



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	9 th July 2013	33	St. Mary's

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE VARIATION APPLICATION
RE: MCDONALDS RESTAURANT, 251 UPPER STREET, LONDON, N1 1RU.

1. Synopsis

- 1.1 This is an application for the variation of a premise licence under the Licensing Act 2003.
- 1.2 The variation application is to:
 - i) Extend the terminal hour for Late Night Refreshment so as allow the provision on Mondays to Sundays from 23:00 until 05:00 the following day.

2. Recommendations

- 2.1 To determine the application for a variation of the premises licence under Section 34 of the Licensing Act 2003.
- 2.2 To consider the representation from the Police in the light of the revised Secretary of State Guidance to Local Authorities issued on 25th April 2012 namely:

The Licensing Authority should accept all reasonable and proportionate representations made by the Police unless the Authority has evidence that to do so would not be appropriate for the promotion of the Licensing Objectives.

2.3 To consider that this address is in the Angel and Upper Street Saturation or “Cumulative Impact Policy” of Islington. 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 or otherwise impact adversely on the promotion of the licensing objectives.

2.4 If the Committee grants the application it should be subject to:

- i. conditions of the current premises licence;
- ii. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (See appendix 4);
- iii. conditions recommended by responsible Authorities (see appendix 4); and
- iv. any conditions deemed necessary by the Committee to promote the four licensing objectives.

3. Background

3.1 The premises currently holds a licence allowing:

- i) The provision of Late Night Refreshment, Mondays to Sundays from 23:00 until 02:00 the following day.

3.2 Papers are attached as follows:-

- Appendix 1: application form;
- Appendix 2: current licence;
- Appendix 3a: name & address details of those persons making representations;
- Appendix 3: representations;
- Appendix 4: suggested conditions and map of premise location.

3.3 Licensing history at the premises:

- 24th November 2005, premises licence granted by way of conversion under the Licensing Act 2003, allowing the provision of late night refreshment Mondays to Sundays from 23:00 until 00:00;
- 1st April 2008, premises licence transferred to current licensee, A & L Restaurants;
- 30th June 2008, premises licence variation, granted by way of Licensing Committee, allowing the provision of late night refreshment, Sundays to Thursdays from 23:00 until 01:00 the following day and Fridays & Saturdays from 23:00 until 01:30 the following day;
- 12th March 2012, premises licence variation, granted by way of Licensing Committee, allowing the provision of late night refreshment, Mondays to Sundays from 23:00 until 02:00 the following day;
- 3rd May 2013, premises licence variation application sought to extend the terminal hour for the provision of late night refreshment.

3.4 The Licensing Authority has received 9 letters of representation, 8 of which remain outstanding, none of these are from people who requested that they remain anonymous.

4. Planning Implications

4.1 None.

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

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 7527 3031

Fax: 020 7527 3430

E-mail: licensing@islington.gov.uk

Appendix 1
2013 10554
LIC4

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

London Borough of Islington
Public Protection Division
222 Upper Street
London
N1 1XR

LN/9778

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

XWe A & L Restaurants Limited
(Insert name(s) of applicant)

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

Premises licence number
LN/9778-120312

Part 1 - Premises Details

Postal address of premises or, if none, Ordnance Survey map reference or description
McDonald's Restaurants
251-255 Upper Street
Highbury

left a message for chief constable for the removal of 2010 T111 form used to be 2010 2010 2010
01604 843101

Post town London

Post code N1 1RY

Telephone number at premises (if any)

0207 354 4392

Non-domestic rateable value of premises

£ 102,000.00

Part 2 - Applicant Details

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address

11/59 High Road
East Finchley

Post town

London

Post code N2 8AW

0663179
£ 450.00 / 326507

Part 3 - Variation

Please tick as appropriate

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

Yes No

If not, from what date do you want the variation to take effect?

DD MM YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)

Yes No

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

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

The premises currently have a premises licence which allows the provision of late night refreshment on Mondays to Sundays from 23:00 to 02:00.
 The proposed variation is to extend the provision of late night refreshment on Mondays to Sundays from 02:00 to 05:00.

