



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	13 th February 2013		Clerkenwell

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE NEW APPLICATION
Mikkeller Brewdog, 54 Farringdon Road, London EC1

1. Synopsis

- 1.1 This is an application for a new premise licence under the Licensing Act 2003.
- 1.2 The new application is to:
 - i) permit the premises to sell alcohol, on & off supplies, Mondays to Sundays from 11:00 until 00:30 the following day;
 - ii) allow the provision of late night refreshment, Mondays to Sundays from 23:00 until 01:00 the following day.

2. Recommendations

- 2.1 To determine the application for a new premises licence under Section 17 of the Licensing Act 2003.

- 2.2 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); and
 - iii. any conditions deemed necessary by the Committee to promote the four licensing objectives.

3. Background

3.1 Papers are attached as follows:-

- Appendix 1: application form;
Appendix 2: representations;
Appendix 3: suggested conditions and map of premises location.

3.2 There is a premises licence currently in effect at this location held by a previous operator. This licence allows:

- the premises to sell alcohol, on supplies only, Mondays to Sundays from 11:00 until 00:30 the following day;
- the provision of late night refreshment, Mondays to Sundays from 23:00 until 00:30 the following day.

3.3 The premises is located just outside the former Clerkenwell Cumulative Impact Policy area. However, the premises is now located within the Bunhill and Clerkenwell Cumulative Impact Policy area, adopted by the Council on 24 January 2013.

3.4 The Licensing Authority has received six letters of representation, none of which are from people who requested that they remain anonymous.

4. Planning Implications

4.1 Islington's Planning Service has made the following comment:

"Planning permission was granted in 2002 for the change of use of the premises to an A3 restaurant (Ref: P021911). As far as we are aware, this permission was implemented and the premises operated as a restaurant for many years.

The plans submitted with the licensing application, and the modus operandi of the company ('Mikeller Brewdog'), seem to indicate that the premises is now intended to be primarily a drinking establishment, which would fall under Class A4. To date, no planning application has been submitted for this change of use."

4.2. The applicants have been advised care of their solicitor of the Licensing Authorities policy in respect of planning and they have been advised to ensure they have the correct planning permission for their intended use.

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 4/2/13

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service
Tel: 020 75027 3031
E-mail: licensing@islington.gov.uk

Appendix 1
OK TC
20/12/12

[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**

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 **Mikkeller Brewdog 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

<p>Postal address of premises (or, if none, licence survey map reference or description) Mikkeller Brewdog 54 Farringdon Road</p> <p style="text-align: center; font-size: 1.2em;">20 DEC 2012</p> <p style="text-align: center;">PUBLIC PROTECTION DIVISION 222 UPPER ST. LONDON N1 1XR</p> <p>Post town London</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="4" style="text-align: center;">ISLINGTON COUNCIL LICENSING</th> </tr> <tr> <td style="width: 15%;">Date</td> <td style="width: 15%;">20/12/12</td> <td style="width: 15%;">Fee Paid</td> <td style="width: 55%;">190-00</td> </tr> <tr> <td>Cash/Cheque Number (please tick)</td> <td colspan="3">537433</td> </tr> <tr> <td>Receipt Number</td> <td colspan="3">54004</td> </tr> <tr> <td>Received By</td> <td colspan="3">AFI</td> </tr> <tr> <td>Postcode</td> <td colspan="3">E9 3BL</td> </tr> </table>	ISLINGTON COUNCIL LICENSING				Date	20/12/12	Fee Paid	190-00	Cash/Cheque Number (please tick)	537433			Receipt Number	54004			Received By	AFI			Postcode	E9 3BL		
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Receipt Number	54004																								
Received By	AFI																								
Postcode	E9 3BL																								

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£20,000.00

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | |
|---|---|
| a) an individual or individuals * | <input type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i. as a limited company | <input checked="" type="checkbox"/> please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |

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

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

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town			Postcode		
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Mikkeller Brewdog Limited
Address 16 Carden Place Aberdeen AB10 1FX
Registered number (where applicable) SC426023
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited company
Telephone number (if any) 01346 519009
E-mail address (optional) james@brewdog.com

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	8	012013

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)

Specialist beer house trading on the ground floor and basement.

The hours applied for are similar to those of the licence currently in force at the premises.

