



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	14 March 2011	31	Clerkenwell

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE NEW APPLICATION
The Zetter Townhouse, 49-50 St John Square, London EC1V 4RF

1. Synopsis

- 1.1 This is an application for a new premises licence under the Licensing Act 2003 located in the Clerkenwell Cumulative Impact Area.
- 1.2 The new application in Appendix 1 was originally sought for:
 - 1.2.01 the supply of alcohol for consumption on and off the premises: 1000 to 0200 the following day from Monday to Sunday, throughout the premises;
 - 1.2.02 the provision of regulated entertainment for films, live music and the performance of dance: 1000 to 0200 the following day from Monday to Sunday, basement, ground and first floors;
 - 1.2.03 the provision of regulated entertainment for recorded music: 24 hours a day, seven days a week, basement, ground and first floors;
 - 1.2.04 the provision of entertainment facilities for making music, and for dancing: 1000 to 0200 the following day from Monday to Sunday, basement, ground and first floors;
 - 1.2.05 the provision of late night refreshment: 2300 to 0200 the following day from Monday to Sunday, basement, ground and first floors.
- 1.3 However, by way of response to the representations the applicant has stated by email attached as Appendix 1a that they no longer wish to proceed with the regulated entertainment elements

of the application, save for the exhibition of films. As a consequence the applicants now wish the Licensing Sub Committee to consider a licence to allow:

1.3.01 the supply of alcohol for consumption on and off the premises: 1000 to 0200 the following day from Monday to Sunday, throughout the premises;

1.3.02 the provision of regulated entertainment for films: 1000 to 0200 the following day from Monday to Sunday, basement, ground and first floors;

1.3.03 the provision of late night refreshment: 2300 to 0200 the following day from Monday to Sunday, basement, ground and first floors.

2. Recommendations

- 2.1 To take into consideration the special policy relating to cumulative impact for the area, Licensing Policy 27 (see paragraph 3.4 to 3.7 below).
- 2.2 To determine the application for a new premises licence under Section 17 of the Licensing Act 2003.
- 2.3 If the Committee grants the application it should be subject to:
 - i. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (See appendix 4);
 - ii. conditions recommended by responsible Authorities (see appendix 4);
 - 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 1a: | amended application email 16 February 2011; |
| Appendix 2a: | list of persons making representations; |
| Appendix 2: | representations; |
| Appendix 3: | notice of hearing to applicant; |
| Appendix 4: | suggested conditions and map of premise location. |

3.2 Representations

Licensing Authority received 5 letters of representation; 3 from local residents and 2 from responsible authorities, one of which has now been withdrawn. One of the local residents has requested anonymity but it can be confirmed that they reside within the immediate vicinity of these premises. The representation from the authority responsible for public safety has been withdrawn on the basis that the applicant has agreed to this authority's proposed conditions being incorporated into their operating schedule.

3.3 By way of response to the representations the applicant has stated that they no longer wish to proceed with the regulated entertainment elements of the application, save for the exhibition of films. A copy of the email from the applicant's solicitor confirming the requested amendment is shown as appendix 1a.

3.4 Licensing Policy Implications

The premise is located in the Clerkenwell Cumulative Impact Area as defined in the Licensing Policy 2011 -14. Licensing Policy 27 states

“The Licensing Authority has adopted a special policy relating to cumulative impact in relation to the south Clerkenwell Area. This special policy creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that are likely to add to the existing cumulative impact will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact”.

- 3.5 This means that the Committee will need to decide if this application is likely to add to the existing cumulative. This restrictive policy is not absolute but the committee will need to consider the application on its own merits and consider whether it is justified in departing from the cumulative impact policy. The committee should take into account the proposed style and character of the operation, as well as any control measures offered in the operating schedule, when considering whether to depart from the policy and grant the application.
- 3.6 The applicant has been invited to demonstrate why the operation of the premises will not add to the cumulative impact and has made the following submission for the committee’s consideration:

“The purpose of this note is specifically to address licensing policy 30 (licensing policy 27.) It is our respectful submission that it cannot sensibly apply to this application or that the exceptions at the last two bullet points at paragraph 164 apply.

The policy is directed against large rowdy groups congregating in an area with significant licensing provision.

This application relates to a quality hotel which would destroy its own business if it allowed large or any disorderly groups within its premises. This is an extension of a busy but well managed hotel that has given rise to no difficulties in its operation. The suggested conditions are very restrictive and the only people using the facilities will be hotel residents, their guests and pre-booked parties for private events. The premises will not be available to casual users”

- 3.7 The applicant has been invited to make further submission in respect of the cumulative impact policy at the committee hearing.

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 2011-2014

Licensing Act 2003

The Secretary of State’s Guidance issued under s182 licensing Act 2003

Final Report Clearance

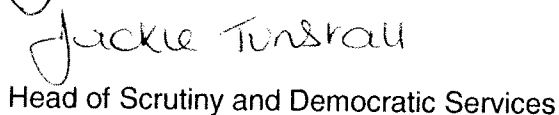
Signed by


Service Director – Public Protection

Date

2/3/11

Received by


Head of Scrutiny and Democratic Services

Date

3/3/11

Report author: Simon Gallacher

Tel: 020 7527 3879

Fax: 020 7527 3430

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

APPENDIX I

NF
OK?

[Insert name and address of relevant licensing authority and its reference number (optional)]

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

6/11
✓

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.

URBAN HOTELS UK LLP
I/We 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	
THE LITTLE TOWN HOUSE 11-13 ST JOHN'S SQUARE MILKESWELL	
Post town	Post code
MILKESWELL	GL14 4RF

Telephone number at premises (if any)

0607344444

Non-domestic rateable value of premises

£112,000

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)

6/11 450 744635

- 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:

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or Please tick ✓ yes
- 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 Mrs Miss Ms Other title (for example, Rev)

Surname

First names

I am 18 years old or over 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 Mrs Miss Ms Other title (for example, Rev)

Surname

First names

Please tick
✓ yes

I am 18 years old or over

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	URBAN HOTELS UK LLP
Address	NEW BRIDGE STREET HOUSE 30-34 NEW BRIDGE STREET LONDON EC4V 6BJ
Registered number (where applicable)	00306101
Description of applicant (for example partnership, company, unincorporated association etc)	Limited Liability Partnership
Telephone number (if any)	0207 324 4444
E-mail address (optional)	info@thejeter.com

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year

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

Day	Month	Year
	Not	Applicable

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

N/A

Please give a general description of the premises (please read guidance note 1)

Please see attached

OPERATING SCHEDULE

THE ZETTER TOWNHOUSE 49-50 ST. JOHNS SQUARE EC1V 4RF

This application relates to the Zetter Townhouse, a hotel development adjacent to, and to be operated as part of, the Zetter Hotel (See licence number AN/4041-170210).