Part 4 - Operating Schedule

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

Provision of regulated entertainment

Please tick all 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 7)			<u>Will the performance of a play take place indoors or outdoors or both - please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>	
Day	Start	Finish		Outdoors	<input type="checkbox"/>	
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>	
Tue						
Wed				<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur						
Fri						
Sat				<u>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</u> (please read guidance note 6)		
Sun						

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both - please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)	
Day	Start	Finish		
Mon				
Tue				State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed				
Thur				
Fri				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 6)
Sat				
Sun				

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon				Both	<input type="checkbox"/>
Tue				Please give further details here (please read guidance note 4)	
Wed					
Thur			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Fri					
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 6)	

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed				State any seasonal variations for the performance of live music (please read guidance note 5)	
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 6)	
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed				State any seasonal variations for the playing of recorded music (please read guidance note 5)	
Thur					
Fri				Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)	
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both - please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon			<u>Please give further details here</u> (please read guidance note 4)			
Tue						
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)			
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 6)			
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			<u>Please give a description of the type of entertainment you will be providing</u>			
			<u>Will this entertainment take place indoors or outdoors or both - please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon			<u>Please give further details here</u> (please read guidance note 4)			
Tue						
Wed			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)			
Thur						
Fri			<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 6)			
Sat						
Sun						

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	05:00	Please give further details here (please read guidance note 4) The premises will operate as a restaurant selling food and non-alcoholic drinks for consumption on and off the premises. State any seasonal variations for the provision of late night refreshment (please read guidance note 5) 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 6)	Both	<input checked="" type="checkbox"/>
Tue	23:00	05:00			
Wed	23:00	05:00			
Thur	23:00	05:00			
Fri	23:00	05:00			
Sat	23:00	05:00			
Sun	23:00	05:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption - please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 5) 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 6)	Both	<input type="checkbox"/>
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

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 9).

The premises will operate as an outlet of food and non-alcoholic drink and does not provide any adult entertainment or service that gives rise to a concern in respect of children

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Mon	05:00	05:00	
Tue	05:00	05:00	
Wed	05:00	05:00	
Thur	05:00	05:00	
Fri	05:00	05:00	
Sat	05:00	05:00	
Sun	05:00	05:00	

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

Please tick as appropriate

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

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

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

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

a) **General - all four licensing objectives (b, c, d and e)** (please read guidance note 10)

Please see attached Operating Schedule.

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

Please see attached Operating Schedule.

c) Public safety

Please see attached Operating Schedule.

d) The prevention of public nuisance

Please see attached Operating Schedule.

e) The protection of children from harm

Please see attached Operating Schedule.

Checklist:

Please tick to indicate agreement

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

IT IS AN OFFENCE, LIABLE ON 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 5 - Signatures (please read guidance note 11)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	<i>Shoosmiths LLP</i>
Date	30th April 2013
Capacity	Solicitor / Authorised Agent for the Applicant

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	
Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14) Shoosmiths LLP The Lakes	
Post town Northampton	Post code NN4 7SH
Telephone number (if any)	Direct Dial : 03700 863086
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	

Operating Schedule

General

This restaurant understands that in extending our opening hours we have a duty to the local community and that we continue to protect our staff and customers from danger and harm. We believe that the systems we have in place are robust, thorough and will, as far as reasonably practicable, secure the promotion of the four licensing objectives. It should be noted that no McDonald's restaurant within the United Kingdom serves alcohol and further none of our drinks or food are served to customers in glass receptacles.

We are eager to work in partnership with all responsible authorities to ensure the promotion of the four licensing objectives. We also seek to work with the local communities, whom we serve, in achieving a successful cohesion between our business operations and our neighbours.

Prevention of Crime and Disorder

This restaurant is keen to work in partnership with the local police force to prevent crime and disorder.

McDonald's operates a robust CCTV Policy to ensure compliance with Data Protection Legislation and to assist the Police with the prevention and detection of crime. At all stores where CCTV is in operation appropriate signage reflecting this information is displayed.

McDonald's operate digital motion activated CCTV systems where images are retained on a hard drive system. The CCTV equipment will be of a standard suitable to record images of a proper quality, it will meet the industry standard and will have Kalagate Certification. As part of the digital system an alarm will sound if the equipment is faulty or not recording, thereby alerting management for the need to intervene. The CCTV system is regularly serviced by qualified maintenance technicians.

Access to the CCTV system will be provided to Police Officers at their request.

At this restaurant all shift running managers have safety and security training.

Public Safety

This restaurant has safety systems in place to protect the safety of customers and staff at all times. These systems are regularly reviewed and updated where appropriate. In line with current legislation all our restaurants are routinely inspected by the local Environmental Health Office and we work with them and the local Fire Service to ensure we are complying, as far as reasonably practicable, with relevant Health and Safety and Fire Safety Legislation. This restaurant is subject to inspections from our own safety and security teams to ensure our systems are being maintained.

