

Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	14 th November 2013	B2	St. Mary's

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

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 commencement hour for the sale by retail of alcohol, on & off supplies, Mondays to Saturdays from 11:00 to 10:00;
 - ii) Extend the terminal hour for the sale by retail of alcohol, on & off supplies, from 23:00 until 00:00 and Sundays from 22:30 until 23:30;
 - iii) Extend the opening hour for the premises, Mondays to Saturdays from 10:00 to 11:00;
 - iv) Extend the closing hour for the premises, Mondays to Saturdays from 23:30 to 00:30 and Sundays from 23:00 until 00:00; and
 - v) Allow the provision of late night refreshment, Mondays to Saturdays from 23:00 until 00:00 and Sundays from 23:00 until 23:30.

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);
 - 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 sale by retail of alcohol, on & off supplies, Mondays to Saturdays from 11:00 until 23:00 and Sundays from 11:00 until 22:30.

The current opening hours of the premises are Mondays to Saturdays from 11:00 until 23:30 and Sundays from 11:00 until 23:00.

3.2 Papers are attached as follows:-

- | | |
|--------------|---|
| Appendix 1: | application form; |
| Appendix 2: | current premises 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 The Licensing Authority has received 8 letters of representation, none of which are from people who requested that they remain anonymous.

4. Planning Implications

4.1 Planning permission was granted on 11 September 2013 to amend the condition on the original consent restricting opening hours. The approved hours are now 07:00 to 00:00 Monday to Saturday, and 09:00 to 23:30 on Sundays and Bank Holidays.

The new licensing application appears to be consistent with the planning permission, with one exception - the application shows a closing time of 00.30 on Mon-Sat, when the planning permission stipulates that the use must cease at midnight. We will usually be reasonably flexible in terms of allowing premises a short amount of time past the authorised hours in order to clean up, shut up shop etc, but there should be no customers on the premises past 24.00.

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

4-11-13
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

WK/201325959 Appendix 1.

Checked ok,

OW. 25/09

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Surebrand Ltd

(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/14069-060213

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Taproom 163 Upper Street			
Post town	London	Post code	N1 1RE

Telephone number at premises (if any)	020 7288 1606
Non-domestic rateable value of premises	£46500

Part 2 – Applicant details

Daytime contact telephone number	020 7288 1606		
E-mail address (optional)			
Current postal address if different from premises address	14-22 Coleman Fields		
Post Town	London	Postcode	N1 7AD

COMMERCIAL/LICENSING

25 SEP 2003

PUBLIC PROTECTION DIVISION

ISLINGTON COUNCIL LICENSING			
Date	25/9/13	Fee Paid	£ 315-00
Receipt/Check Number (please circle)	500017		
Receipt Number	0663997		
Received For	JWJ		

Part 3 - Variation

Please tick yes

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

If not do you want the variation to take effect from

Day		Month		Year	

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

To extend the hours for licensable activities in line with the Planning permission of the premises of one hour every night of the week

Monday - Saturday 1000 - 0000
Sunday 1100 - 2330

Opening Hours

Monday - Saturday 1000 - 0030
Sunday 1100 - 2300

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

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	2300	0000			
Tue	2300	0000			
			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed	2300	0000			
Thur	2300	0000			
			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Fri	2300	0000			
Sat	2300	0000			
Sun	2300	2330			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	1000	0000			
Tue	1000	0000			
Wed	1000	0000			
Thur	1000	0000			
Fri	1000	0000			
Sat	1000	0000			
Sun	1100	2330			

N

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

None

O

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	1000	0030	
Tue	1000	0030	
Wed	1000	0030	
Thur	1000	0030	
Fri	1000	0030	
Sat	1000	0030	
Sun	1100	0000	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

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

None

Please tick yes

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

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

Reasons why I have failed to enclose the premises licence or relevant part of premises licence
The original could not be found at time of submission of application, therefore a copy has been submitted so as not to delay its submission.
Original will be sent to Licensing asap

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

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

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

All conditions on the current Premises Licence are to remain and the following conditions added

b) The prevention of crime and disorder

No Happy hours or irresponsible drinks promotions

c) Public safety

The maximum number of persons allowed inside the premises will not exceed 160

First aid equipment and materials will be available on the premises at all times.

