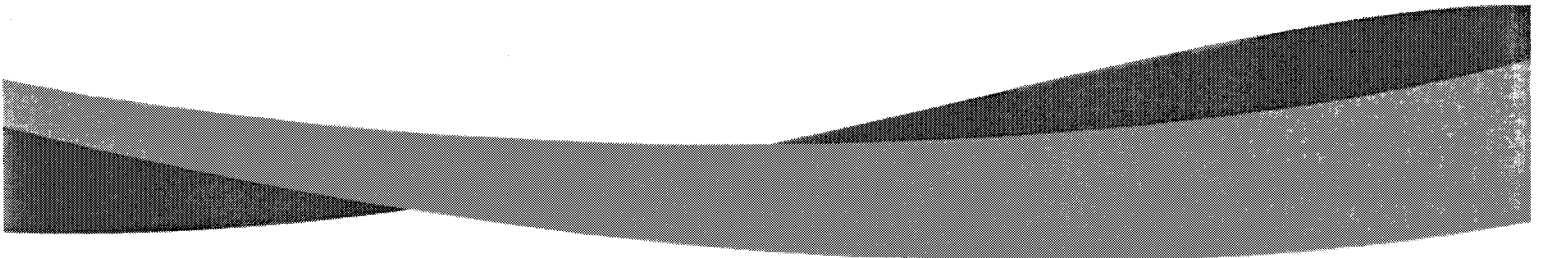




Report of: **Service Director, Public Protection**

Meeting of	Date	Agenda It	Ward(s)
Licensing Sub-Committee	13 th August 2012	B4.	St Peters`

Delete as appropriate	Non-exempt
-----------------------	------------



Subject: PREMISES LICENCE VARIATION APPLICATION
RE: CHIPOTLE MEXICAN GRILL, 334 UPPER STREET, LONDON, N1 0PB

1. Synopsis

- 1.1 This is an application for the variation of a premise licence under the Licensing Act 2003.
- 1.2 The variation application is for:
 - i) An alteration to the existing layout. The existing and proposed plans are attached to the application.

2. Recommendations

- 2.1 To determine the application for a variation of the premises licence under Section 34 of the Licensing Act 2003.
- 2.2 If the Committee grants the application it should be subject to:
 - i. conditions of the current premises licence;
 - ii. conditions recommended by responsible Authorities (see appendix 3);
 - iii. any conditions deemed necessary by the Committee to promote the four licensing objectives.

3. Background

- 3.1 The premises currently holds a licence to permit the sale of alcohol for on sales on:
 - i) Thursday and Saturday from 10.00am until 2.00am the following day;

- ii) Monday to Wednesday from 10.00am to midnight;
- iii) Sunday from midday to 11.30pm.

3.2 Papers are attached as follows:-

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

3.3 The applicant has confirmed that they have replaced all the extract equipment with a new more efficient installation since taking over the premises earlier this year.

4. Conclusion and reasons for recommendations

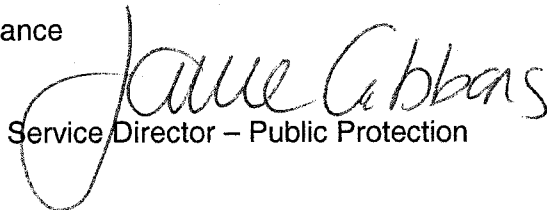
4.1 The Council is required to consider this application in the light of all relevant information, and if approval is given, it may attach such conditions necessary to promote the licensing objectives.

Background papers:

The Council's Statement of Licensing Policy
Licensing Act 2003
Secretary of States Guidance

Final Report Clearance

Signed by


Service Director – Public Protection

Date 2/8/12

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Anthony Baptiste

Tel: 020 7527 3014

Fax: 020 7527 3430:

E-mail: Anthony.baptiste@islington.gov.uk

Suggested conditions of approval consistent with the operating schedule

1.

Suggested conditions of approval recommended by Health and Safety Officer

The premises shall not be used under the licence until the requirements specified in the schedule dated 10th July 2012 have been completed and approved in writing by the responsible authority for health and public safety.

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.