All of our restaurant staff are required to attend comprehensive safety training to ensure that safe working methods are adopted and all staff are trained in evacuation procedure in the event of a fire or other dangerous occurrence.

This store operates a "No Open Alcohol Containers" policy to prevent persons carrying open alcohol into the in-store area. Emergency contact mobile telephone numbers are listed in the Business Manager's office.

This restaurant is keen to work in partnership with the local Fire Service and Environmental Health Officer to ensure public safety.

Public Nuisance

McDonald's were the first company in our sector to introduce litter patrols in the early 1980's. These patrols collect McDonald's packaging and other litter within a certain radius of the restaurant. All of McDonald's packaging displays the "Bin It" symbol to encourage our customers to deal with their waste responsibly. We are happy to act on recommendations from the Environmental Health Officer should they feel that we should extend our patrol to a nearby area, as far as this is reasonably practicable. Our pioneering stance on litter patrols has meant working on a project with DEFRA, in

which we piloted 'reducing litter caused by food on the go', a voluntary code of practice for local partnerships. A copy of which can be found at:

www.defra.gov.uk/environment/localenv/litter/pdf/fastfoodcop.pdf

Further details regarding McDonald's commitment to reducing waste and litter nuisance can be found at the "Our World" section of the McDonald's website:

<http://www.mcdonalds.co.uk/ourworld/environment/policy.shtml>

We also have measures in place to limit noise. Our doors are self closing and we try to encourage our customers to be considerate to our neighbours and limit noise both when ordering their food and on leaving the local area.

The Protection of Children From Harm

McDonald's do not anticipate that children will use the restaurant in the extended hour's period covered by this licensing application. We do however take their safety extremely seriously and will continue to employ the same practices to ensure that they are protected from harm at all times when visiting the restaurant.

All of our restaurant staff are required to attend comprehensive safety training.



**PREMISES LICENCE
LICENSING ACT 2003**

Premises licence number	LN/9778-120312		
Postal address of premises, or if none, ordnance survey map reference or description			
MCDONALD'S RESTAURANT 251 UPPER STREET			
Post town	London	Post code	N1 1RU
Telephone number	020 7354 4392		

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Ground floor

- The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

- The provision of late night refreshment:

Monday	23:00	to	02:00	the following day
Tuesday	23:00	to	02:00	the following day
Wednesday	23:00	to	02:00	the following day
Thursday	23:00	to	02:00	the following day
Friday	23:00	to	02:00	the following day
Saturday	23:00	to	02:00	the following day
Sunday	23:00	to	02:00	the following day

Gaming Machine Provision:
Not permitted.

The opening hours of the premises:

Monday	05:00	to	02:00	the following day
Tuesday	05:00	to	02:00	the following day
Wednesday	05:00	to	02:00	the following day
Thursday	05:00	to	02:00	the following day
Friday	05:00	to	02:00	the following day
Saturday	05:00	to	02:00	the following day
Sunday	05:00	to	02:00	the following day

Where the licence authorises supplies of alcohol whether these are on and/or off supplies
Not authorised

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

A & L Restaurants Limited
178 Seven Sisters Road
London
N7 7PX

Registered number of holder, for example company number, charity number (where applicable)

04437266

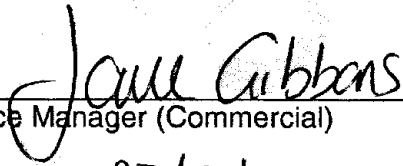
Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Not applicable

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Not applicable

Islington Council
Public Protection Division
222 Upper Street
London
N1 1XR
Tel: 020 7527 3031
Email: licensing@islington.gov.uk


