



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	6 th February 2013	33	St. Mary's

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE NEW APPLICATION
RE: TAP ROOM, 163 UPPER STREET, LONDON, N1 1RE

1. Synopsis

1.1 This is an application for a new premise licence under the Licensing Act 2003.

1.2 The new application is to allow:

- i) The sale by retail of alcohol, on & off supplies, Mondays to Sundays from 11:00 until 00:00;
- ii) The performance of live music, basement only, Mondays to Sundays from 11:00 until 23:00; and
- iii) The provision of late night refreshment, Mondays to Sundays from 23:00 until 00:30 the following day.

Non-Standard timings:

Authorised licensable activities shall be extended by one hour on St. Patrick's Day, Christmas Eve and New Year's Eve.

2. Recommendations

- 2.1 To determine the application for a new premises licence under Section 17 of the Licensing Act 2003.
- 2.2 If the Committee grants the application it should be subject to:
- i. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (See appendix 3);
 - ii. conditions recommended by responsible Authorities (see appendix 3);
 - iii. any conditions deemed necessary by the Committee to promote the four licensing objectives.

3. Background

- 3.1 Papers are attached as follows:-
- Appendix 1: application form;
- Appendix 2: representations;
- Appendix 3: suggested conditions and map of premise location.
- 3.2 The premises operated under a number of Temporary Event Notices, authorising the sale of alcohol from 12:00 until 00:00, during the period as stipulated below:
- 23th to 25th November 2012;
 - 30th November to 2nd December 2012;
 - 5th to 9th December 2012;
 - 12th to 16th December 2012; and
 - 19th to 23rd December 2012.
- 3.1 The Licensing Authority has received 2 letters of representation, none of which are from people who requested that they remain anonymous.

4. Planning Implications

- 4.1 Authorised opening hours are conditioned as follows:
- Mondays to Saturdays from 07:00 until 23:00 and from 09:00 until 22:30 on Sundays and Bank Holidays.

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

25/1/13

Received by

Head of Scrutiny and Democratic Services

Date

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Fax: 020 7527 3430

E-mail: dan.whitton@islington.gov.uk



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.

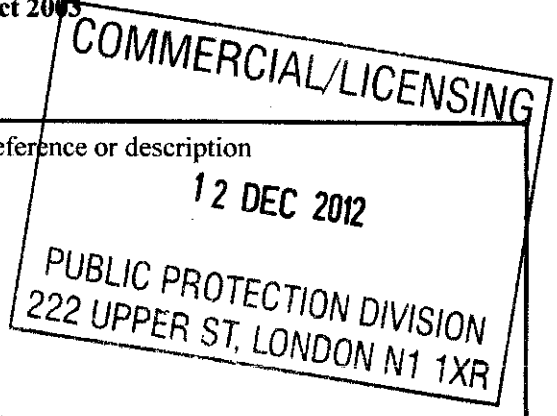
I/We SUREBRAND LIMITED

(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 Taproom 163 Upper Street			
Post town	London	Postcode	N1 1RE



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

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

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

ISLINGTON COUNCIL LICENSING	
Date	12/12/12
Fee Paid	2100.00
Cash/Check/Debit Number (please state)	
Receipt Number	0052173
Receipt by	AP 112

- 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 SUREBRAND LIMITED
Address THE STUDIO ST NICHOLAS CLOSE ELSTREE HERTS UNITED KINGDOM WD6 3EW
Registered number (where applicable) 08276333
Description of applicant (for example, partnership, company, unincorporated association etc.) 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
┆┆	┆┆	┆┆┆┆

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)

Bar occupying the basement and ground floor serving alcohol and providing live music

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"/>	
					Outdoors	<input type="checkbox"/>	
Day	Start	Finish	Both				<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)				
Tue							
Wed			State any seasonal variations for 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							