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

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

I/We Chipotle Mexican Grill UK Limited

(Insert name(s) of applicant)

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

Premises licence number LN/3283-241110
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Chipotle Mexican Grill 334 Upper Street			
Post town	London	Post code	N1 0PB

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£67,500

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	3 rd Floor White Rose House 28A York Place		
Post Town	Leeds	Postcode	LS1 2EZ

Part 3 - Variation

Please tick yes

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

If not do you want the variation to take effect from

Day		Month		Year	

Please describe briefly the nature of the proposed variation (Please see guidance note 1)
The proposed variation is to seek approval of proposed alterations in accordance with plan drawing number 2265 ground floor and 2265 revision D first floor. The alterations comprise of the relocation of staircase, provision of new kitchen prep and servery area, new fixed and loose seating on the ground floor and provision of new toilet facilities and kitchen area on the first floor.

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

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick 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)

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

D

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

E

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

F

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

G

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

H

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

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing		
Day	Start	Finish	Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				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 the provision of facilities for making music (please read guidance note 4)		

Thur			
Fri			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 (please read guidance note 5)
Sat			
Sun			

J

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

K

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

L

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

Sat			different times, to those listed in the column on the left, please list (please read guidance note 5)
Sun			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises <input type="checkbox"/>
				Off the premises <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)	

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)

O

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	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

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

Please tick yes

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

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

Reasons why I have failed to enclose the premises licence or relevant part of premises licence
The premises licence was sent to the council on 20 April 2012 with an application to transfer the premises licence.

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

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

The existing premises licence conditions and company policies promote the licensing objectives.

b) The prevention of crime and disorder

See (a) above

c) Public safety

See (a) above

d) The prevention of public nuisance

See (a) above

e) The protection of children from harm

See (a) above

Please tick yes

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

IT IS AN OFFENCE, LIABLE ON 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 5 – Signatures (please read guidance note 10)

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

Signature	<i>Woods Whur LLP</i>
Date	19 June 2012
Capacity	Woods Whur LLP – Solicitors for the applicant

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please

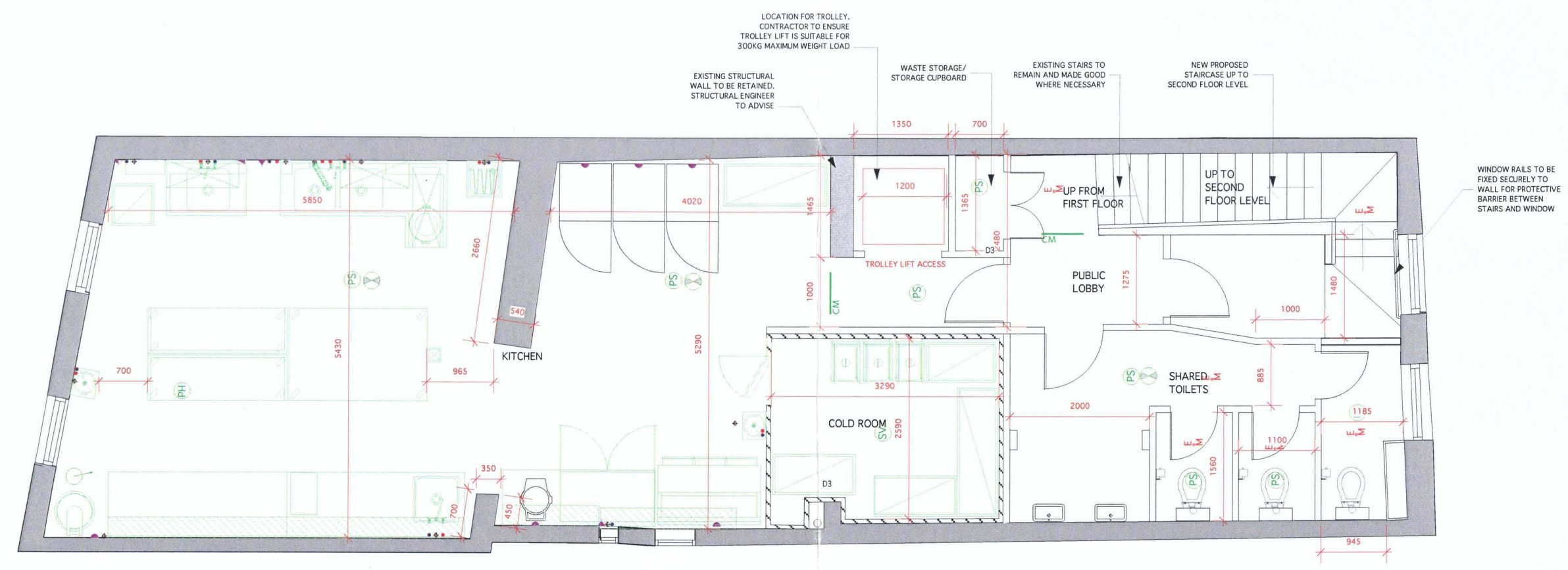
read guidance note12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13) Carole Collingwood Woods Whur LLP Devonshire House 38 York Place			
Post town	Leeds	Post code	LS1 2ED
Telephone number (if any)	0113 234 3055		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) carole@woodswhur.co.uk			