Service Manager (Commercial)
23/4/12
Date of Issue

Annex 1 - Mandatory conditions

None

Annex 2 - Conditions consistent with the Operating Schedule

1. Shift managers shall have documented safety and security training.
2. The maximum number of persons (including staff) permitted on the premises at any one time is:
 - **87 on the Ground and Basement Floors.**
3. The licence shall be subject to the Council's standard conditions for Night Cafes.
4. The licensee shall work in partnership with the local police force to prevent crime and disorder.
5. CCTV shall be maintained at the premises when the premises is open to the public. CCTV images shall be held for 28 days and access to the CCTV system shall be provided to police officers and council officers at their request.
6. The CCTV system shall meet the industry standard and will have Kalegate Certification.
7. The CCTV system shall have an alarm that will sound if the equipment is faulty or not recording, thereby alerting management for the need to intervene.
8. The licensee shall work in partnership with local Fire Service and Environmental Health Officers to ensure public safety.
9. Doors shall be maintained self closing and customers shall be encouraged to be considerate to neighbours and limit noise when leaving the vicinity of the premises.
10. A "No open Alcohol Containers" policy shall be in place to prevent persons carrying open alcohol into the in-store area.
11. A & L Restaurants t/a McDonald's will carry out litter patrols during the hours the store is open, ensuring that the area behind the store known as Swan Yard is checked at least three times per day and all litter found at that time will be collected. In addition, when the main storage bins located behind the premises are accessed for disposal of other litter, further checks will be made and any litter found at that time will also be cleared.
12. The licensee shall act on recommendations of the Environmental Health Officer concerning extending litter patrols, as far as is reasonably practical.

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

1. Persons leaving the premises will be advised, by written notice prominently displayed and verbally where necessary, to leave the area quietly and without causing disturbance in the neighbourhood.
2. That access to a toilet is made available at all times whilst the premises is open.

Annex 4 – Plans

Reference Number: L/1134/001 – July 2005



Premises Licence Summary

Licensing Act 2003

Premises licence number	LN/9778-120312		
Postal address of premises, or if none, ordnance survey map reference or description			
MCDONALD'S RESTAURANT 251 UPPER STREET			
Post town	London	Post code	N1 1RU
Telephone number	020 7354 4392		

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Ground floor

- The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

- The provision of late night refreshment:

Monday	23:00	to	02:00	the following day
Tuesday	23:00	to	02:00	the following day
Wednesday	23:00	to	02:00	the following day
Thursday	23:00	to	02:00	the following day
Friday	23:00	to	02:00	the following day
Saturday	23:00	to	02:00	the following day
Sunday	23:00	to	02:00	the following day

Gaming Machine Provision:
Not permitted.

The opening hours of the premises:

Monday	05:00	to	02:00	the following day
Tuesday	05:00	to	02:00	the following day
Wednesday	05:00	to	02:00	the following day
Thursday	05:00	to	02:00	the following day
Friday	05:00	to	02:00	the following day
Saturday	05:00	to	02:00	the following day
Sunday	05:00	to	02:00	the following day

Where the licence authorises supplies of alcohol whether these are on and/or off supplies
Not authorised

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

A & L Restaurants Limited
178 Seven Sisters Road
London
N7 7PX

Registered number of holder, for example company number, charity number (where applicable)

04437266

Name of designated premises supervisor where the premises licence authorises the supply of alcohol

Not applicable

State whether access to the premises by children is restricted or prohibited

No restrictions

Islington Council
Public Protection Division
222 Upper Street
London
N1 1XR
Tel: 020 7527 3031
Email: licensing@islington.gov.uk

Your
Our Licensing/NI
Date: 17/5/2013



**METROPOLITAN POLICE
SERVICE**
Steven Harrington Pc 425NI
Islington Police Licensing Unit
Islington Police Station
2 Tolpuddle Street
London
N1 0YY

Telephone: 020 7421 0194
Facsimile: 020 7421 0138
Email: nmailbox-
.licensing@met.police.uk

Date 17th MAY 2013

Macdonalds Restaurant
251-255 Upper Street
London N1 1RY

Dear Sir

Re: Macdonalds Restaurant, 251-255 Upper Street, London N1 1RY

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.

The venue is situated in the 'Angel, Upper Street Cumulative impact zone', a locality where this is traditionally high crime and disorder and there are concerns that this application will cause further policing problems in an already demanding area.

There are 2 other Macdonalds Restaurants operating on a 24hr License and both have experienced problems based around ASB and assaults.

It is for these reasons that we are objecting to the application.

Should you wish to discuss the matter further please contact your details on 0207 421 0194/0248 or via email, nmailbox.licensing@met.police.uk

Yours sincerely,

Steven Harrington Pc 425NI
Islington Police Licensing Officer

2

Islington Licensing Authority
Licensing Act 2003

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority - Public Protection

Your Name	Eryka Bancroft
Job Title	Senior Environmental Health Officer
Postal and email address	Pollution Projects Team Public Protection Division 222 Upper Street London N1 1YA
Contact telephone number	020 7527 3568
Name of the premises you are making a representation about	McDonald's Restaurant
Address of the premises you are making a representation about	251 – 255 Upper Street Islington N1 1RY

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

To prevent public nuisance
The Pollution Projects Team has visited the premises there are some residential properties to one side and to its rear. Whilst the premises is situated in an area with fairly high noise levels we would still object to the granting of the licence, at this time. The objection to be withdrawn provided the suggested conditions below are accepted.