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) Live music will be limited to the basement of the premises		
Mon	1100	2300			
Tue	1100	2300	State any seasonal variations for the performance of live music (please read guidance note 4) On St Patricks Day, Christmas Eve and New Year's Eve live music will finish one hour later(0000)		
Wed	1100	2300			
Thur	1100	2300	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)		
Fri	1100	2300			
Sat	1100	2300			
Sun	1100	2300			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1100	0000	<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	1100	0000			
Wed	1100	0000	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4) On St Patricks Day, Christmas Eve and New Year's Eve recorded music will finish one hour later(0100)		
Thur	1100	0000			
Fri	1100	0000	<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> (please read guidance note 5)		
Sat	1100	0000			
Sun	1100	0000			

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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	1100	0000			
Tue	1100	0000	State any seasonal variations for the performance of dance (please read guidance note 4) On St Patricks Day, Christmas Eve and New Year’s Eve dancing with finish one hour later(0100)		
Wed	1100	0000			
Thur	1100	0000	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	1100	0000			
Sat	1100	0000			
Sun	1100	0000			

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	<u>Please give further details here</u> (please read guidance note 3)		
Mon	2300	0030			
Tue	2300	0030			
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) On St Patricks Day, Christmas Eve and New Year’s Eve late night refreshment will finish one hour later(0100)		
Wed	2300	0030			
Thur	2300	0030			
			<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> (please read guidance note 5)		
Fri	2300	0030			
Sat	2300	0030			
Sun	2300	0030			

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"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) On St Patricks Day, Christmas Eve and New Year’s Eve the sale of alcohol will finish one hour later(0100)		
Mon	1100	0000			
Tue	1100	0000			
Wed	1100	0000			
Thur	1100	0000			
Fri	1100	0000			
Sat	1100	0000			
Sun	1100	0000			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

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

Name Ciaran KELLIHER	
Address London	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known) Islington	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) On St Patricks Day, Christmas Eve and New Year's Eve the premises will remain open one hour later(0130)
Day	Start	Finish	
Mon	1100	0030	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue	1100	0030	
Wed	1100	0030	
Thur	1100	0030	
Fri	1100	0030	
Sat	1100	0030	
Sun	1100	0030	

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)

The Islington Licensing Policy and the Home Office guidelines have been taken into consideration in the preparation of his application

b) The prevention of crime and disorder

An Incident book shall be used to record all instances of Public disorder
The licensee will be a member of any Pub watch scheme that is active in the area
Notices providing crime prevention advice will be prominently displayed in the premises
There will be a zero tolerance to drugs on the premises
~~No customers allowed outside the curtilage of the premises with alcohol in open containers~~

c) Public safety

Pre opening checks will be carried out prior to opening to ensure that all entrances / exits are clear and unobstructed and in correct working condition
The CCTV will be checked daily and will be readily available for inspection by any of the responsible authorities.
Free tap water will be available

d) The prevention of public nuisance

Signs will ask customers to respect the local neighbours when leaving the premises
The rear garden area will be clear of all patrons by 2230
Dedicated taxi numbers will be available to customers
A written dispersal policy will be in place

e) The protection of children from harm

The premises will operate a challenge 21 policy
An age verification policy will be in place
Staff will be trained in all aspects of age related products

Checklist:


Please tick to indicate agreement

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

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

Part 4 – Signatures (please read guidance note 10)

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

Signature	
Date	12 th December 2012
Capacity	DIRECTOR

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

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.

PART A**Consent of individual to being specified as premises supervisor**I **Ciaran KELLIHER**

[full name of prospective premises supervisor]

Of

London

[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

*[type of application]*by **SUREBRAND LTD**

*[name of applicant]***Relating to a premises licence**

[number of existing licence, if any]

for

**Taproom
163 Upper Street
N1 1RE**

[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

SUREBRAND LTD

[name of applicant]

concerning the supply of alcohol at

Taproom 163 Upper Street N1 1RE

[name and address of premises to which application relates]

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

Personal licence number

[insert personal licence number if any]