The Zetter has built a formidable reputation as a boutique hotel with an excellent restaurant but with conference and entertainment facilities as would be expected at a hotel of this class. The Townhouse will be operated as an integral part of the existing hotel operation increasing the facilities available and adding to their flexibility.

This application seeks substantially to match the licence provisions to those of the Zetter Hotel and to maintain the same hours

On the ground and basement floors there will be space for entertainment or dining. The first floor has been designed to provide a very flexible space that can, on appropriate occasions, be used as accommodation; for dining; or for entertainment.

The hours sought are those of the existing hotel. The designated premises supervisor will be the same. Care has been taken in the design to ensure that no unacceptable noise will escape from the property.

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 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 for:

- 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 indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
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 [Y] (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	1000	0200	Please give further details here (please read guidance note 3) On basement ground and first floors only	Both	
Tue	1000	0200			
Wed	1000	0200	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	1000	0200			
Fri	1000	0200	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	1000	0200			
Sun	1000	0200			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			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 (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

D

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

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 [Y] (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1000	0200	Please give further details here (please read guidance note 3) <i>On the basement ground and first floors only</i>	Both	<input type="checkbox"/>
Tue	1000	0200			
Wed	1000	0200	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	1000	0200			
Fri	1000	0200	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	1000	0200			
Sun	1000	0200			

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 [Y] (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0000	2400	Please give further details here (please read guidance note 3) <i>On the basement ground and first floors only</i>	Both	<input type="checkbox"/>
Tue	0000	2400			
Wed	0000	2400	State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur	0000	2400			
Fri	0000	2400	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	0000	2400			
Sun	0000	2400			

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 [Y] (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	1000	2200	Please give further details here (please read guidance note 3) On the bar table ground and rest floor only	Both	
Tue	1300	2600			
Wed	1000	2600	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	1000	2600			
Fri	1000	2600	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	1000	2600			
Sun	1000	2600			

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 [Y] (please read guidance note 2)	Indoor
Mon				
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			<p>Non standard timings. Where you intend to use the premises for the entertainment of 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)</p>
Sun			

<p>Provision of facilities for making music Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the facilities for making music you will be providing</p> <p>Suitable room on designated floor</p>							
			<p>Will the facilities for making music be indoors or outdoors or both – please tick [Y] (please read guidance note 2)</p>	<table border="1"> <tr> <td>Indoors</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Outdoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Both</td> <td><input type="checkbox"/></td> </tr> </table>	Indoors	<input checked="" type="checkbox"/>	Outdoors	<input type="checkbox"/>	Both	<input type="checkbox"/>
Indoors	<input checked="" type="checkbox"/>									
Outdoors	<input type="checkbox"/>									
Both	<input type="checkbox"/>									
Day	Start	Finish	<p>Please give further details here (please read guidance note 3)</p> <p>on basement ground w/ back floor only</p>							
Mon	1000	0200								
Tue	1000	0200								
Wed	1000	0200	<p>State any seasonal variations for the provision of facilities for making music (please read guidance note 4)</p>							
Thur	1000	0200								
Fri	1000	0200	<p>Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</p>							
Sat	1000	0200								
Sun	1000	0200								

<p>Provision of facilities for dancing Standard days and timings (please read guidance note 6)</p>			<p>Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (see guidance note 2)</p>								
			<table border="1"> <tr> <td>Indoors</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Outdoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Both</td> <td><input type="checkbox"/></td> </tr> </table>	Indoors	<input checked="" type="checkbox"/>	Outdoors	<input type="checkbox"/>	Both	<input type="checkbox"/>	<p>Please give a description of the facilities for dancing you will be providing</p> <p>Suitable room on designated floor</p>	
Indoors	<input checked="" type="checkbox"/>										
Outdoors	<input type="checkbox"/>										
Both	<input type="checkbox"/>										
Day	Start	Finish									

Mon	1000	0200	Please give further details here (please read guidance note 3) on garden ground -> Full floor only
Tue	1000	0200	
Wed	1000	0200	State any seasonal variations for providing dancing facilities (please read guidance note 4)
Thur	1000	0200	
Fri	1000	0200	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 (please read guidance note 5)
Sat	1000	0200	
Sun	1000	0200	

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 [Y] (please read guidance note 2)	Indoor
Mon				Outdoor
Tue			Please give further details here (please read guidance note 3)	Both
Wed				
Thur				
Fri			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within j or k (please read guidance note 4)	
Sat				
Sun			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)	

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 [Y] (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	2300	0600	Please give further details here (please read guidance note 3) On basement, ground and first floor only	Both	<input type="checkbox"/>
Tue	2300	0600			
Wed	2300	0600	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	2300	0600			
Fri	0300	0600	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	0300	0600			
Sun	0300	0600			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input checked="" type="checkbox"/>
Mon	1000	0600	State any seasonal variations for the supply of alcohol (please read guidance note 4) Note 1. On all floors Basement; ground and first through third floors	Both	<input checked="" type="checkbox"/>
Tue	1000	0600			
Wed	1000	0600	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) Note 2. There shall outside area be outside area only		
Thur	1000	0600			
Fri	1000	0600			
Sat	1000	0600			

Sun	1200	0200	
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State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name..... JASON SATIFEDOU

Address..... 1111111111

Postcode..... 111111

Personal Licence number(if known)

Issuing licensing authority (if known).....

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

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	0000	2400	None there are no seasonal premises
Tue	0000	2400	
Wed	0000	2400	
Thur	0000	2400	
Fri	0000	2400	
Sat	0000	2400	
Sun	0000	2400	

Non standard timings. Where you intend to use 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)

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)

In each case please
see attached. These
are the existing

b) The prevention of crime and disorder

conditions for the
Zetta Hotel to which

c) Public safety

these premises
and also as in
which under the

d) The prevention of public nuisance

some management

e) The protection of children from harm

see attached

Annex 1 - Mandatory conditions

1. No supply of alcohol may be made under the premises licence-
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. The admission of children to the exhibition of a film shall be restricted in accordance with the recommendation of a film classification body as defined in the Video Recordings Act 1984 or Islington Council acting as the licensing authority where it has given notice in section 20(3) of the Licensing Act 2003

Annex 2 - Conditions consistent with the Operating Schedule

1. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours. In this condition permitted hours means the authorised hours specified on this licence for the sale by retail of alcohol. This restriction does not prohibit:
 - a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
 - b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
 - c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
 - d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
 - e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
 - f) the sale of alcohol to a trader or club for the purposes of the trade or club;
 - g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
 - h) the taking of alcohol from the premises by a person residing there; or
 - i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
 - j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
2. No person under fourteen shall be in the bar of the licensed premises during the permitted hours for the sale by retail of alcohol unless one of the following applies:
 - a. He is the child of the holder of the premises licence.