<p>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.</p>	<ol style="list-style-type: none"> 1. No deliveries or collections of goods will take place on Sundays or Bank Holidays and between the hours of 9pm and 7am other days of the week 2. No rubbish will moved, removed or placed outside the premises on Sundays or Bank Holidays and between the hours of 9pm and 7am other days of the week. 3. Noise or vibration must not emanate from the premises so as to cause nuisance to nearby properties.
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Signed: _____ Date: 30th May 2013

Please send this form along with any additional sheets to the applicant. A copy should be sent to: Islington Council, Licensing Team, 159 Upper Street London N1 1RE 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

3

**Licensing Act 2003- Representation from the Licensing Authority
Application: McDonald's 251-255 Upper Street London N1 1RY**

I am submitting a representation on behalf of the Licensing Authority with respect to the variation application to extend late night refreshment Mondays to Sundays from 2am until 5am.

The recommendation of the Licensing Authority is to refuse the application

The grounds for the representation are:

- Public nuisance
- Crime and disorder

The Licensing Authority is concerned that if this application is granted it will add to the cumulative impact in terms of late noise and antisocial behaviour. Although the premises will not be selling alcohol the late night food offer will encourage more people to remain in the area in the early hours of the morning.

We are finding that the problems associated with late night venues in the Angel and Upper St have started to extend northwards along Upper Street as more premises are extending their hours of operation. An additional late night venue providing food until 5am will encourage more people to remain in the area until the early hours of the morning which will impact adversely on residents living in the area and undermine the licensing objectives.

The premises is located in the Angel and Upper Street Cumulative Impact area which means that the council has determined that the area is already saturated with licenced premises and any licence applications need to be carefully examined to ensure that the proposed activities, opening hours, style of operation and management arrangements contained in the operating schedule will not add to the cumulative impact to such an extent that the licensing objectives are undermined.

Operating Schedule

The Licensing Authority expects applicants to describe how they will achieve high standards of management, so as to promote the licensing objectives, in the operating schedule. The operating schedule submitted with this variation application does not provide sufficient detail to enable the Licensing Authority to satisfy itself that the extension of hours will not add to the cumulative impact.

Licensing Policy Considerations

Licensing Policy 2 – ‘... the type of premises and their cumulative impact upon the area

The Licensing Authority has adopted a special policy relating to cumulative impact in relation to Angel and Upper St.

This special policy creates a rebuttable presumption that applications for new premises licences, 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 or otherwise impact adversely on the promotion of the licensing objectives.

Licensing Policy 7- Licensing Hours

The Licensing Authority supports the principle of flexibility in its approach to licensing

hours and will consider the merits of each individual application however it is mindful that Islington has become saturated with late night premises selling alcohol and it is concerned about the cumulative impact that the proliferation of late night venues and retailers in the borough is having on the promotion of the licensing objectives.

Where representations are received from responsible authorities or other persons the Licensing Authority may seek to restrict hours of opening where it is appropriate to promote the licensing objectives.

Licensing Policy 9 – Operating schedules

The Licensing Authority seeks to encourage the highest standards of management in licensed premises and expects the operating schedule to describe how these standards will be achieved in relation to promoting the licensing objectives

Summary and recommendations

The Licensing Authority has considered the style and hours of operation proposed by the applicant, the management arrangements described in the operating schedule, the special considerations described in paragraphs 2, 7 & 9 of the Licensing Policy.

The applicant has not presented any evidence to indicate there will be no adverse cumulative impact if this licence is granted.

It is recommended that this application to operate until 5am is refused.

Janice Gibbons
Service Manager
Islington Council
Public Protection Division
222 Upper St
London N1 1XR

29 May 2013



Senler, Yesim

From: Whitton, Daniel
Sent: 15 May 2013 16:09
To: Senler, Yesim
Subject: FW: Premises Licence Variation: McDonalds
Attachments: App.form.pdf

Hi Yesim,

Please file the below representation.