d) The prevention of public nuisance

The number of people allowed outside to smoke will be kept to a manageable number and supervised by staff

No glasses will be allowed outside the premises after 2300

Patrons who are waiting for taxi's will be encouraged to wait inside until its arrival.

e) The protection of children from harm

The premises will adopt a proof of age scheme and adopt a Challenge 23 policy
Children only allowed on the premises when accompanied by a responsible adult

Please tick yes

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

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

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

Signature	<i>Robert Dear</i>
Date	19/09//2013
Capacity	Authorised agent

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 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

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

Bob Dear
BDC Consultants

Post town		Post code	
Telephone number (if any)	07956 579110		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			
bd-c@hotmail.co.uk			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

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 state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



**PREMISES LICENCE
LICENSING ACT 2003**

Premises licence number	LN/14069-060213-AMENDED		
Postal address of premises, or if none, ordnance survey map reference or description			
TAP ROOM 163 UPPER STREET			
Post town	London	Post code	N1 1RE
Telephone number			

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Ground floor & basement

- The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

- The sale by retail of alcohol:

Monday	11:00	to	23:00
Tuesday	11:00	to	23:00
Wednesday	11:00	to	23:00
Thursday	11:00	to	23:00
Friday	11:00	to	23:00
Saturday	11:00	to	23:00
Sunday	11:00	to	22:30

Gaming Machine Provision:
Not authorised

The opening hours of the premises:

Monday	11:00	to	23:30
Tuesday	11:00	to	23:30
Wednesday	11:00	to	23:30
Thursday	11:00	to	23:30
Friday	11:00	to	23:30
Saturday	11:00	to	23:30
Sunday	11:00	to	23:00

Where the licence authorises supplies of alcohol whether these are on and/or off supplies
On and off supplies

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

Surebrand Limited
14-22 Coleman Fields
London
N1 7AD

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

08276333

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

Mr Ciaran Kelliher
215 Blackstock Road
London
N5 2LL

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

LB Islington - 114291

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


Service Manager (Commercial)

Date of Issue

4/1/13

Annex 1 - Mandatory conditions

1. No supply of alcohol may be made under the premises licence:
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. All door supervisors shall be licensed by the Security Industry Authority.
4. The admission of children to the exhibition of a film shall be restricted in accordance with the recommendation of a film classification body as defined in the Video Recordings Act 1984 or Islington Council acting as the licensing authority where it has given notice in section 20(3) of the Licensing Act 2003.
5. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any "irresponsible promotions" in relation to the premises.

In this condition, an "irresponsible promotion" means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children:

- a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on:
 - i) the outcome of a race, competition or other event or process, or
 - ii) the likelihood of anything occurring or not occurring;
 - e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
6. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
 7. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

8. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

9. The responsible person shall ensure that:
 - a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - i) beer or cider: ½ pint;
 - ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii) still wine in a glass: 125 ml; and
 - b) customers are made aware of the availability of these measures.

Annex 2 - Conditions consistent with the Operating Schedule

1. An incident book shall be used to record all instances of public disorder;
2. The licensee will be a member of any PubWatch scheme that is active in the area.
3. Notices providing crime prevention advice will be predominately displayed in the premises.
4. There will be a zero tolerance to drugs in the premises.
5. Pre-opening checks will be carried out prior to opening to ensure that all entrances/exits are clear and unobstructed and in correct working order.
6. The CCTV will be checked daily and will be readily available for inspection by any of the responsible authorities.
7. Signs will ask customers to respect the local neighbours when leaving the premises.
8. The rear garden area will be clear of all patrons by 22:30.
9. Dedicated taxi numbers will be available to customers.
10. A written dispersal policy will be in place.
11. The premises shall be in accordance with the Technical Standards for Places of Entertainment.
12. The maximum number of persons accommodated at any one time in the premises shall not exceed 160.
13. The rear garden shall not be used for regulated entertainment.
14. Tables and chairs with the rear garden area will be rendered unusable at 22:30.
15. After 22:30 the rear garden:
 - a) shall not be used for the consumption of alcohol or other beverages; and
 - b) where used as a smoking area, must be supervised by a member of a staff.
16. All plant and machinery associated with the premises shall be suitably noise attenuated to the written satisfaction of the Council's Noise Team.
17. No deliveries will take place on Sundays or Bank Holidays and between the hours of 23:00 and 07:00 hours other days of the week.
18. No rubbish or bottles will be moved, removed or placed outside the premises on Sundays or Bank Holidays and between the hours of 23:00 and 07:00 hours other days of the week.