On the grant of this licence, endeavours will be made by the applicant to procure the surrender of the old licence.

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

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

E

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

F

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

G

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

H

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

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	23.00	01.00			
Tue	23.00	01.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed	23.00	01.00			
Thur	23.00	01.00	<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) From 11pm on New Year's Eve to 5am on New Year's Day.		
Fri	23.00	01.00			
Sat	23.00	01.00			
Sun	23.00	01.00			

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)		
Mon	11.00	00.30			
Tue	11.00	00.30			
Wed	11.00	00.30			
Thur	11.00	00.30			
Fri	11.00	00.30			
Sat	11.00	00.30			
Sun	11.00	00.30	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) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

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

Name Neil Taylor	
Address	
Postcode	
Personal licence number (if known) Currently being applied for.	
Issuing licensing authority (if known)	

K

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

Not applicable.

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	08.00	01.00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>
Tue	08.00	01.00	
Wed	08.00	01.00	
Thur	08.00	01.00	
Fri	08.00	01.00	
Sat	08.00	01.00	
Sun	08.00	01.00	

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)

Please refer to the attached Operating Schedule and Policies.

b) The prevention of crime and disorder

Please refer to the attached Operating Schedule and Policies.

c) Public safety

Please refer to the attached Operating Schedule and Policies.

d) The prevention of public nuisance

Please refer to the attached Operating Schedule and Policies.

e) The protection of children from harm

Please refer to the attached Operating Schedule and Policies.

Checklist:

Please tick to indicate agreement

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

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

Part 4 – Signatures (please read guidance note 10)

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

Signature	<i>Koe WP</i>
Date	19 th December 2012
Capacity	Solicitors

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)

Kuits LLP
3 St Mary's Parsonage

Post town	Manchester	Postcode	M3 2RD
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Telephone number (if any)	0161 838 7888
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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.

**MIKKELLER, 54 FARRINGDON ROAD
OPERATING SCHEDULE**

Staff shall be trained in the requirements of the Licensing Act 2003 with regard to the Licensing Objectives.

A) The Prevention of Crime and Disorder

1. A full CCTV system shall be maintained and operated at the premises with cameras positioned both internally and covering the entrance / exit.
2. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or an officer of a responsible authority upon request.
3. Signage specifying that CCTV is in operation will be displayed.
4. CCTV will be in operation at any time the premises is open to the public. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.
5. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
6. A Risk Assessment shall be carried out to determine the number of door staff to be employed on any evening and employed in such numbers, and at such times as the risk assessment deems it appropriate.
7. A register of those door staff employed shall be maintained at the premises and shall include:
 - (i) the number of door staff on duty;
 - (ii) the identity of each member of door staff;
 - (iii) the times the door staff are on duty.

B) Public Safety

1. A first aid box will be available at the premises at all times.
2. The occupancy capacity of the premises shall be identified by way of a risk assessment in conjunction with the Fire Authority.
3. Regular safety checks shall be carried out by staff.
4. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
5. The premises shall maintain an Incident Log.

C) The Prevention of Public Nuisance

1. The sale of alcohol for consumption beyond the curtilage of the premises shall be in sealed containers only.
2. Waste collection and delivery services will not take place outside the hours of 7am and 9pm.
3. A Dispersal Policy will be formulated and adhered to, and form part of the licence (see attached.)
4. A Smoking Policy will be formulated and adhered to, and form part of the licence (see attached.)

D) The Protection of Children From Harm

1. A "Challenge 21" Policy shall be implemented and maintained at the premises.
2. All staff will be trained in the law regarding the sale of alcohol to underage persons. This training will be documented and repeated at six monthly intervals.
3. The venue will only accept photographic driving licences, passports, HM forces cards, National Identity cards or a form of identification with the "PASS" hologram.
4. A Refusals Log to record all attempts to purchase alcohol by those under 18 shall be kept on site and all refused sales recorded. The Refusals Log will be made available to the Police or other Responsible Authority on request.

**MIKKELLER, 54 FARRINGDON ROAD
DISPERSAL POLICY**

The purpose of this Dispersal Policy is to ensure, so far as it is possible, that minimum disturbance or nuisance is caused to our neighbours and to ensure that the operation of the premises makes the minimum impact upon the neighbourhood in relation to potential nuisance and anti-social behaviour. This will be achieved by exercising pro-active measures towards and at the end of the evening.