- b. He resides in the premises, but is not employed there.
- c. He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- d. The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

3. Unless otherwise specified on this licence no regulated entertainment shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests. *This shall not apply to the use of a piano by hotel residents and their guests.*
4. This licence is subject to such further conditions as are consistent with any restrictions imposed on the use of the premises for the existing licensable activities under the licence by virtue of the enactments hereinafter set out:
 - Children and Young Persons Act 1933
 - Cinematograph (Safety) Regulations 1955
 - Sporting Events (Control of Alcohol Etc) Act 1985

5. Alcohol may be sold or supplied to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the permitted hours for the sale or supply of alcohol shall be one hour less than the terminal hour specified above; in such circumstances there shall be no sale or supply of alcohol between 15.00 and 19.00 on Christmas Day.

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

1. The licensee shall employ a dedicated cab company and devise a system for collection of customers that will minimise disturbance to local residents.
2. There will be no unaccompanied children under the age of 16 in the bar area.
3. The applicant, upon receipt of any complaint from the Council or nearby residents with regard to music, noise or any other disturbance will take immediate action to prevent any reoccurrence of the cause for complaint.
4. Persons leaving the premises will be advised, either by written notice or verbally, to leave the area quietly and without causing disturbance in the neighbourhood.

Annex 4 – Plans

Reference Number: ISL - 89608/1-8

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

Capacity

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)	
TV EDWARDS LLP 41 NILE END LONDON	
Post town	Post code
LONDON	E1 4TP
Telephone number (if any) 0203 170 1000	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	
[Handwritten email address]	

Notes for Guidance

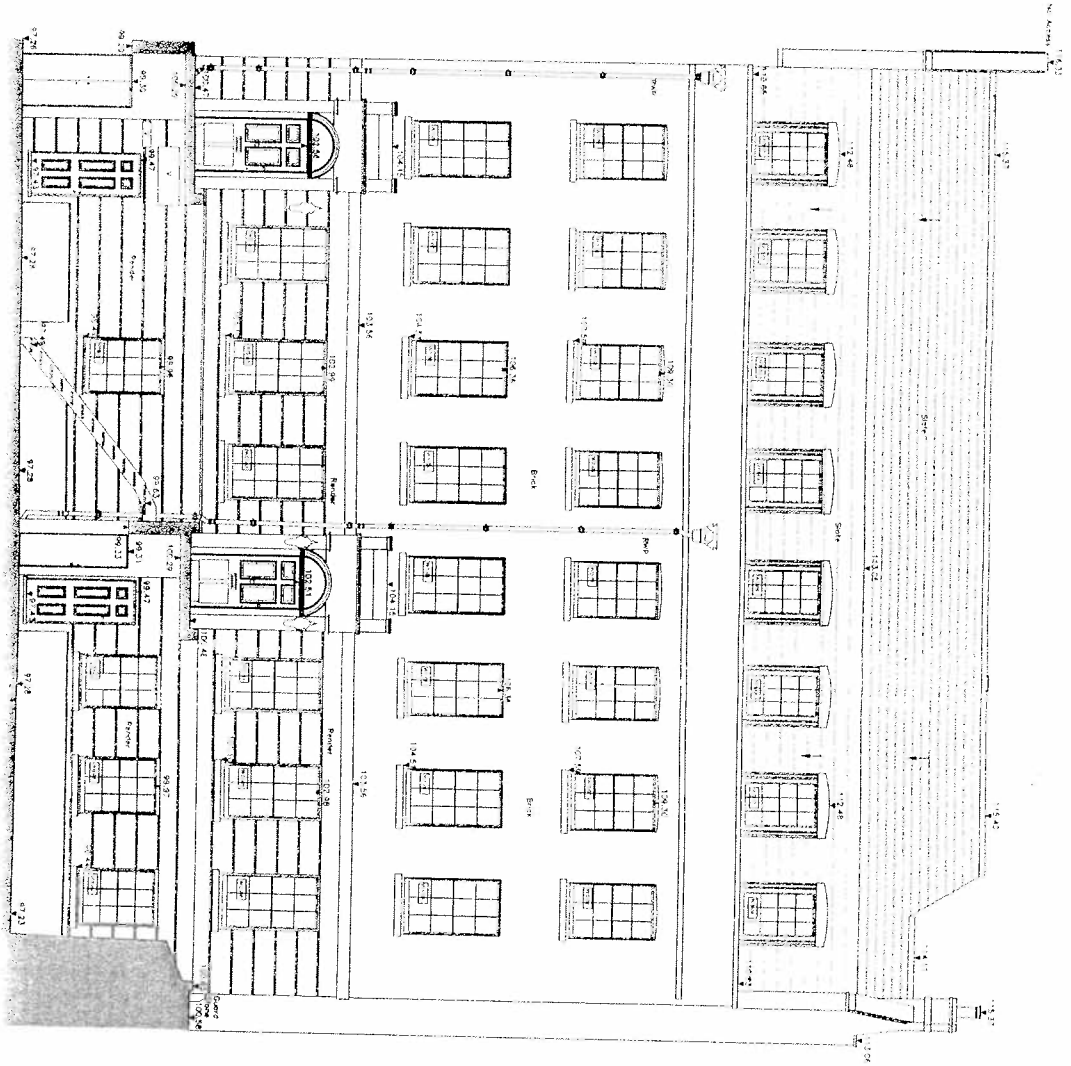
1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you 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, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. 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, 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, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