PROPOSED FLOOR LAYOUT (FIRST)

Disclaimer:
 Use only written or calculated dimensions. Do not scale.
 This drawing must only be used for the purposes intended.
 Any discrepancies or omissions of drawings issued must be drawn to the attention of the Designer for clarification.
 All drawings are to be read in conjunction with the relevant specialist drawings.
 All dimensions must be confirmed on site.
 This drawing is copyright and no part of it may be reproduced without consent.
 This drawing and the details thereon do not constitute an instruction.
 This drawing is design intent only and is not intended for use in manufacturing, construction or fitting out. It is the contractor's responsibility to ensure all materials and specifications are fit for purpose.
 Nothing on this drawing or associated specifications should be construed to relieve the contractor from their obligation to do a professional and workmanlike job.



1 FIRST FLOOR
1:50

LEGEND	
EM - Emergency LED 3 Watt	EM
Smoke and heat detector	PS/PH
Security camera	CM
Emergency exit sign (ceiling mounted)	CM
Sounder/Beacon SDR	SV
Break Glass	SV
PIR sensors	SV
Smoke Void	SV

Revision	Date	Notes

CAULDER MOORE
 The Coach House 273a Sandycombe Road Kew TW9 3LU
 T: 0208 332 0393 www.caulder-mooredesign.co.uk