By ensuring that this Dispersal Policy document is brought to the attention of Management and Staff we will seek to encourage the efficient, controlled and safe dispersal of our patrons during our closing period.

1. At the end of the evening management and staff will assist with the orderly and gradual dispersal of patrons.
2. Staff Members (including door personnel if any) will advise patrons to leave the premises quickly and quietly out of respect for our neighbours.
3. Notices will be displayed requesting our customers to leave quietly and in an orderly manner out of consideration to neighbours and their attention will be drawn to these notices by members of staff.
4. We will come to an arrangement with a private hire taxi firm whose telephone number will be provided to customers to use on the basis that such company will operate a ring back system and not sound horns when collecting their fare. Any patrons awaiting the arrival of a taxi will be encouraged to wait inside the premises.
5. Consideration will also be given to staff departures. Staff will be instructed to leave the premises quietly and to request that any waiting taxis do not leave their engines running or sound their horns whilst waiting.

MIKKELLER, 54 FARRINGDON ROAD

SMOKING POLICY

1. The smoking area will be in range of the premises CCTV system.
2. Suitable receptacles will be provided and maintained for the disposal of cigarette litter within the area.
3. Signs will be displayed within the area requesting customers keep noise to a minimum.
4. The area will be kept clean and tidy at all times.

Fitzsimons, Aiden

From: Gallacher, Simon
Sent: 17 January 2013 16:11
To: Fitzsimons, Aiden
Subject: FW: Licensing - Brewdog Bar at 54 Farringdon


FYI

Simon Gallacher
Licensing Officer
Licensing Team
Public Protection Division
Environment and Regeneration
Islington Council
3rd Floor, 222 Upper Street, London N1 1XR
Tel: (020) 7527 3879
Alternative contact: Terrie Lane (020) 7527 3233 www.islington.gov.uk

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

From: T.
Sent: 16 January 2013 16:07
To: Gallacher, Simon
Cc: 
Subject: Licensing - Brewdog Bar at 54 Farringdon

Hello Simon

I have a few concerns re the planned Brewdog bar next door to The Betsey Trotwood at 54 Farringdon Rd. There's no email given on the blue notice (which by the way was positioned right at the top of a large door some 8 feet in the air making it difficult to see) so could I ask you to consider my thoughts and include them in the discussion re the licensing of this premises.

1. In 2009, as I understand it, Clerkenwell was designated a saturation area with the directive that no more drinking establishments were allowed to be opened in the area.
2. I believe 54 Farringdon Rd holds an A3 license covering restaurants and cafes. Brewdog are beer producers billing themselves "a post punk apocalyptic mother fu*ker of a craft brewery". They call their existing 10 outlets "bars" and describe them as "Beer meccas, Hop temples and cathedrals of malt. Beacons of hope, laughter and ... hell-raising" There is no mention anywhere on their website of food. Is an A4 license not required for a bar predominantly concerned with selling beer?
3. Brewdog pride themselves on producing the World's strongest beers.

3. As a resident of the same block (we are a family of 4 with young children) I am very concerned about the noise a Brewdog bar will create on the footpath immediately below our dwelling.

4. The footpath outside 54 is not a big area for a bar smoking area. During busy times I can see passers by being forced onto Farringdon Rd. (One of the busiest in London) But I can also predict the overspill drifting up the pavement to the Betsey Trotwood. Is the outside area big enough for a bar that encourages its customers to let their beer "RIP YOU STRAIGHT TO THE TITS"? (It's worth pointing out that 2 years ago the awning / canopy for 54, which didn't extend past the curb, was hit by a double decker bus)

5. Directly opposite 54 is Ghost / The Print Works. This establishment fully licensed with a capacity of in the region of 250 - 300 I believe. Next door is The Betsey Trotwood. Some 60 yards away The City Pride and Coach and Horses. And nearby The Green, The Eagle, and The Bowler. Can we accommodate another bar in this part of Clerkenwell? The chaos caused by Ghost when it was open was an absolute nightmare.

Thanks for your time. I hope to catch you at the next Pubwatch at Redhook.