Cheers,

Dan

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

From: Garner-Winship, Stephanie
Sent: 15 May 2013 16:02
To: Whitton, Daniel

Subject: FW: Premises Licence Variation: McDonalds

Hello Daniel

I'd like to put in a representation against the attached proposed license variation on the basis that it will have a detrimental impact on residents in Swan Yard by causing public nuisance due to additional noise and litter. Furthermore, McDonald's existing hours are already outside the framework hours set out in licensing police 8 (pg 22) which proposes reasonable hours for the sale of hot food and drink up till midnight on Sundays to Thursdays and 1am on Fridays and Saturdays.

Last year we worked with some of the residents of Swan Yard who already experience nuisance and anti social behaviour on a regular basis with having drunk people use the alleyway outside their homes as a place to congregate, drink, throw litter and regularly use the area as a toilet and Street Environment Services had to step up their cleaning schedule in this area to try to counteract this issue. The extended hours are likely to add to this problem and would be detrimental to the quality of life of residents living here.

I have copied in partners who worked with us on this issue and have Bcc'd three residents whose contact details I have for their information. Please note the deadline for representations which is 31st of May.

Many thanks.

Kind regards
Stephanie

Stephanie Garner-Winship
MAGPI West Neighbourhood Officer
Community Safety Partnerships Unit
Islington Council
Room G05
Town Hall

5

Sender, Yesim

From: Whitton, Daniel
Sent: 16 May 2013 11:14
To: Sender, Yesim
Subject: FW: FW: Premises Licence Variation: McDonalds

Please add to the file.

Thanks,

Dan

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

From: [REDACTED]
Sent: 15 May 2013 16:54
To: Garner-Winship, Stephanie

Subject: Re: FW: Premises Licence Variation: McDonalds

Dear Mr. Whitton,

I was not aware of this application. If notice has been sent I have not received it.

Yet again McDonald's wants to extend its hours? Now till 5 a.m., making it a 24-hour operation? I will do my best to remain calm, but this is an outrage to all of us who call this neighbourhood home. The extension of McDonald's hours till 2 a.m. has increased loitering, noise, litter and urinating in our area. The McDonald's supply carts and rubbish carts trundle along the cobblestones of Hampton Court at all hours, making thundering noise that often wakes us. We fully understand and respect that we live in an intense urban area near a high street, but McDonald's pursuit of additional business is a violation of any reasonable form of coexistence. If Islington approves this further extension of McDonald's hours it would be a clear sign that those of us who live in the area have lost. Beyond one company's profits, there is no legitimate community reason to grant this extension. PLEASE DO NOT APPROVE IT.

In fact, I would like you revisit the extension McDonald's received granting it opening until 2 a.m. This has simply encouraged late-night activity around the area that has made Highbury Corner less hospitable for residents and more hostile. McDonald's clients love to sit in Swan Yard late at night and make noise etc. They often bring along bottles of beer to accompany their hamburgers.

We are losing control of this neighbourhood. Why do I get a sense that Islington is allowing a slow drift toward turning Upper St/Highbury Corner from a neighbourhood into an all-night party zone? Is this a policy? Is there a constructive reason for this? I note that Subway, which has just opened, now wants to extend its hours too. We have asked that this too be refused.

We live here because this is NOT Oxford Street. Please stop this trend before it goes any further. Islington is a special place in London. Allowing fast-food franchises to dominate it is rapidly eroding the character and comfort of this corner of the borough.

Respectfully,

[REDACTED]

6

Sender, Yesim

From: [REDACTED]
Sent: 17 May 2013 16:14
To: Licensing
Subject: Objection to new licence for MacDonald's Restaurant. Ref: WK/2013 10554

Dear Mr Whitton,

Re: new licence for MacDonald's Restaurant, ref: WK/2013
10554

I have received notice that the MacDonald's Restaurant at
251-255 Upper St is applying to extend its hours of operation. I live in [REDACTED] Upper St and object strongly to
any extension of opening hours.

There is no reason to enable McDonalds to purvey its unhealthy foodstuffs for any longer hours than are currently
available. Litter from this 'restaurant' is everywhere and the patrons it will attract at late hours will be noisy, drunk
or high and will significantly increase the already very high levels of noise, anti-social behaviour and litter.

I most strongly object to this application and hope that, however few or many objections are received, that the
council acts with integrity and doesn't kowtow to big business at the expense of London taxpayers.