No 50

No 49

Front Elevation

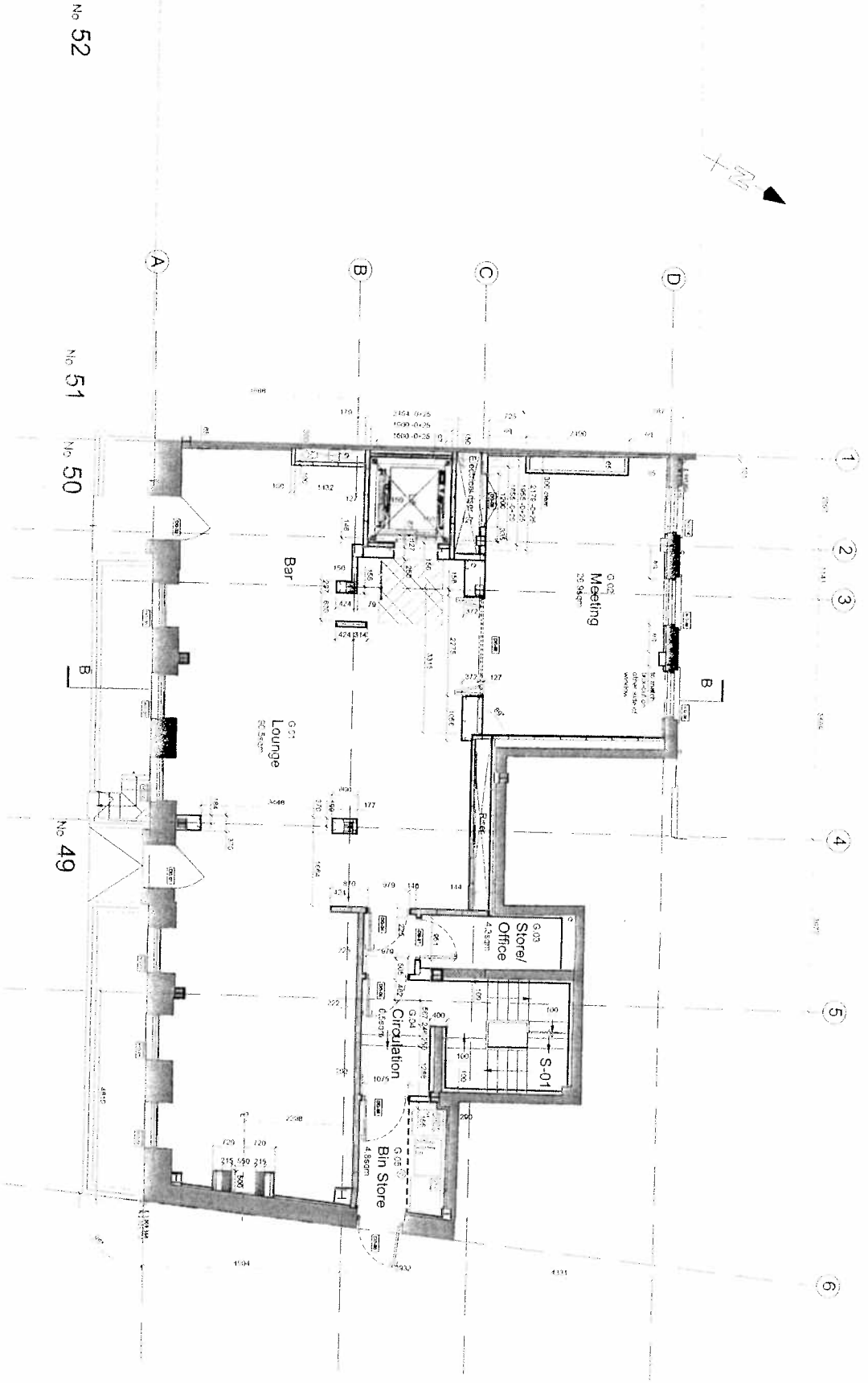


Architectural drawing details including project name, address, and contact information.

Project Name: [Illegible]
 Address: [Illegible]
 Contact: [Illegible]

Scale: 1:100

PROJECT NO. 1000000000
 DATE: 10/10/2010
 DRAWING NO. 1000000000



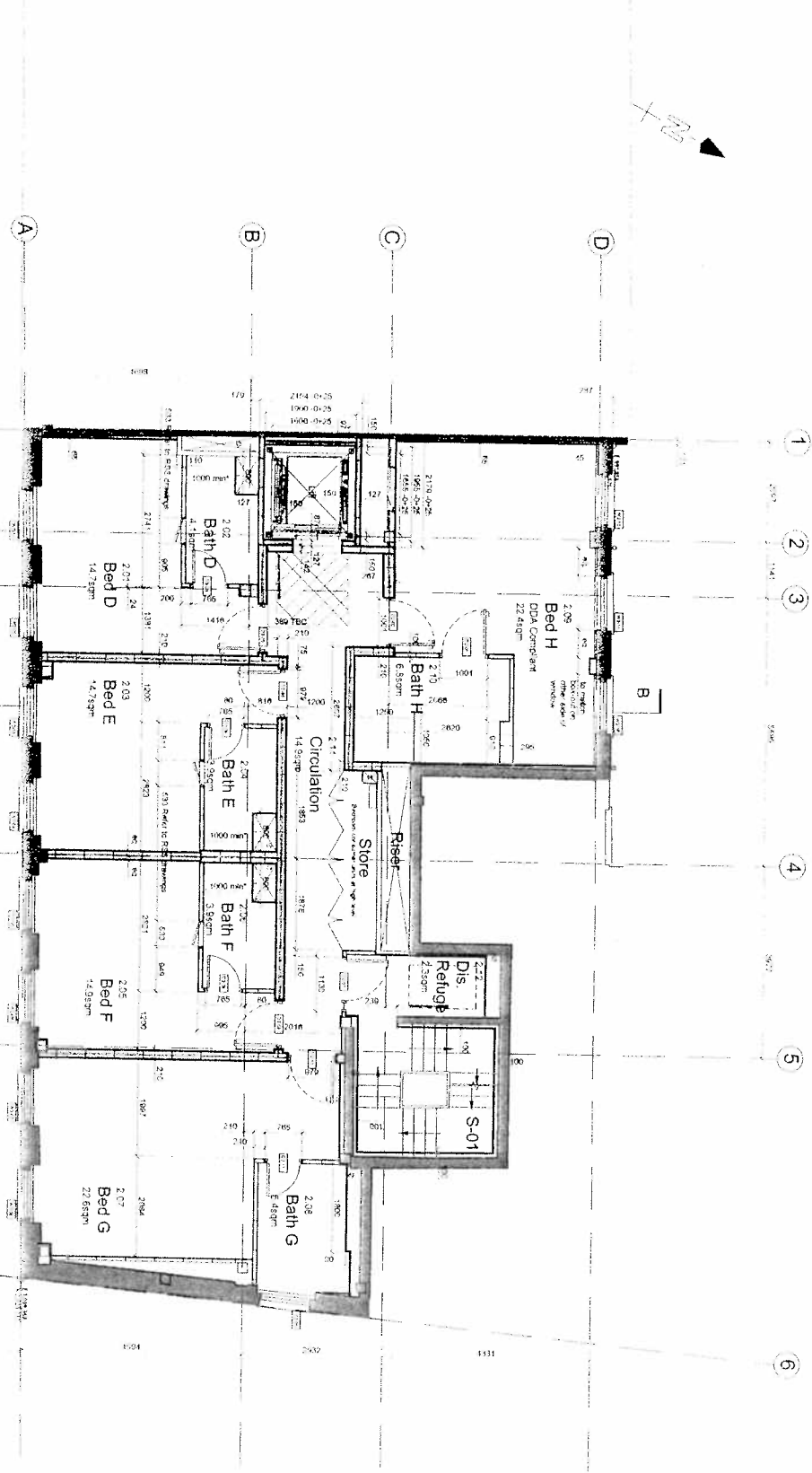
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8. Approved by the cost estimator
9. Approved by the project manager
10. Approved by the client