Yours sincerely

R

F

2

Fitzsimons, Aiden

From: Fitzsimons, Aiden
Sent: 15 January 2013 10:58
To: Gallacher, Simon
Subject: FW: Commenting on a license Application

Importance: High

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

From:
Sent: 04 January 2013 13:46
To: Licensing
Subject: Commenting on a license Application
Importance: High

Dear Council

I have tried to use the online representation but unfortunately the web page is down and not responding and i didnt want to miss the application date.

I am an interested party in the application of 54 Farringdohn Road 'Brewdog', while not only being a resident in the area (. i also represent a person involved in a business in the vicinity of said premises as the Bowler pub is my business.

I attended the clerkenwell pubwatch meeting in decemeber at the old china hand where both the police and licensing team stated that the area was at saturation point and that no new licences would be considered.

I am making a representation not to grant a change or new premises licence relating to the licence objective of 'the prevention of public nuisance'. There is currently 6 pubs in the local area (horseshoe, city pride, green, bowler, coach & horses & betsy trotwood) and this alone brings a level of noise and general bustle, adding another pub to this already saturated area will only increase public nuisance possibily leading to a safety issue as the premises in question is located on a busy main road (Farringdon Road) and should the license to granted there would be outside street drinking and this would also impact the public nuisance objective as the highway would be blocked or at least impeded.

Below is a printed screen copy of the license as the webpage is currently not responding.

I look forward to you repsonse incase this email does not serve as representation and you require me to fill in a form.

With regards

P Save a tree... please don't print this e-mail unless you really need to

3

Date: 14.01.2013

The Licensing Support Team
222 Upper Street
LONDON N1 1XR

Dear Sirs/Madams

Ref: LICENSING ACT 2003 - APPLICATION FOR A PREMISES LICENCE

Re.: MIKKELLER BREWDOG, 54 FARRINGDON ROAD, LONDON, EC1R 3BL

My name is _____ and I am the Chair of the Clerkenwell Peabody Tenants Association. This representation has been written with the full approval of all the TA committee members and represents all the residents that live on the Peabody Estates of Farringdon Lane, Pear Tree Court and Clerkenwell Close.

There are over 140 dwellings at these locations, consisting of flats and maisonettes.

The residents of the Clerkenwell Peabody Estates of Farringdon Lane, Pear Tree Court and Clerkenwell Close are extremely concerned by the prospect of yet another licensed premises in our immediate area. The entrance to our estate is only a few meters away from No.54 Farringdon Road.

Most of the Peabody dwellings at and around this location are accessed via the main entrance to the Estate, which is on Farringdon Lane.

The estate already suffers from a number of anti-social activities being carried out by people who are not resident here:

- We are regularly targeted as a public toilet;
- We are used as a place to carry out sexual activities (used condoms are regularly found here)
- We are used as a meeting place and walk through by groups of people (gangs) not resident on the estate and not known to us.

During the operating hours of a venue named Ghost, previously at 113-117 Farringdon Road, we experienced extremely high levels of anti-social behaviour and regularly had cause to call the Police.

The proposed drinking venue, 54 Farringdon Road, is directly opposite the entrance to our Estate. It is inevitable that there will be an escalation of the behaviour outlined above. It is not acceptable that every Friday and Saturday night the residents of our estate should be subjected to this level of nuisance.

We are vehemently opposed to this application for the following reasons:

- Foreseeable anti-social behavioural problems and associated public nuisance disorders: (as outlined above).
- The premises 54 Farringdon Road falls well within the Saturation Zone declared for licensing purposes in Clerkenwell in 2011.
- It has been proposed by the applicant to convert the existing premises from a restaurant into a vertical drinking establishment.
This alone will add to the serious drinking related problems already experienced by residents in this area.
- The applicant is proposing to sell exceptionally strong beers at these premises. This will only serve to exacerbate the problems already occurring on and around the estate.
- The premises fronts onto a very busy and dangerous main road and it is highly predictable that some drinkers will stray onto the road and put themselves and others at risk of serious traffic accidents.
- The hours are totally unacceptable - ie 0030 for alcohol sales and 0100 for food - so a likely closure time of 0200 hours, 7 days a week, meters away from a densely occupied estate.
- Nobody in the locality will be more affected than ourselves by the licensing of these premises, given their location.