Client
CHIPOTLE

Project
334 UPPER STREET

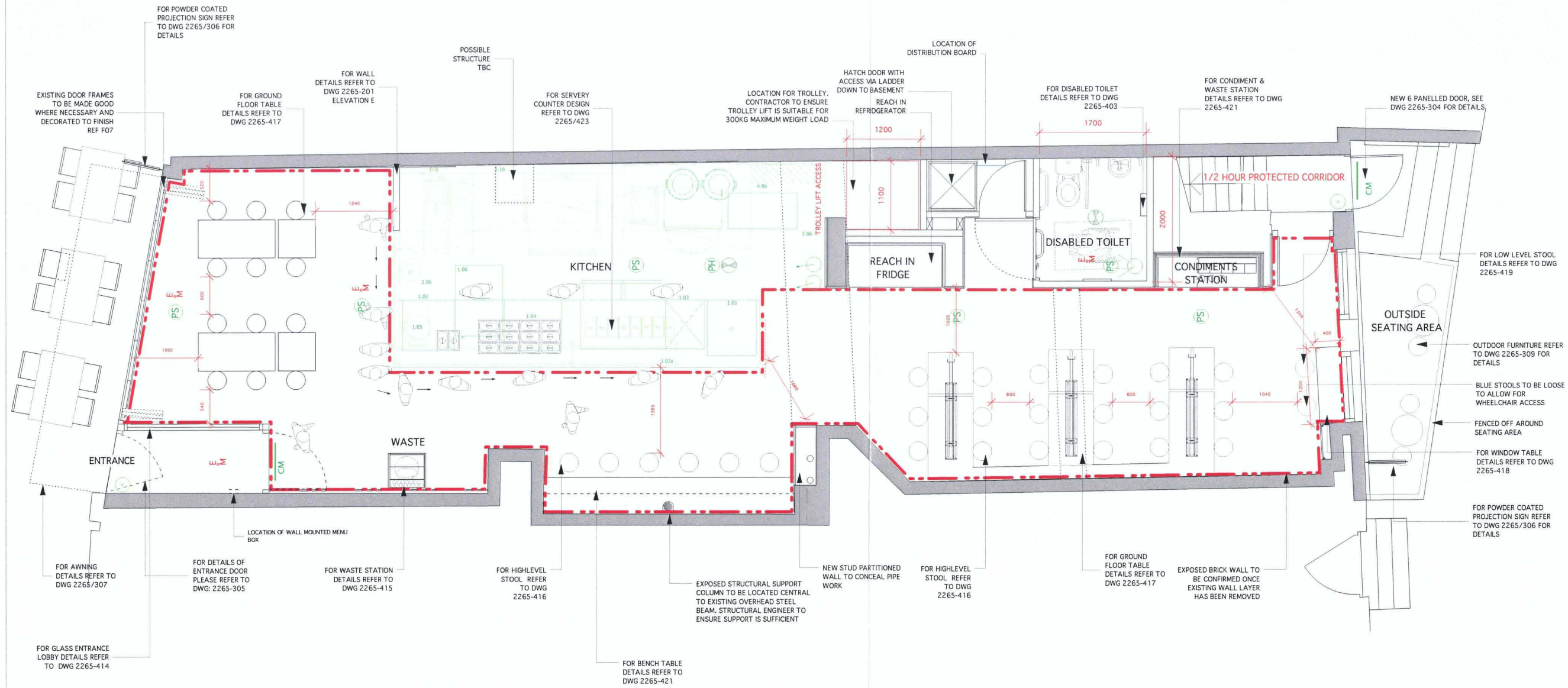
Drawing Title
FIRST FLOOR

Drawn HP	Revision	Scale 1:50 @ A2
Date 20.03.12	Job No. /Drwg No. 2265	Issue Code: D

Issue Codes are: D = Draft Issue; F = Final Issue.

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Revision	Date	Notes

CAULDER MOORE
 The Coach House 273a Sandycombe Road Kew TW9 3LU
 T: 0208 332 0393 www.caulder-mooredesign.co.uk

Client
CHIPOTLE

Project
 334 UPPER STREET

Drawing Title
PROPOSED GA LICENSING PLAN

Drawn	Revision	Scale
HP		1:50 @ A2
Date	Job No. / Drwg No.	Issue Code:
12/06/12	2265	

Issue Codes are: D = Draft Issue, F = Final Issue.

- LEGEND**
- EM - Emergency LED 3 Watt
 - Smoke and heat detector
 - Security camera
 - Emergency exit sign (ceiling mounted)
 - Sounder/Beacon SDR
 - Break Glass
 - PIR sensors
 - Smoke Void

Denotes area to be used for the provision of licensable activities

1 PROPOSED GA LICENSING PLAN
 1.50

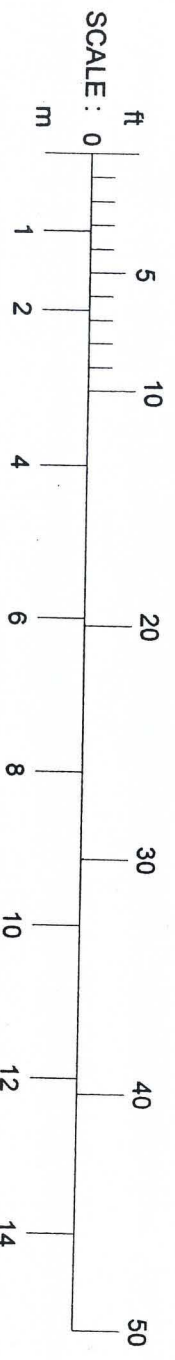
Med Kitchen 334 Upper Street N1

Approx. Gross Internal Area - 2572 sq ft (238.94 sq m)

Scale at Print - 100 : 1



- KEY :-**
- ⊕ - Fire Extinguisher
 - FA - Fire Alarm
 - FB - Fire Blanket



Baptiste, Anthony

From: Nash, Rosemary on behalf of Licensing
Sent: 26 June 2012 16:42
To: Fitzsimons, Aiden
Subject: FW: Re 334 Upper St

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

From: [REDACTED]
Sent: 26 June 2012 16:16
To: Licensing
Subject: Re 334 Upper St

Anthony Baptiste
 Licensing Officer

I refer to the variation applied for by Chipotle Mexican Grill 334 Upper St N1 OPB which I totally opposed.

Please note that this property extends to and has an entrance (number 45) and large windows onto Camden Passage with an existing outdoor ground floor terrace on Camden Passage. It is as much a Camden Passage property as an Upper St property.

1) This is the Angel Islington and not Soho.