Yours sincerely,

[REDACTED]

7

Sender, Yesim

From: [REDACTED]
Sent: 22 May 2013 08:12
To: Licensing
Subject: Hour Extensions

To Whom it May Concern,

I am a resident on Swan Yard, just meters from the McDonald's restaurant. I am writing to you to voice my objection to their application for an extension of hours. McDonald's was already granted an extension last year. Since then we have seen an increase in late-night rowdiness, drinking, littering and loitering. The extension till 2 a.m. has attracted inebriated clients from the many bars and pubs in the area and has seriously degraded the quality of life for those who call this neighbourhood home.

Please do NOT approve this request from McDonald's. The area needs to find some balance between the appetite of business owners to increase revenue and the very real concerns of residents about the impact of these late-night establishments on the quality of life in this borough.

Thank you

[REDACTED]

8

Sender, Yesim

From: [REDACTED]
Sent: 20 May 2013 22:36
To: Licensing
Subject: Objection to new MacDonald's proposed hours. Ref: WK/2013 10554

Dear Mr Whitton,

As the owner of [REDACTED] Upper St, this letter is to strongly object to the new proposed hours for the McDonalds restaurant on Upper street, near Highbury and Islington tube station: ref: WK/2013 10554

I bought my flat in the year 2000 and have seen how throughout the years, the Council has done a great job at cleaning up most of Upper street, but for some reason it has always neglected the last bit - between the council offices and the Highbury and Islington tube station. Not only this bit never got a new or expanded pathway, but it has also seen how a new set of fast-food restaurants are sprawling. First, we opposed to the opening of a Subway in 248Upper Street, [REDACTED] and now the McDonalds has applied for extended hours.

I have already battled with Arsenal drunks and other non-socially behaved people for years, having to clean myself sometimes the front door. I do not wish to see this very unpleasant exercise extended - as it will surely happen if the drunks go to McDonalds in the late hours.

Cannot we think of better, healthier businesses for our street?
Please accept my biggest rejection to this plan, With best wishes,

[REDACTED]

9

Sender, Yesim

From: [REDACTED]
Sent: 16 May 2013 17:17
To: Licensing
Subject: Objection to new licence for MacDonald's Restaurant. Ref: WK/2013 10554

Dear Mr Whitton,

Re: new licence for MacDonald's Restaurant, ref: WK/2013 10554

I have received notice that the MacDonald's Restaurant at 251-255 Upper St is applying to extend its hours of operation. I live in [REDACTED] Upper St and object strongly to any extension of opening hours.

There has been an increase in anti-social behaviour recently in the local area. I feel that the previous extension of opening hours for the McDonalds has contributed to this increase and to extend the hours of opening again will only exacerbate the problem. In January I provided a statement to the police for an assault I witnessed that occurred on the pavement in front of my flat. It is a common sight to see people urinating against the wall in Hampton Court, the nearby side street. The front door into the hallway of my flat has been damaged by drunks sitting on the doorstep while they eat their burgers. I've had to clear people off before I can get in several times.

Even on the third floor I am kept awake hearing drunks and smashing bottles in Hampton Court and Swan Yard [REDACTED], where people congregate on Friday and Saturday nights. With the tube station and a bus interchange here, providing further options for late night food simply encourages people to hang around and cause trouble, rather than keep moving on home. An extension of the hours for this "family" restaurant will not benefit families or local residents, but only late night drunks who have interrupted their journey home because they see somewhere available to eat.

We should be encouraging them to continue their late night journey home, not hang around littering, urinating and creating a disturbance. Yes, I know the Macdonald's has a toilet: the drunks don't use it!

The pavement outside the MacDonald's (just like in front of the other late night takeaway restaurants) is littered with burger wrappings and cigarette stubs that the street cleaner is unable to clear away because of advertising boards and flagpoles, including the MacDonald's flagpole. It just looks disgusting.

I have lived here for 6 years and I like living where I do, but I am concerned that any further extension of opening hours for any late night restaurants will simply lead to an increase of anti-social behaviour, crime, and public nuisance. I work as a doctor in the Islington community palliative care team. I can be called out at any hour of the night to care for dying residents in their homes. It is sad for me to say that I have begun to feel uncomfortable and unsafe as I approach my own home late at night, due to the groups that now congregate around the large number of restaurants providing food and drink late at night. Rather than extending MacDonald's hours, the council would be better serving its residents by limiting them to those it previously had.

I reiterate my objection to this application.