Our objections are not frivolous. They arise from direct previous experience. They are intended to address the issues of crime and disorder, nuisance, public safety and the protection of children from harm.

Yours faithfully

Chair of the Clerkenwell Peabody TA

4

Date: 16th January 2013

Your Ref: WK/121369930

RE: Representation: Mikkeller Brewdog, 54 Farringdon Road, London, EC1R 3BL

To Simon Gallacher,

Firstly, there is no date on the licensing notice so I am not certain when it was delivered. I have just returned from extended Christmas leave and fortunately arrived back in time to submit a representation for today's deadline.

Despite a passion for consuming strong craft beer, I have concerns about BrewDog operating in London. I would like you to consider, when making your decision, the points I have raised below which relate to three of the licensing objectives:

The Prevention of Crime and Disorder

- BrewDog claims their beer is extremely strong. They even display on their website a sensational newspaper clipping about their 'beer being so strong it's binge drink cure'. I am concerned that BrewDog targets an uneducated consumer unable to behave themselves under the influence of extremely strong beer. Therefore the likelihood of disorder is inevitable.
- Claims that they are for the discerning boozier or the strong beer aficionado are sceptical considering that their other outlets are located in popular party destinations – Shoreditch, Camden, Newcastle, Leeds. A lot of these areas experience disorder late into the night. Clerkenwell has overcome these issues when the Council revoked the licenses of places that previously that were linked to public disorder and violence – Turmills, GHOST, etc.

The Prevention of Nuisance

- When the nightclub GHOST was operating we were continually cleaning up vomit and urine around our front door. As well as moving on drunk people who decided to continue their party on our doorstep. What, if any, assurances can BrewDog give to ensure that this won't happen when they close their doors at 1am, Monday to Sunday? Despite all the efforts GHOST made to ensure this didn't happen, it continued.
- I work full-time. I have to be fit and alert for work. I will not be able to sleep properly if last orders are called at 00.30am and chucking out time is 1am.

Public Safety

- What does BrewDog propose to do about smokers? The pavement outside is extremely narrow and will not accommodate smokers putting people lives at risk next to a extremely busy road.

Other

- Clerkenwell already hosts a number of licensed outlets that operate late at night. Next door, at 56 Farringdon Road, is the Betsey Trotwood. There are also two specialist venues in Clerkenwell that provide specialist and extremely strong craft beers – The Dove Tail and Craft. The times I have been there, they did not appear to attract rowdy consumers. I have visited BrewDog Camden and noticed the difference in noise – it was considerably louder.
- I am not convinced that Clerkenwell is the right place for BrewDog. It claims on its website that it is an 'apocalyptic mother fu*ker of a craft brewery' that we 'come from a long line of [...] movers and warriors - the outlaw elite.' That we should 'ride toward anarchy and caramel craziness.' And the taste of their beer 'rip' us 'straight to the tits' and we should 'drill the bastards.' Are these the words of a discerning drinker of strong beer? I drink strong beer and do not speak this way. However, colleagues of mine do speak this way in a rowdy manner and their favourite place, BrewDog.

Yours sincerely,

5

Fitzsimons, Aiden

From: Allan, George
Sent: 16 January 2013 11:20
To: Licensing
Subject: 54 Farringdon Road: Objection to Premises Licence Application by Mikkeller BrewDog

I write to register my objection to this application, which in my opinion should be refused.

This application is to convert what was previously a restaurant into what seems to me a bar, within the Clerkenwell "saturation zone" declared in 2011. As such, the applicants have to show that the granting of the Licence will not add to the familiar issues of drunkenness and antisocial behaviour already encountered in the area.

It seems to me also a material consideration that consultation recently concluded on including the entire ward of Clerkenwell within such a zone.

The applicants seem unable to me to discharge this burden of proof, for four reasons.

Planning Status

First, it will for most purposes become a "drinking establishment", and a "vertical" one at that. The applicants' emphasis (judging by their web site) is exclusively on the consumption of beer.

On a preliminary issue, therefore, I question whether it has the necessary planning permission for such a change of use. The Borough's Licensing Policy strongly encourages applicants to obtain the necessary planning permissions before applying for a Licence and I am not clear that the applicants have done this. The need for this is given strong emphasis by the apparent difficulty of distinguishing restaurant/bars from "drinking establishments".