This is not a "club" area and licensing until midnight and two in the morning is more "suitable" to a non residential area as is 24 hours, seven days a week recorded music.

2) Residential

Nearly every property in Camden Passage has an apartment or apartments above the commercial shops on the ground floor and as noted above the applicant's property opens onto Camden Passage. The properties on Upper St between the applicant's and Camden Walk have residential premises above them. We will have to live with this noise.

3) This area, particularly Camden Passage, has seen more and more restaurants and licensed premises opened. It is not fair on residents to have to live with a commercial property that has the kind of noise (and too often behaviour) associated with late night premises

4) If the applicant was granted this variation it would serve as a precedent for future and exiting restaurants and bars in Camden Passage\Upper St area.

5) It is inevitable that the customers of premises with late night openings spill out onto the street, particularly in the summer. As an example, visit the Camden Head in Camden Passage.

I have often wondered how the residents of the council flats next to the Camden Head can tolerate the noise. I can just about tolerate it only because I have spent a lot of money on double glazing.

I totally oppose this application.

Yours sincerely

[REDACTED]
 [REDACTED]
 [REDACTED]

Anthony Baptiste
Licensing Officer
Licensing Team
Public Protection Division
222 Upper Street
London N1 1XR

[REDACTED]
[REDACTED]
[REDACTED]

July 17 2012

Application for a Premises Licence Variation
Re: Chipotle Mexican Grill, 334 Upper Street N1 OPB

Dear Sir,

I live in a building which comprises 3 residential flats at Camden Passage, 3 doors along from the back door in Camden Passage of the restaurant at 334 Upper Street. Behind our building is a well which, to the right of our premises, is bounded by the high side wall of No. 334 Upper Street, where several extractor devices are located.

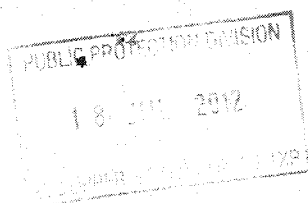
I have the following comments to make which are relevant to the aim of the prevention of public nuisance, in this case noise nuisance.

1. Operating and Licensing Hours.

I note that the premises at 334 Upper Street are currently licensed to serve alcohol and to operate on some days after midnight (Thursday to Saturday, to 0200, and the provision of late night refreshments to 0030 hours from Monday to Wednesday and to 0230 hours on Thursday, Friday and Saturday).

In fact the Med Kitchen always closed to customers not later than midnight, so it did not make full use of the later licensing and refreshment hours after midnight. This operating pattern limited any late-night disturbance which we might hear from the well or customers leaving the rear door of the premises.

I am concerned that the new restaurant may use the existing licensing and refreshment hours to the full and that this might cause late-night noise from customers leaving or from the operation of machinery which could be very disturbing to local residents after midnight. I would like to suggest that, if the new restaurant does intend to operate after midnight the licensing authority should place conditions on the operation after midnight which protect the right of nearby residents to the quiet enjoyment of their premises.



2. Noise Disturbance from Kitchen Extractor and other Machinery.

For some years there has been a major issue of noise nuisance from The Med Kitchen, in the form of their kitchen extractor which is located on the side wall of the restaurant. This extractor, which points directly along the well between the rears of the Camden Passage and Upper Street buildings, makes a very loud droning sound rather like that of an aircraft taking off.

This has been a source of noise disturbance to the residents in this building at any time that it has been on, whether in day time or at night. At one period this noise often came on between midnight and 1 am and early in the morning when the restaurant was actually closed. When this was investigated by the Med Kitchen, it was found that the cleaner had the key and was switching on the machinery. This followed a period when the extractor had been on all night when the cooks had been working in the kitchen preparing sauces.

While the building at No.334 has been closed for renovation the absence of this drone has been a great relief to the occupants of 41 Camden Passage.

In 2008 I had several discussions with the Med Kitchen about stopping or reducing their machinery noise. The local managerial staff were co-operative but said it was out of their hands and asked me to write to the owner, Mercury Management, which I did on 14/10/08 (letter attached). I had no answer to this letter. I also telephoned the office who were very unhelpful.

In the summer of 2010 I made inquiries with Islington Council to find out if the Med Kitchen (and earlier restaurants on the site) had planning permission for such a noisy extraction system. The matter was investigated by My Kettani of the Planning Service's Enforcement Team. He visited the site and inspected the extractors but his conclusion was that the old planning permission was a very weak one which made no specific reference to the type of extractor to be installed, so that there were no planning grounds for stopping the noise by enforcement.