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

Nil

Annex 4 – Plans

Reference Number: AL02B, AL03C & LL.UNIT5-Dec 2012 (showing rear garden area)



Premises Licence Summary
Licensing Act 2003

Premises licence number	LN/14069-060213-AMENDED		
Postal address of premises, or if none, ordnance survey map reference or description			
TAP ROOM 163 UPPER STREET			
Post town	London	Post code	N1 1RE
Telephone number			

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Ground floor & basement

- The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

- The sale by retail of alcohol:

Monday	11:00	to	23:00
Tuesday	11:00	to	23:00
Wednesday	11:00	to	23:00
Thursday	11:00	to	23:00
Friday	11:00	to	23:00
Saturday	11:00	to	23:00
Sunday	11:00	to	22:30

Gaming Machine Provision:
Not authorised

The opening hours of the premises:

Monday	11:00	to	23:30
Tuesday	11:00	to	23:30
Wednesday	11:00	to	23:30
Thursday	11:00	to	23:30
Friday	11:00	to	23:30
Saturday	11:00	to	23:30
Sunday	11:00	to	23:00

Where the licence authorises supplies of alcohol whether these are on and/or off supplies
On and off supplies

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

Surebrand Limited
14-22 Coleman Fields
London
N1 7AD

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

08276333

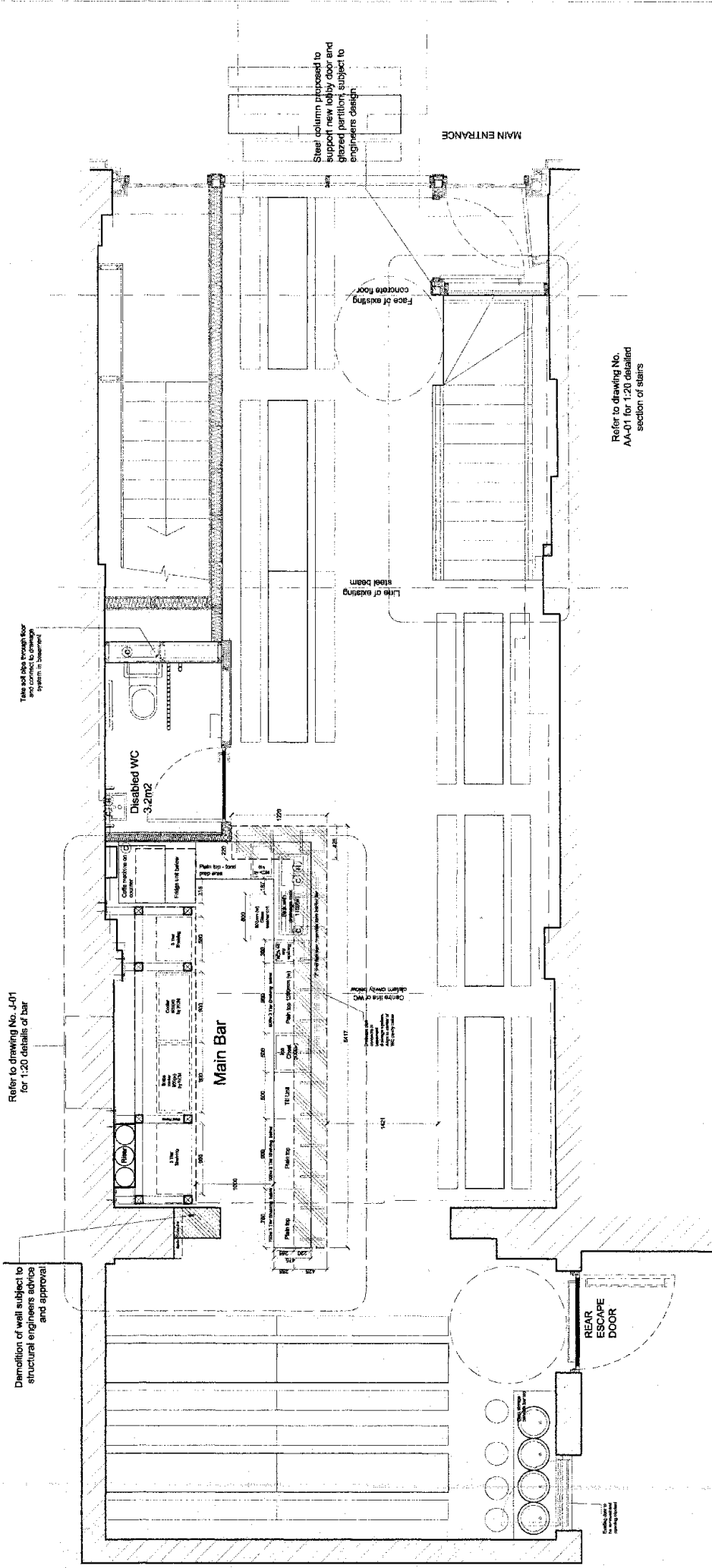
Name of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Ciaran Kelliher