Personal licence issuing authority

Islington

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

Signed

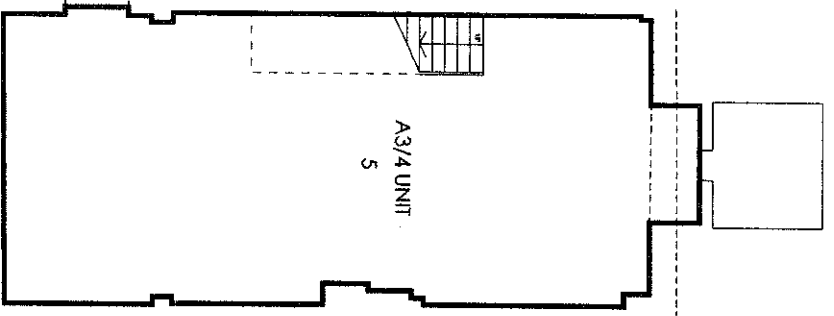
C.KELLIMER

Name (Please Print)

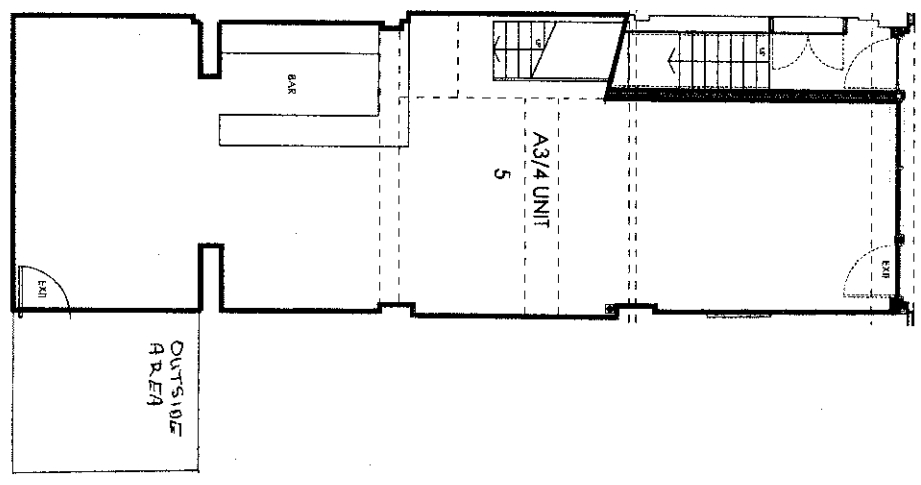
12/12/12

Date

For details of this plan, see the application for a licence to sell alcohol.
 © Crown Copyright / Ordnance Survey

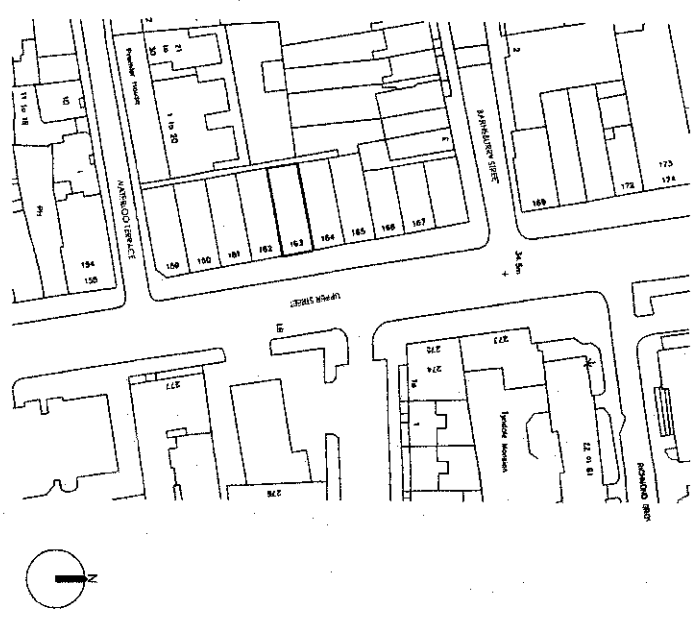


BASEMENT 1:100



GROUND FLOOR 1:100

SITE PLAN 1:1000



COMMERCIAL/LICENSING
 12 DEC 2012
 PUBLIC PROTECTION DIVISION
 222 UPPER ST, LONDON N1 1XR

tasou
associates

163 Upper steel London
 Licence Plan - Unit 5 - The Top Room
 1299
 Dec 2012
 LL UNIT 5
 1:100 @ A3

Appendix 2 .