There appears to be no detail in the Licence application about the type of food on offer, despite the application for a late-night refreshment licence. This further supports the view that it is intended to be a vertical drinking establishment.

Location of Premises

Secondly, the premises are uniquely unsuitable to be made into a vertical drinking establishment. This is because they adjoin one of the busiest roads in the area, which sees a great deal of traffic, all night. As the traffic volume diminishes, speeds increase. Southbound traffic is of course at a lower level than usual at present owing to the closure of Farringdon Road southbound until April 2013 for Crossrail works.

Smokers and others standing outside the premises are therefore at serious risk, particularly once intoxicated, of stepping, falling or being pushed into the carriageway and being injured. This was a recurrent problem with the former "Ghost" nightclub on the west side of Farringdon Road at this point.

Any pedestrians attempting to pass along the road on the pavement are in my view highly likely to have to step into the road to pass by smokers and others standing outside the premises. I regard this as unacceptable.

The other hazard is that the premises adjoin a railway cutting some 12 metres below ground level, equipped with high voltage overhead cables. It is not beyond contemplation that some drinkers may climb onto the walls of the cutting and fall into the cutting, with consequences which are very likely to be fatal.

I have read the applicants' proposed operating schedule, which seems to me to be a very standard document which fails to specify where and how smokers will be managed and how the applicants propose to manage these unique hazards.

Probability of Anti-Social Behaviour

The premises are unsuitable because of their relationship with nearby residential premises, consisting in particular of :

The Peabody Estate
Pear Tree Street
Warner Street
Herbal Hill Gardens
Clerkenwell Green

All of these are within 200 metres of the premises and all except Warner Street and Clerkenwell Green have direct line of sight to the front or rear of the premises; I estimate some 500 units. The problems are not merely those of noise from outside drinkers, but in particular, the well-established proclivity of drinkers and clubbers at this location to urinate, defecate and spread drinking and smoking debris over a wide radius. Residents of the Peabody Estate have reported this to me over the period when Ghost and 54 were in operation. These drinkers do not appear either to understand, or if they do, to care, that they are in full sight of the Estate and passers-by, and that there are facilities within the premises.

Then there is the problem of arrival and dispersal routes. Although the premises are on Farringdon Road and near Clerkenwell Road, the routes by which people arrive and disperse are not confined to these roads. Peabody residents have consistently reported the use of their estate as a through-route (and as a toilet) by intoxicated people coming and going to licensed premises in the area and it is highly likely that these problems would increase should No 54 reopen as a vertical drinking establishment.

I have examined the proposed operating schedule and the dispersal policy for any awareness of these issues, but again, this is a standard document which does not appear to have taken the local conditions into account.

Strong Beers

The applicants are notorious for the unusually strong brands of beer they sell. In view of the issues raised above, it seems to be particularly important that, should the application be granted, a restrictions should be placed on the strength of beer they sell. Patrons are likely to arrive from other venues with an impaired judgement about the strength of beer on offer, and thus to be incapable of understanding whether it is appropriate for them to consume it.

Hours of Operation

The applicants wish to sell alcohol until 0030, and food until 0100 every day of the week. This is a very late time for the sale of particularly strong beer, and seems likely to aggravate the problem of drunken departure.

The hours also seem to me to imply that final dispersal will take place up until 0200. This seems to me highly unacceptable and may deny nearby residents the chance of proper sleep. Residents tell me that they can become accustomed to the background noise of traffic but not the noise of drunken revellers, or the fights that erupt among them, or the hooting of mini-cabs trying to attract custom. I feel these residents are entitled to a reasonable night's sleep.

Conclusions

The applicants have failed to discharge the burden of proof they are under, to show they their application will not increase the well-known problems caused by the concentration of licensed premises in the area. On the contrary, they are proposing a combination of premises and alcohol uniquely unsuited to the area and to have given little thought to these.

In the circumstances, therefore, the appropriate course seems to me to refuse the application outright. These premises can, if well-managed, function as a restaurant but not as proposed by the applicants.