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

It is an offence to allow persons under the age of 16 years to be on the premises whilst it is open exclusively or primarily for the supply of alcohol for consumption on the premises unless they are accompanied by a person aged 18 or over. No unaccompanied person under the age of 16 years shall be permitted on the premises between 12 midnight and 5am if alcohol is supplied for consumption on the premises.

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



Refer to drawing No. AA-01 for 1:20 detailed section of stairs

Refer to drawing No. J-01 for 1:20 details of bar

Demolition of wall subject to structural engineers advice and approval

Life of existing steel beam

Face of existing concrete floor

Steel column proposed to support new lobby door and glazed partition subject to engineers design

Take off slab through floor and support system in basement

MAIN BAR
SCALE: 1:50 @ A3 / 1:25 @ A1

CONTRACTOR TO ENSURE COMPLIANCE WITH BUILDING REGULATIONS

1. The contractor shall be responsible for any demolition covered by this drawing. Demolition shall be carried out in accordance with the Building Regulations and the relevant codes of practice. The contractor shall ensure that the structure remains stable during the demolition process. The contractor shall ensure that the structure remains stable during the demolition process. The contractor shall ensure that the structure remains stable during the demolition process.

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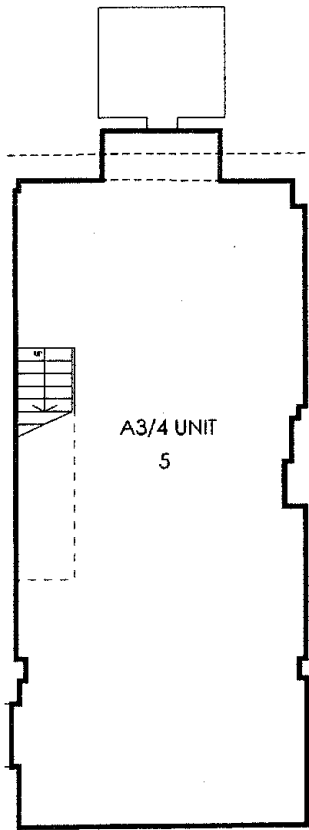
UNIT: M, L, Area, Volume
APE Escape Road, 10/11/2011
London, UK
Tel: 020 8996 9000
Fax: 020 8996 9001
www.apescaperoad.com

WP

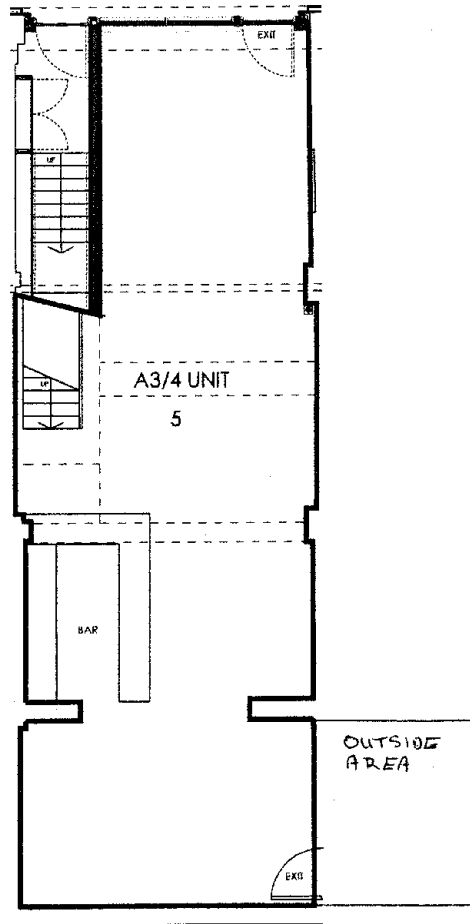
NO.	DATE	BY	FOR
A	22.03.13	Stiles	13002 Tap Rooms, Upper
B	22.03.13	Stiles	Ground Floor - GA Plan