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WALL FINISH
CEILING FINISH
FLOOR FINISH

1. All dimensions are in millimeters unless otherwise stated.
 2. All dimensions are to the centerline of the element unless otherwise stated.
 3. All dimensions are to the finished surface unless otherwise stated.
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 10. 100mm concrete



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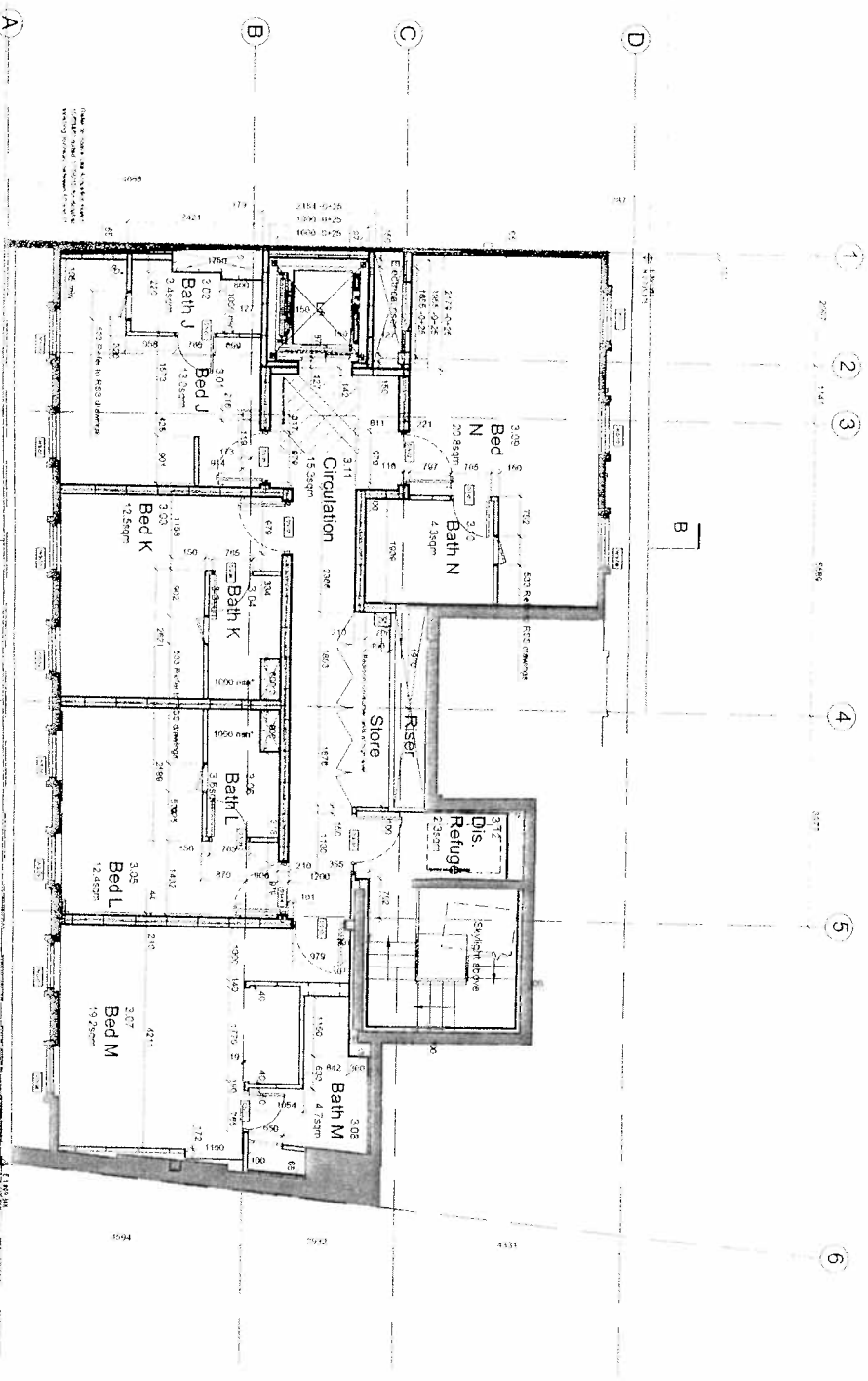
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NOTATION
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2. FLOOR
3. CEILING
4. DOOR
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6. STAIR

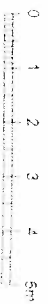


No 52

No 51

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No 49



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Scale of the floor plan
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Scale of the section

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100. Bed (width) 2.00m

Appendix 1A

Gallacher, Simon

From: Anthony Edwards [AnthonyEdwards@tvedwards.com]
Sent: 16 February 2011 14:07
To: Licensing
Cc: Gallacher, Simon
Subject: The Zetter Townhouse

I attach an e-mail which I shall appreciate your forwarding to those who have objected to the application for the Zetter Townhouse. We are in direct contact with [redacted] but shall appreciate your contacting the other two private objectors.

"As a result of discussions with Nicholas Clark the senior technical officer and having considered the position of residents of Jerusalem Passage we confirm that at the hearing of this application for a new premises licence we will amend the application in the following way: The applicants regard good relations with their neighbours as a matter of great importance to them.

"We will not proceed with the application at section E and we will not seek permission for live music.

In section F recorded music we will make clear that this is only to be used as background music. We are advised that this should cause no difficulties with noise escaping from the premises.

We will not proceed with the application under G for the performance of dance.

We will not proceed with application in Section I for the provision of facilities for making music.

We will not proceed with the application under section J (provision of facilities for dancing.)"



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Islington Council
The Licensing Support team
Simon Gallacher
222 Upper Street
London
N1 1XR
United Kingdom

01 February 2011

Making Representations under the Licensing Act 2003

Ref: WK/201016936 The Zetter Townhouse, 49-50 St John's Square, London, ECV 4RF

Dear Simon,

With regard to the recently submitted above licensing application we would like to voice our objection to The Zetter Townhouse receiving a license as stated in the above reference.

My husband and I live in [redacted] e, right opposite the property of the Zetter Townhouse. We would appreciate if you could keep my name confidential in this matter.

Simon you will be familiar with the square and with all the commercial units that already exist. Further with all the hassle and nuisance we had sometimes still have and most likely will have again in the months of the summer. There is the Bar the *Priory*, the Restaurant *Modern Pantry*, the existing *Zetter Hotel* (all three units including an outside terrace that close at different times and have different noise levels most bothersome during the summer months). And to make it complete we had an outside cinema that made us call the noise patrol numerous times.