**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	Mikkeller Brewdog 54 Farringdon Road EC1 3BL
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Public Safety	The proposed arrangements at the premises are not adequate for 242 people. Insufficient means of escape, toilet facilities and no details of ventilation system and other health and safety matters.
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Suggested conditions that could be added to the licence to remedy the public safety representation	<p>(1) The premises shall not be used under the licence until the means of escape 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.</p> <p>(2) 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.</p> <p>(3) 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.</p> <p>Electrical installation Emergency lighting Fire alarm Fire fighting appliances Gas installation and appliances</p>
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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.

Kuits LLP
3 St Mary's Parsonage
Manchester
M3 2RD

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

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

Our ref : GW
Your ref: FHK.FHK.BRE151.21
Date: 9 January 2013

Dear Sirs

**Licensing Act 2003
Representation from Responsible Authority for Health and Public Safety
Mikkeller Brewdog 54 Farringdon Road EC1 3BL**

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

The proposed arrangements shown on the plan and the means of escape at the premises are not adequate for 242 people. The premises should have suitable and sufficient exits, toilet facilities, ventilation and other health and safety matters in compliance with the appropriate technical standards for health and public safety.

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

Should you require any advice or information please contact me at the above address.

Yours faithfully

Geoff Weaver
Senior Building Surveyor (Licensing Health and Safety)

Suggested conditions of approval consistent with the operating schedule

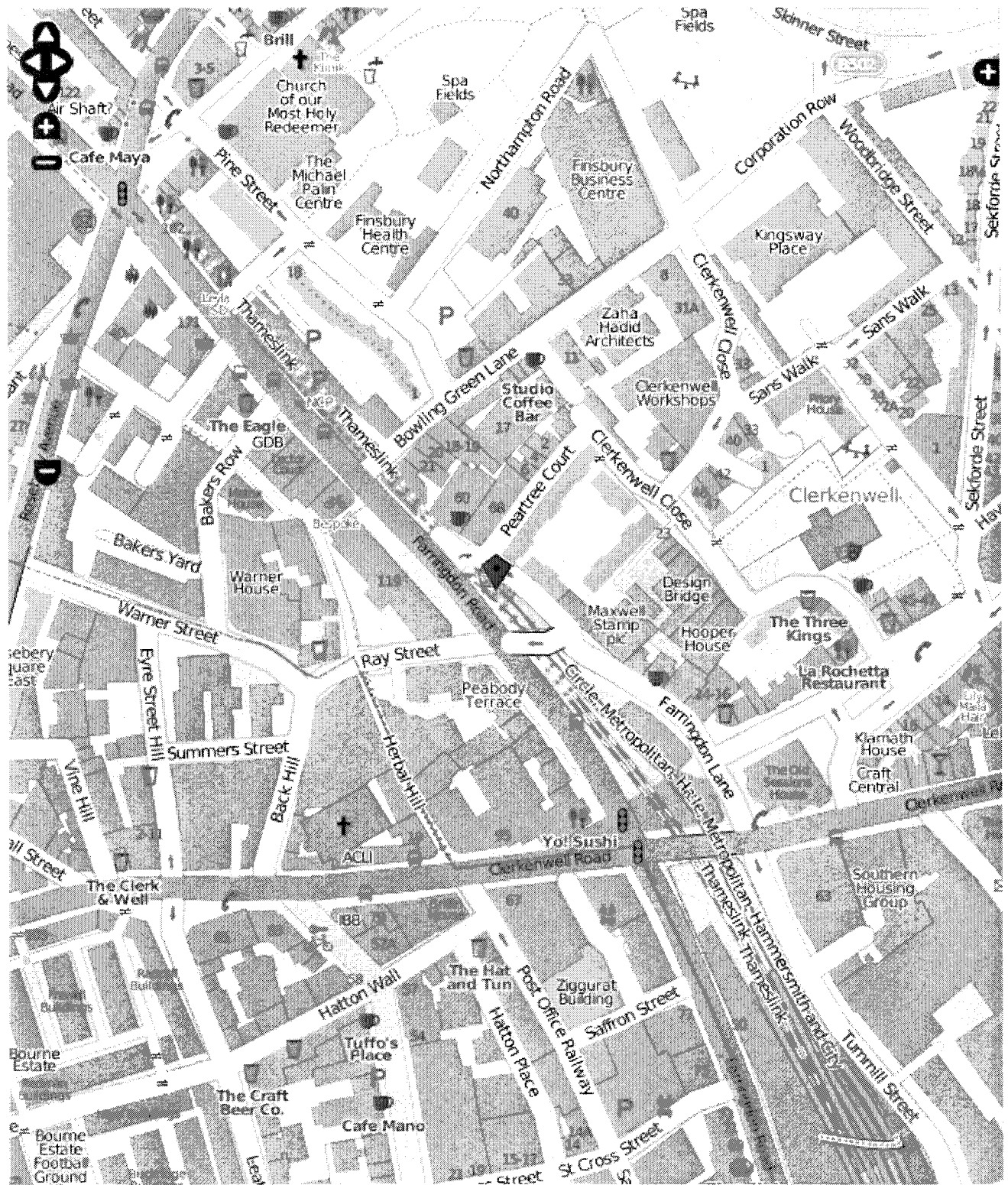
1. A full CCTV system shall be maintained and operated at the premises with cameras positioned both internally and covering the entrance/exit.
2. Recorded CCTV images shall be maintained and stored for a period of twenty-eight days and shall be produced to the Police or an officer of a responsible authority upon request.
3. Signage specifying the CCTV is in operation shall be displayed.
4. CCTV shall be in operation at any time the premises is open to the public. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced shall be in a format so it can be played back on a standard PC or DVD player.
5. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
6. A risk assessment shall be carried out to determine the number of door staff to be employed on any evening and employed in such numbers, and at such times as the risk assessment deems it appropriate.
7. register of those door staff employed shall be maintained at the premises and shall include:
 - i) The number of door staff on duty;
 - ii) The identity of each member of door staff;
 - iii) The times the door staff are on duty.
8. A first aid box shall be available at the premises at all times.
9. The occupancy capacity of the premises shall be identified by way of risk assessment in conjunction with the Fire Authority.
10. Regular safety checks shall be carried out by staff.
11. The premises shall maintain an incident log.
12. The sale of alcohol for consumption beyond the curtilage of the premises shall be in sealed containers only.
13. Waste collection and delivery services shall not take place outside the hours of 7am and 9pm.
14. A dispersal policy shall be formulated and adhered to, and form part of the licence.