The relevant correspondence is attached, in the form of: the Enforcement Manager's letter to me dated 05/07/10 ; and my letter with photograph to Mr Kettani dated 27/07/10.

The relevance of this background to the current application is that the Licensing Team's letter stated that the requested variation of the premises license include locating a new kitchen on the first floor instead of in the basement.

The alterations to the premises offer a very timely opportunity for the management of the new restaurant to benefit their immediate neighbours by rectifying the long-standing noise nuisance.

I can see no objection to the kitchen being relocated on the first floor but request that the licensing authority make it a condition of any approval for the proposed changes that a new and much quieter extractor is fitted.

3. Existing limitation on the operation of machinery at
No. 334 Upper Street

There have been successive restaurants on this site such as Il Pescatore, The Swiss Kitchen, the Cafe Flo and the Med Kitchen. Some 15 -20 years ago there was considerable noise disturbance at night (12midnight to 2am) from machinery left on at night. Ms Fraser at Flat 1 and I sought the assistance of Islington Council's Environmental Health Department. Noise specialists from the Council came to 41 Camden Passage at night with their testing equipment, found the noise to be unacceptable and as a result instructed the restaurant that it must turn off its machinery at 11pm. As far as we are aware, this instruction has never been revoked. The Environmental Health Dept. would have records on this subject.

Please would you make my representations available to the Licensing Authorities considering this matter and inform me of the date of the meeting concerned with this issue so that I may attend if possible.

Yours faithfully,

[Redacted signature]

[Redacted name]



ISLINGTON

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

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

Our ref : GW
Your ref: CC/KB/CH12-5-0/612

Date: 10 July 2012

Carole Collingwood
Woods Whur LLP
Devonshire House
38 York Place
Leeds
LS1 2ED

Dear Madam

**Licensing Act 2003
Representation from Responsible Authority for Health and Public Safety
Chipotle Mexican Grill 334 Upper Street N1 0PB**

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

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

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

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

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

Yours faithfully

Geoff Weaver
Senior Building Surveyor (Licensing Health and Safety)

**Islington Licensing Authority
Licensing Act 2003**

Representation form from Responsible Authority for Health and Public Safety

Name	Geoff Weaver
Job title	Senior Building Surveyor (Licensing Health and Safety)
Postal address	Islington Council, Building Control Service 222 Upper Street, London N1 1XR
email	geoff.weaver@islington.gov.uk
Contact telephone number	020 7527 5986
Name and address of the premises concerning the representation	Chipotle Mexican Grill 334 Upper Street N1 0PB
Public Safety	The proposed arrangements at the premises are insufficient for health and public safety. See attached requirements schedule.
Suggested conditions that could be added to the licence to remedy the public safety representation	The premises shall not be used under the variation to the licence until the requirements specified in the schedule dated 10 July 2012 have been completed and approved in writing by the responsible authority for health and public safety.

Signed: _____ Date: _____

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

**Licensing Act 2003 – Requirements schedule dated 10 July 2012 for
Chipotle Mexican Grill 334 Upper Street N1 0PB**

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

- Ground floor kitchen
- Ground floor restaurant
- Wheelchair-accessible toilet
- Stairway enclosure
- First floor lobby
- First floor kitchen
- First floor toilet lobby and toilet cubicles

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

(2) The fire alarm and fire detection system should be in accordance with BS 5839 – 1 and should be provided throughout the whole building.

(3) The stairway and first floor kitchen should be separated from the remainder of the building by fire resisting construction.

(4) The wheelchair-accessible toilet layout should be in compliance with BS 8300. The layout shown on the plans is NOT in compliance.

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

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

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

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

(8) In addition to the exit signs shown on the plans, an exit sign should be provided over the emergency exit door at the rear of the ground floor restaurant.

(9) Doors on escape routes from and within the premises should be free from fastenings or secured with simple fastenings that can be readily operated without having to use two hands, keys, cards, codes or similar means.

(10) Fire fighting appliances for the first floor kitchen and ground floor kitchen should be as specified below and located adjacent to the exits from the kitchens.