With a previous letter we have already expressed our concerns about yet another commercial/hotel/bar unit on the square. However the permission to create a gentlemen's members club was granted. The interesting fact is that under the license application it is described as a **Townhouse**. We would like to know what the exact definition of a **townhouse** is that applies for the legal permission of entertainment of recorded music, live music, entertainment for films, performance of dance, supply of alcohol consumption on and off the premises Monday until Sunday until 2am.

During the months of the construction of the gentlemen's club (still ongoing) that started approximately in March 2010 we had major nuisances. Early in the mornings during the week and also on Saturdays. And of course the level of inconvenience to live next to a construction site for about one year has not improved our life. Further we do have the hotel's staff almost at all times outside the square smoking and chatting (which we can hear in the flat) and standing in our entrance. I had already some phone calls to their manager and they promised to look after this matter but this only lasted for a short period. We have given up on this.

The residents of the square are already quite unhappy with the existing level of disturbance especially during the nights but also during daytime. However we would like to point out that a gentlemen's club that will open until 2am in the morning with the legal permission of entertainment for recorded music, live music, entertainment for films, performance of dance,

supply of alcohol consumption **on and off the premises?** will heavily impact on our private lives in respect of the noise level and rest during the night. Please note that even the already existing establishments when closing at 11pm or midnight means we do hear them cleaning up and throwing bottles in the bins approximately one hour after closing. Only to listen to the bin lorries picking them up at 6am or 7am.

We need to urgently stress that a late night/early morning license with the supply of alcohol for consumption on and off the premises cannot guarantee the public's safety on and around the square and the prevention of nuisance cannot be granted. Further if there are children or even babies amongst the residences they will be heavily disturbed and they cannot be protected from harm.

We are very much scared this late night establishment might be another nuisance unit for the square.

We think we as residents should have a right for privacy and tranquillity after a certain time.

Kind regards

Yours faithfully

(

2

Fitzsimons, Aiden

From: Lucy Fawcett [mailto:lucyfawcett@bt.com]
Sent: 15 January 2011 18:10
To: Gallacher, Simon; Licensing
Cc: [mailto:aiden.fitzsimons@bt.com]; [mailto:aiden.fitzsimons@bt.com]
Subject: Zetter Townhouse Application WK/201016963.

Dear Simon Gallacher

Thank you for your letter regarding the licensing application to Zetter Townhouse at 49 - 50 St John's Square. Your ref WK/201016963.

It's some while since we attended a Clerkenwell Residents/Council meeting at the Sessions House on Clerkenwell Green but we thought a certain ring within Clerkenwell was now under a restriction as to how many new licenses could be granted? This was implemented following serious issues for residents regarding noise, detritus etc?

With regard to the specifics of this application, we are adjacent to this property and live at 8c Jerusalem Passage. Our living room and bedroom backs on to the same courtyard of the Zetter Townhouse. To further illustrate the layout, our neighbour on the groundfloor shares the same courtyard. Zetter Townhouse will have an entrance door adjacent to our front door at no 8. We share a party wall.

We are therefore extremely concerned about public nuisance as a result of this application being granted. We are somewhat comforted that this is a hotel and therefore they will not want to have their guests disturbed but I feel the need to register an objection at this stage while we do not know the full intention of the hotel of its entertainment and alcohol provision and whereabouts in the building the live music, dancing, late night drinking etc will be taking place. A concern is that it will be in basement or ground floor rooms overlooking this courtyard but wherever it is there will be inevitable sound and vibration 'leakage' from outside and through the party wall. The development over the past year as you can imagine has been extremely disturbing and while we have coped with that and they've done the best they can to maintain good relations, we still have considerable concerns still regarding noise even though internal works are almost complete. A bar, live music, late celebrations etc are only exacerbating this concern.

In summary therefore I am objecting to the Licensing Application with specific regard to the live music provision which given the current noise levels as a result of lack of sufficient sound insulation seems a ludicrous proposition. I would be grateful to be kept abreast of developments.

I'm copying this to my immediate neighbours at no 8.

Yours sincerely

Lucy Fawcett and David Taylor

Fitzsimons, Aiden

From: [redacted]
Sent: 24 January 2011 11:31
To: Gallacher, Simon
Cc: [redacted]
Subject: Zetter Townhouse Application WK/201016963

Dear Mr Gallacher

I refer to the above application and as adjoining owner [redacted] I am extremely concerned at the possible implications of what may happen if this application is implemented.

Even now it is noisy at times. I think we have had to put up with enough discomfort and problems over the years from this applicant. For them now to make an application for alcohol until 2 a.m. in the morning together with live music and dancing etc. it is really completely unacceptable. I must register my objection in the strongest possible terms.

Will you please therefore take this as formal notice of my objection. I would be most upset if this application was given any form of approval without consulting both myself and the other adjoining owners.

In fact unless we are allowed to put our side of the argument properly I want to know who the local councillor is because I think he or she should be aware of our extreme concern.

Yours faithfully

Robin Smylie

[redacted signature block]

4

Islington Licensing Authority
Licensing Act 2003

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority - Environmental Protection

Your Name	Nicholas Clarke
Job Title	Senior Technical Officer
Postal and email address	Municipal Offices 222 Upper Street Islington N1 1XR nicholas.clarke@islington.gov.uk
Contact telephone number	0207527-3064

Name of the premises you are making a representation about	The Zetter Townhouse
Address of the premises you are making a representation about	49-50 St Johns Square Clerkenwell London EC1V 4RF

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

To prevent public nuisance

We are making our representation for the minimisation and prevention of risk of noise pollution to neighbouring residential occupiers. We make the following observations:

I note there are residential properties in the vicinity of the licensed premises. The potential for noise outbreak to the annoyance of residents in these properties is highly likely.

I have concerns regarding the impact from regulated entertainment on nearby neighbours, due to the late hours applied for.

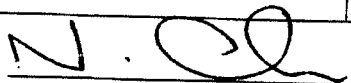
The Noise Team therefore object to this licence. I would add that the objection will be withdrawn provided the paragraphs below are accepted as conditions.