Scale: 1:50
5m

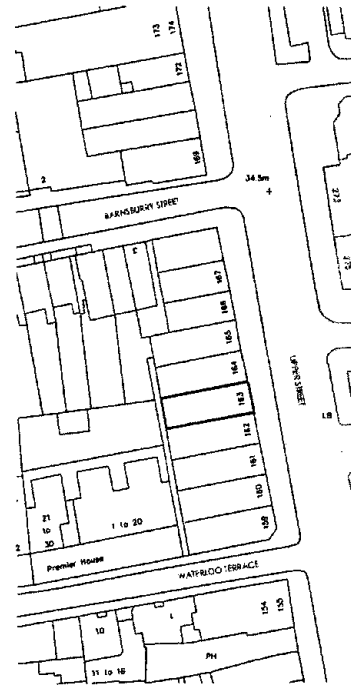
Drawn by: **AL-02-B**



BASEMENT 1:100



GROUND FLOOR 1:100



SITE PLAN 1:1000



**Licensing Act 2003- Representation from the Licensing Authority
Application: The Tap Room 163 Upper St London N1**

I am submitting a representation on behalf of the Licensing Authority with respect to the variation application to extend licensable activities until midnight Monday to Saturdays and 11.30pm on Sundays

The grounds for the representation are:

- Public nuisance
- Crime and disorder

Licensing Policy Considerations

*Licensing Policies 1 & 2 Location, cumulative impact and saturation
Licensing Policy 7 & 8 Licensing Hours*

Location, cumulative impact and saturation Licensing Policies 1 & 2

The premise is located in the Angel and Upper Street Cumulative Impact Area (CIA) which means that the Licensing Authority has determined that the area is has reached saturation and any expansion in the night time economy should not adversely affect the quality of life of residents.

Licensing Policy 2 requires the applicant to demonstrate that the application will not add to the cumulative impact.

The Tap Room is an alcohol lead venue, with a capacity in excess of 50 customers and therefore does not qualify for an exemption from the special policy to refuse applications in cumulative impact areas.

The proposal for an extension of licensing hours will have a detrimental impact on residents due to alcohol related crime, disorder and antisocial behaviour, noise and litter. Residents in the area have already experienced serious late night antisocial behaviour and 2 specific incidents were reported to Licensing Authority during the summer, prior to the submission of this application.

The provision of licensable activities for an additional hour each day of the week will undermine the licensing objective because:

- noise and nuisance associated with customers departing the premises at closing time will occur 1 hour later each day of the week
- noise and nuisance associated customers smoking or drinking outside will occur up to one hour later each day of the week
- increase in the availability of alcohol will result in an corresponding increase in alcohol related crime and disorder in the area

Licensing Hours – Licensing Policies 7 & 8

The proposed hours of operation are outside the framework hours for bars on Sundays to Thursdays

Summary and recommendations

The Licensing Authority has considered this application using the Licensing Policy framework, in particular:

- the location of the premises
- the style and hours of operation proposed by the applicant
- feedback from residents

- the management arrangements described in the operating schedule,

In order to promote the licensing objectives the Licensing Authority recommends that it is appropriate to refuse this application.