- One fire blanket
- One carbon dioxide fire extinguisher (rating 34B)
- One foam fire extinguisher (rating 13A)

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

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

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

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

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

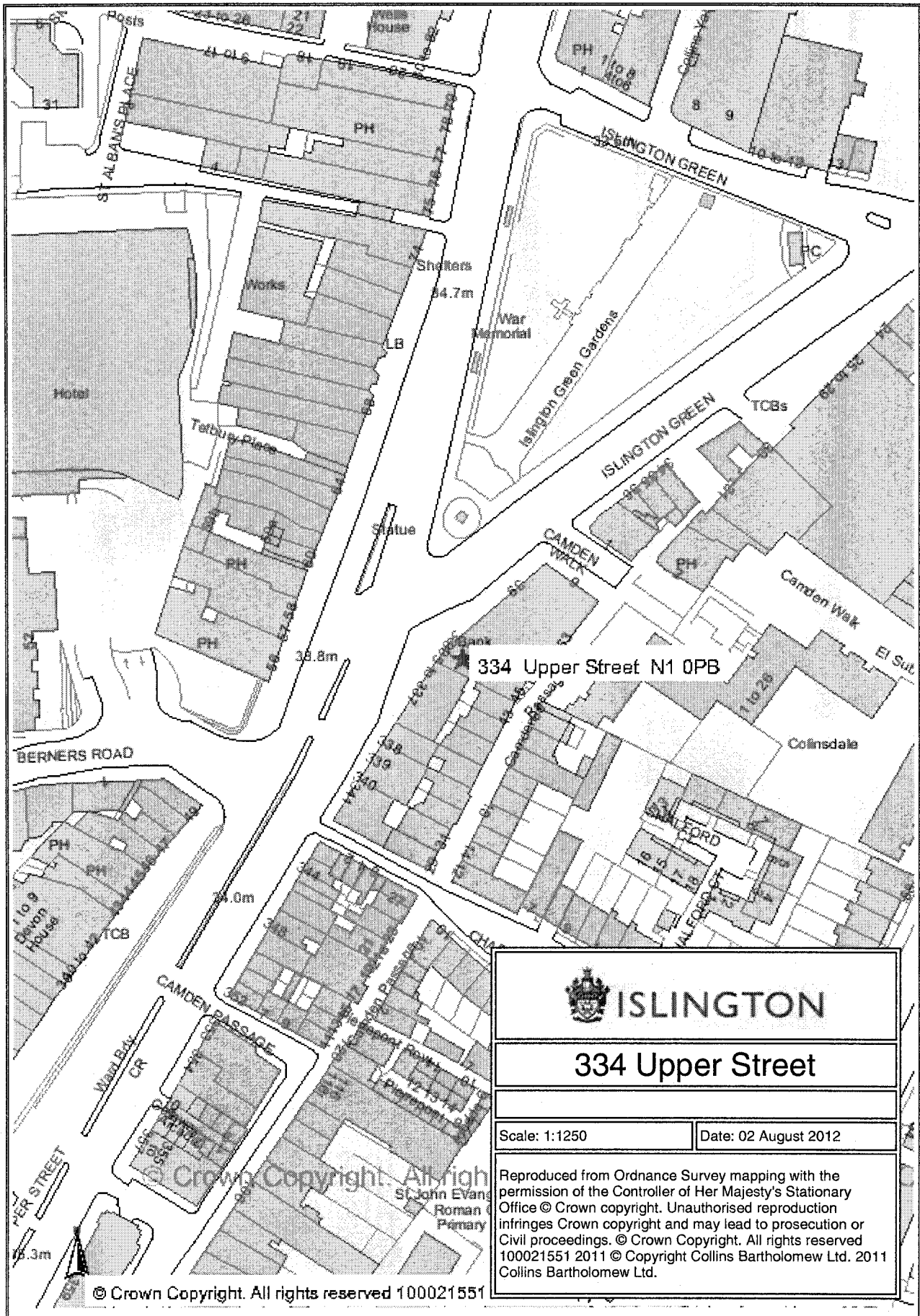
- (i) A qualified member of the Institution of Engineering and Technology, or
- (ii) A contractor enrolled with the National Inspection Council for Electrical Installation Contracting, or a member of the Electrical Contractors Association, or a competent person from an appropriate approved organisation.


For fire alarms any of the above, or

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

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

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



 ISLINGTON	
334 Upper Street	
Scale: 1:1250	Date: 02 August 2012
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