①

Date Received: 20/12/12

Object on the grounds of noise, prevention of nuisance and disorder. On several sides of the premises there are alcohol control zones that are already not enforced by Islington council. In granting a licence the council will be adding to the late night nuisance cause. Not limited to broken glass, public urination on council street trash cans but all so noise disruption to those living in the flats on either side of the Shell station opposite.

Fitzsimons, Aiden

From:
Sent: 21 December 2012 19:32
To: Licensing
Subject: WK/121369348 163 Upper Street N1 1RE

I am resident at [redacted] Your undated letter concerning the application for a premises licence for 163 Upper Street is disingenious. This property has been part of council office space for as long as I can remember (I have been resident at [redacted] t since 1986), so to refer to the reinstatement of a lapsed licence is deceptive.

The redevelopment of this whole site has been conducted in a most misleading and deceptive manner by the developers; we were assured from the original planning applications that the ground floor and basement was for A1 retail use only. Subsequently and incrementally, there have been applications for all sorts of other, less neighbour friendly, activities.

I object to the provision of a licence for this site on the grounds that it will be a nuisance to neighbours both in terms of drunken behaviour after hours and noise (both on site music and badly behaved clientele) throughout the day and into the early hours 7 days a week.

There are ample licensed premises on this part of Upper Street between Theberton Street and Highbury Corner. The corner of Upper Street and Barnsbury Street is already a site for drug dealers, and dance/music/alcohol provision will only attract more undesirable activities.

You will failing in your public duty to maintain the peace and relative tranquility of Barnsbury and Canonbury if you put the narrow interests of the applicant ahead of the interests of local residents. The planners have been remiss in allowing the migration from A1 to A4 use in this complex: do not compound the misregulation.

Suggested conditions of approval consistent with the operating schedule

1. An incident book shall be used to record all instances of public disorder;
2. The licensee will be a member of any PubWatch scheme that is active in the area.
3. Notices providing crime prevention advice will be predominately displayed in the premises.
4. There will be a zero tolerance to drugs in the premises.
5. Pre-opening checks will be carried out prior to opening to ensure that all entrances/exits are clear and unobstructed and in correct working order.
6. The CCTV will be checked daily and will be readily available for inspection by any of the responsible authorities.
7. Signs will ask customers to respect the local neighbours when leaving the premises.
8. The rear garden area will be clear of all patrons by 22:30.
9. Dedicated taxi numbers will be available to customers.
10. A written dispersal policy will be in place.

Conditions of approval agreed with the Council's Health and Safety Officer

11. The premises shall not be used under the licence until and the arrangements at the premises are suitable and sufficient for health and public safety and have been approved in writing by the responsible authority for health and public safety.
12. The premises shall be in accordance with the Technical Standards for Places of Entertainment.
13. The maximum number of persons accommodated at any one time in the premises shall not exceed the number agreed with the responsible authority for health and public safety.
14. Copies of the inspection and test certificates specified below, properly certified by approved competent persons, shall be submitted to the responsible authority for health and public safety before the premises is used under the licence:
 - a) Electrical installation;
 - b) Emergency lighting;
 - c) Fire alarm; and
 - d) Fire fighting appliances.
15. Drawings to a scale of 1:100 of the premises as completed shall be submitted to the responsible authority for health and public safety for record purposes on completion of work.

Conditions of approval agreed with the Council's Noise Team

16. The rear garden shall not be used for regulated entertainment.
17. Tables and chairs with the rear garden area will be rendered unusable at 22:30.
18. After 22:30 the rear garden:
 - a) shall not be used for the consumption of alcohol or other beverages; and
 - b) where used as a smoking area, must be supervised by a member of a staff.
19. All plant and machinery associated with the premises shall be suitably noise attenuated to the written satisfaction of the Council's Noise Team.
20. No deliveries will take place on Sundays or Bank Holidays and between the hours of 23:00 and 07:00 hours other days of the week.
21. No rubbish or bottles will be moved, removed or placed outside the premises on Sundays or Bank Holidays and between the hours of 23:00 and 07:00 hours other days of the week.