Dispersal Policy

- i) At the end of the evening management and staff will assist with the orderly and gradual dispersal of patrons.
 - ii) Staff members (including door personnel if any) will advise patrons to leave the premises quickly and quietly out of respect for our neighbours.
 - iii) Notices will be displayed requesting our customers to leave quietly and in an orderly manner out of consideration to neighbours and their attention will be drawn to these notices by members of staff.
 - iv) We will come to an arrangement with a private hire taxi firm whose telephone number will be provided to customers to use on the basis that such company will operate a ring back system and not sound horns when collecting their fare. Any patrons awaiting the arrival of a taxi will be encouraged to wait inside the premises.
 - v) Consideration will also be given to staff departures. Staff will be instructed to leave the premises quietly and to request that any waiting taxis do not leave their engines running or sound their horns whilst waiting.
15. A smoking policy will be formulated and adhered to, and form part of the licence.

Smoking Policy

- i) The smoking area will be in range of the premises CCTV system.
 - ii) Suitable receptacles will be provided and maintained for the disposal of cigarette litter within the area.
 - iii) Signs shall be displayed within the area requesting customers keep noise to a minimum.
 - iv) The area will be kept clean and tidy at all times.
16. A "Challenge 21" Policy shall be implemented and maintained at the premises.
17. All staff shall be trained in the law regarding the sale of alcohol to underage persons. This training shall be documented and repeated every six months.
18. The venue shall only accept photographic driving licences, passports, HM forces cards, National identity cards or a form of identification with "PASS" hologram.
19. A refusals log to record all attempts to purchase alcohol by those under 18 shall be kept on site and all refused sales recorded. The refusals log shall be made available to the police or other responsible authority on request.
20. The premises shall not be used under the licence until the means of escape 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.
21. 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.
22. 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.
- i) Electrical installation
 - ii) Emergency lighting
 - iii) Fire alarm
 - iv) Fire fighting appliances
 - v) Gas installation and appliances



◆ 54 Farrington Road EC1R 3BL

Data CC-BY-SA by [OpenStreetMap](#)

Scale = 1 : 3386

[Permalink](#)

-0.10851, 51.52585