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. The licensee shall appoint a noise consultant or sound engineer who is a member of the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of sound insulation and noise control measures to prevent persons in the neighbourhood from being unreasonably disturbed by regulated entertainment from the premises. The scheme shall be submitted for approval by the Council, and the approved scheme fully implemented to the satisfaction of the Council within 28 days from the date of the licence.
2. All amplified music played within the premises shall be subject to the control of an entertainment noise control system (sound limiter). All pre-recorded music played through the in-house music system shall be controlled by an automatic electronic noise limiting device which restricts the sound system output to below pre-set threshold levels. The device shall be installed and calibrated to the Council's satisfaction within 28 days from the date of the licence and the calibration certificate forwarded to the Licensing Team. If there are any changes in the distribution and type of loudspeakers or amplification equipment serving the in-house sound systems, then the noise control systems shall be re-calibrated to ensure the agreed music levels are not exceeded. The calibration certificate shall be forwarded to the Licensing team.
3. The controls for the entertainment noise control systems shall be located in a secure, lockable cupboard or similar location. Access to the entertainment noise control systems shall be restricted to the Licensee and designated manager.
4. An acoustic consultant or sound engineer who is a member of the institute of Acoustics or Association of Noise Consultants shall calibrate the entertainment noise control system annually. The calibration certificate shall be forwarded to the Licensing Team 28 days from the anniversary of the granting of the licence and should include details on the equipment being used in the premises at the time of calibration.

Signed:



Date:

13th January 19

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

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

Withdrawn

5

Fitzsimons, Aiden

From: Weaver, Geoff
Sent: 14 January 2011 16:14
To: 'Anthony Edwards'; Licensing
Cc: Michael Benyan
Subject: The Zetter Townhouse 49 – 50 St John's Square EC1V 4JJ

Attachments: logo.tif



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Dear All

I am withdrawing the health and public safety representation for the above premises as the applicant has agreed to the premises licence conditions.

Geoff Weaver
Senior Building Surveyor (Licensing Health and Safety) Building Control Service
Islington Council

222 Upper Street N1 1XR
Tel: 020 7527 5986
Alternative contact: Vaughan Melsom 020 7527 5983

www.islington.gov.uk <<http://www.islington.gov.uk/>>

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From: Anthony Edwards [mailto:AnthonyEdwards@tvedwards.com]
Sent: 14 January 2011 13:51
To: Licensing; Weaver, Geoff
Cc: Michael Benyan
Subject: The Zetter Townhouse

The conditions sought by Building Control by notice dated 12th January are entirely acceptable to us The appropriate conditions should please be added

Anthony Edwards
Senior Partner

For and on behalf of
T V Edwards LLP - Solicitors

Park House 29 Mile End Road London E1 4TP
Tel: 0207 790 7000
Fax: 0207 790 2553

Withdrawn



ISLINGTON

**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	The Zetter Townhouse 49 – 50 St John's Square EC1V 4JJ
Public Safety	The premises are being constructed and the building works should be inspected and approved before the premises are occupied under the licence. Insufficient detail on the premises plan of the ventilation, normal and emergency lighting, fire fighting appliances, fire and emergency warning systems, exits and exit signage.
Suggested conditions that could be added to the licence to remedy the public safety representation	<ol style="list-style-type: none">(1) 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.(2) The premises shall be in accordance with the Technical Standards for Places of Entertainment.(3) 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.(4) Copies of the inspection and test certificates specified below, properly certified by approved competent persons, shall be available for examination by the responsible authority for health and public safety. Electrical installation Emergency lighting Fire alarm Fire fighting appliances Gas installation and appliances

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.

Acceptance
of FITS REPS.

Fitzsimons, Aiden

From: Anthony Edwards [AnthonyEdwards@tvedwards.com]
Sent: 14 January 2011 13:51
To: Licensing; Weaver, Geoff
Cc: Michael Benyan
Subject: The Zetter Townhouse

Attachments: logo.tif



logo.tif (28 KB)

The conditions sought by Building Control by notice dated 12th January are entirely acceptable to us The appropriate conditions should please be added

Anthony Edwards
Senior Partner

For and on behalf of
T V Edwards LLP - Solicitors

Park House 29 Mile End Road London E1 4TP
Tel: 0207 790 7000
Fax: 0207 790 2553
Web: www.tvedwards.com <<http://www.tvedwards.com>>

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ISLINGTON

Environment and Regeneration

Edwards LLP
Park House
29 Mile End Road
London
E1 4TP

Licensing Service
Public Protection Division
222 Upper Street
London
N1 1XR

T 020 7527 3879

F 020 7527 3057

E simon.gallacher@islington.gov.uk

W www.islington.gov.uk

Please reply to: **Simon Gallacher**

Our ref: 201016936

Your ref: ATE/54409-0003

Date: 14 February 2011

Dear Sirs

LICENSING ACT 2003 – Premises licence application

Notice of Hearing

The Zetter Townhouse, 49-50 St John Square, London EC1V 4RF

I can confirm that the Licensing Authority has received representations to the above application.

I attach copies of the representations for your consideration.

The application will be determined by the Licensing Authority at a public hearing conducted by the Licensing Committee on **3 March 2011 at 6.00pm** in the Town Hall, Upper Street, London, N1 2UD (map enclosed). The location of the meeting will be displayed at the Town Hall reception area. The procedure that the committee will follow at the hearing is also enclosed with this letter.

A copy of the report will be available on the Council's web site four working days before the hearing. Here is a link to the web site for your convenience:
<http://www.islington.gov.uk/Democracy/index.asp>.

The committee will be hearing a number of applications on the day of the hearing and it is not possible to give an indication of the approximate time your application will be heard. Although the agenda for the meeting is set in advance the chair does have the discretion to amend the order in which applications are heard. Therefore you are advised to attend at the time stated on this letter but be prepared to wait whilst the committee deals with other applications first.

If you think that a hearing is unnecessary, for example if you are happy amend the application to such an extent that it addresses the concerns of the parties making representations, please could you confirm this in writing detailing your intended changes to the application and operating schedule. I can confirm that the authority responsible for



public safety has withdrawn his representation on the basis that you have accepted his proposed conditions be included within your operating schedule.

As you are aware the location of this premises falls with an area which is now subject to a special policy relating to cumulative impact. The policy has been adopted in response to ongoing issues of: public urination, litter, noise nuisance from patrons of licensed premises, drug dealing, thefts, damage to property and vehicles and obstruction of the public highway, which arise from the high concentration of licensed premises in this area.

The policy creates a rebuttable presumption that applications for new licences in this location will be refused, unless you are able to demonstrate why the operation of your premises will not contribute to these issues.

I note that you have already submitted the following comments in relation to the policy:

"The purpose of this note is specifically to address licensing policy 30 (licensing policy 27) It is our respectful submission that it cannot sensibly apply to this application or that the exceptions at the last two bullet points at paragraph 164 apply

The policy is directed against large rowdy groups congregating in an area with significant licensing provision.