Yours sincerely,

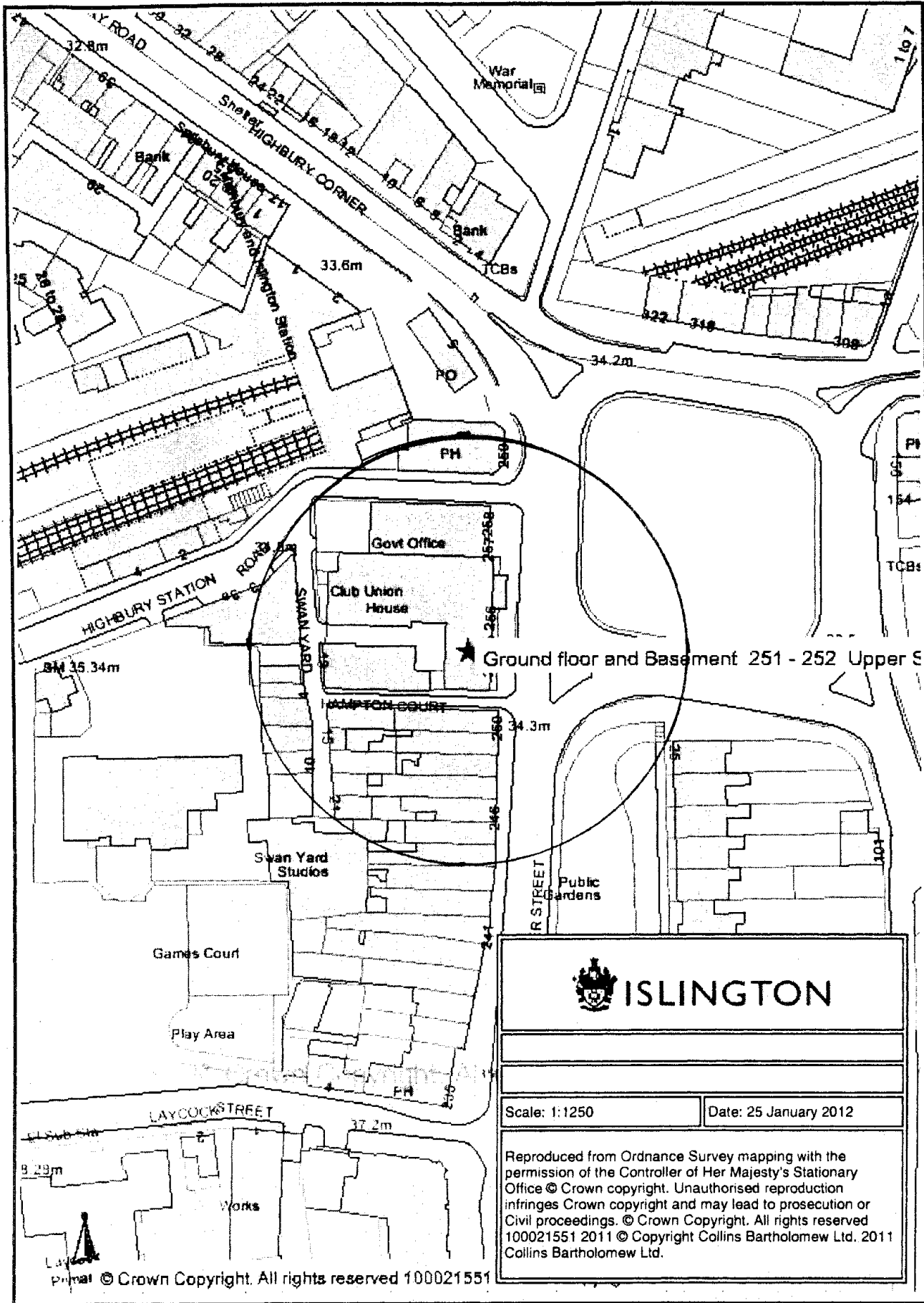
[REDACTED]

Suggested conditions of approval consistent with the operating schedule

No additional measures proposed.

Suggested conditions of approval recommended by Noise Team

1. No deliveries or collection of goods will take place on Sundays or Bank Holidays and between the hours of 9pm and 7am other days of the week.
2. No rubbish will be moved, removed or placed outside the premises on Sundays or Bank Holidays and between the hours of 9pm and 7am other days of the week.
3. Noise or vibration must not emanate from the premises so as to cause nuisance to nearby properties.



24
15
27

 ISLINGTON

Scale: 1:1250

Date: 25 January 2012

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