This application relates to a quality hotel which would destroy its own business if it allowed large or any disorderly groups within its premises This is an extension of a busy but well managed hotel that has given rise to no difficulties in its operation. The suggested conditions are very restrictive and the only people using the facilities will be hotel residents, their guests and pre-booked parties for private events The premises will not be available to casual users

Please let us know if there are further issues that you would wish us to address"

The Licensing Committee may wish to ask you further questions about this matter. In the meantime should you wish to submit any further documents to support your application then please forward them to this office.

Please find enclosed the published version of the statement of licensing policy for your reference; I believe you may have been sent a draft version hence the discrepancy with the policy and paragraph numbers quoted above. I would be grateful if you could clarify which paragraph in the published version of the policy "paragraph 164" above relates to.

Please could you indicate whether you intend to attend the hearing, or be represented at the hearing, by completing the attached Notice and returning it to me by **24 February 2011**. If you would like someone to represent you at the hearing they do not need to be legally qualified.

You may also request permission for any another person to appear at the hearing who can assist the committee in relation to the application or representation. For example these witnesses could be the designated premises supervisor or another manager, chief door supervisor or noise consultant. In any case you will need to give the name of the witness and a brief description of the points that they may be able to assist the committee on in the enclosed Notice.

If you are unable to attend the hearing you may still send someone to represent you. Alternatively the committee may hear the application in your absence and give full consideration to your written application. Only in exceptional circumstances, where it

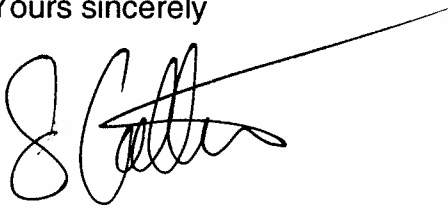
considers it necessary in the public interest, will the committee consider an adjournment. If this happens you will be notified of the revised time and date of the hearing.

The committee will have read your application and operating schedule before the hearing. At the hearing you will be able to address the committee and provide clarification in support of your application on the matters listed above. If the chair of the committee gives permission you will be able to question any other party present.

The committee may consider additional information in support of your application produced before the hearing. You are encouraged to provide copies to all parties making a representation before the hearing. The committee will only consider any additional information presented at the hearing if all parties present give their consent.

If you have any questions regarding this matter please do not hesitate to contact Simon Gallacher on 0207 527 3879

Yours sincerely

A handwritten signature in black ink, appearing to read 'S Gallacher', with a long horizontal line extending from the end of the signature.

Simon Gallacher
Licensing Officer

Enc.

Gallacher, Simon

From: Anthony Edwards [AnthonyEdwards@tvedwards.com]
Sent: 14 January 2011 13:45
To: Licensing
Cc: Clarke, Nicholas; Gallacher, Simon; Michael Benyan
Subject: The zetter townhouse

Attachments: logo.tif



logo.tif (38 KB)

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Please let us know if there are further issues that you would wish us to address

Anthony Edwards
Senior Partner

For and on behalf of
T V Edwards LLP - Solicitors

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Fax: 0207 790 2553
Web: www.tvedwards.com <<http://www.tvedwards.com>>

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Suggested conditions of approval consistent with the operating schedule

1. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours. In this condition permitted hours means the authorised hours specified on this licence for the sale by retail of alcohol. This restriction does not prohibit:
 - a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
 - b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
 - c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
 - d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
 - e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
 - f) the sale of alcohol to a trader or club for the purposes of the trade or club;
 - g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
 - h) the taking of alcohol from the premises by a person residing there; or
 - i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
 - j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
2. No person under fourteen shall be in the bar of the licensed premises during the permitted hours for the sale by retail of alcohol unless one of the following applies:
 - a. He is the child of the holder of the premises licence.
 - b. He resides in the premises, but is not employed there.
 - c. He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - d. The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.
3. Unless otherwise specified on this licence no regulated entertainment shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests. (This condition to be removed if amended application granted).
4. This licence is subject to such further conditions as are consistent with any restrictions imposed on the use of the premises for the existing licensable activities under the licence by virtue of the enactments hereinafter set out:
 - Children and Young Persons Act 1933
 - Cinematograph (Safety) Regulations 1955

– Sporting Events (Control of Alcohol Etc) Act 1985

5. Alcohol may be sold or supplied to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the permitted hours for the sale or supply of alcohol shall be one hour less than the terminal hour specified above; in such circumstances there shall be no sale or supply of alcohol between 15.00 and 19.00 on Christmas Day.
6. The licensee shall employ a dedicated cab company and devise a system for collection of customers that will minimise disturbance to local residents.
7. There will be no unaccompanied children under the age of 16 in the bar area.
8. The applicant, upon receipt of any complaint from the Council or nearby residents with regard to music, noise or any other disturbance will take immediate action to prevent any reoccurrence of the cause for complaint.
9. Persons leaving the premises will be advised, either by written notice or verbally, to leave the area quietly and without causing disturbance in the neighbourhood.

Suggested conditions of approval recommended by Noise Officer

10. The licensee shall appoint a noise consultant or sound engineer who is a member of the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of sound insulation and noise control measures to prevent persons in the neighbourhood from being unreasonably disturbed by regulated entertainment from the premises. The scheme shall be submitted for approval by the Council, and the approved scheme fully implemented to the satisfaction of the Council within 28 days from the date of the licence.
11. All amplified music played within the premises shall be subject to the control of an entertainment noise control system (sound limiter). All pre-recorded music played through the in-house music system shall be controlled by an automatic electronic noise limiting device which restricts the sound system output to below pre-set threshold levels. The device shall be installed and calibrated to the Council's satisfaction within 28 days from the date of the licence and the calibration certificate forwarded to the Licensing Team. If there are any changes in the distribution and type of loudspeakers or amplification equipment serving the in-house sound systems, then the noise control systems shall be re-calibrated to ensure the agreed music levels are not exceeded. The calibration certificate shall be forwarded to the Licensing team.
12. The controls for the entertainment noise control systems shall be located in a secure, lockable cupboard or similar location. Access to the entertainment noise control systems shall be restricted to the Licensee and designated manager.
13. An acoustic consultant or sound engineer who is a member of the institute of Acoustics or Association of Noise Consultants shall calibrate the entertainment noise control system annually. The calibration certificate shall be forwarded to the Licensing Team 28 days from the anniversary of the granting of the licence and should include details on the equipment being used in the premises at the time of calibration.

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

14. The premises shall not be used under the licence until 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.
15. The premises shall be in accordance with the Technical Standards for Places of Entertainment.

16. 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.
17. Copies of the inspection and test certificates specified below, properly certified by approved competent persons, shall be available for examination by the responsible authority for health and public safety.

Electrical installation

Emergency lighting

Fire alarm

Fire fighting appliances

Gas installation and appliances