Janice Gibbons
Service Manager
020 7527 3212
Janice.gibbons@islington.gov.uk
22 October 2013

Your
Our Licensing/NI
Date: 23/10/2013



**METROPOLITAN POLICE
SERVICE
Islington Police Licensing Team
Islington Police Station
2 Tolpuddle Street
London
N1 0YY**

Telephone: 07799133204
Email:
Licensingpolice@islington.gov.uk

Date 23rd October 2013

Taproom
163 Upper Street
London N1 1RE

Dear Sir

Re: Taproom 163 Upper Street, London N1 1RE

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 to vary the License 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. Islington has almost double the national average of licensed premises per resident, and this is why the Police supported the implementation of the Council's Cumulative Impact Policy. This large number of licensed premises and the issues associated with these impacts greatly on the Police and all other emergency services resource.

It is for these reasons that we are objecting to the application and propose that it is refused.

If the committee grants the application then I would ask them to consider attaching the following conditions to the application.

1. No glasses to be taken outside after 2230hrs which is the time by which the rear garden should be clear of patrons.
2. The number of patrons allowed within the smoking area to be restricted to a maximum of no more than 8 after 2230hrs and this will be supervised by staff at all times.

Should you wish to discuss the matter further please contact us on Mobile 07799133204 or via email, Licensingpolice@islington.gov.uk

Yours sincerely

Steven Harrington Pc 425NI
Paul Hoppe Pc 208NI
Pete Conisbee Pc 575NI

Islington Police Licensing Team

3



Surebrand Limited
14-22 Coleman Fields
London N1 7AD

Noise Team
222 Upper Street
London N1 1XR

T 020 7527 3047
F 020 7527 3059
E anne.brothers@islington.gov.uk
W www.islington.gov.uk

Our ref: abr/201326006

Your ref:

This matter is being dealt with by:

Anne Brothers

Dear Sir

**PREMISES LICENCE VARIATION APPLICATION, THE TAP ROOM, 163 UPPER STREET,
LONDON N1 1RE. LICENSING ACT 2003**

Please find enclosed a representation from Noise Team in connection with your application to vary the premises licence.

The representation is self-explanatory.

Date: 22 October 2013

Yours faithfully,

Anne Brothers
Principal Technical Officer
cc. Licensing



Islington Licensing Authority Licensing Act 2003

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority (please delete as applicable): Environmental Protection

Your Name	Anne Brothers	
Job Title	Noise Liaison Officer	
Postal and email address	222 Upper Street, London N1 1XR	
Contact telephone number	020 7527 3047	
Name of the premises you are making a representation about	The Tap Room	
Address of the premises you are making a representation about	163 Upper Street	
Which of the four licensing Objectives does your representation relate to?	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder	No	
Public safety	No	
To prevent public nuisance	Yes	The premise has been subject of two recent noise complaints from residents nearby. Noise Team notes the premise is within a Cumulative Impact Area.
To protect children from harm	No	
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 and refer to checklist.	Noise Team recommends this application is refused.	

Signed: Anne Brothers Date: 22 October 2013

Please return this form along with any additional sheets to: Licensing Support Team, Public Protection, 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

Senler, Yesim

From: [REDACTED]
Sent: 08 October 2013 11:41
To: Senler, Yesim
Subject: RE: Re Tap Room licence application variation, 163 Upper Street N1 1RE

[REDACTED]

Thanks

[REDACTED]

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

From: Senler, Yesim [<mailto:Yesim.Senler@islington.gov.uk>]
Sent: 08 October 2013 11:40
To: [REDACTED]
Subject: RE: Re Tap Room licence application variation, 163 Upper Street N1 1RE

Dear [REDACTED]

Please confirm your postal address for us to process your representation, is it [REDACTED]

Yesim Senler
Licensing Technical Support Officer
Licensing Team
Public Protection Division, Environment & Regeneration, Islington Council, 3rd Floor, 222 Upper Street, London, N1 1XR
Tel: 020 7527 1829, e-mail: yesim.senler@islington.gov.uk, website: www.islington.gov.uk

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

From: [REDACTED]
Sent: 07 October 2013 18:48
To: Licensing
Subject: Re Tap Room licence application variation, 163 Upper Street N1 1RE

Dear Sir/Madam,

I tried to send this on the online form but it came back with an error message. Please can you confirm that by submitting it by email now instead it will be considered?

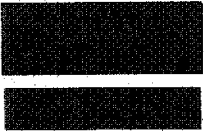
I object to the Tap Room application on Public Nuisance grounds. [REDACTED] adjoins 159-168 Upper St site. Tap Room premises are within this site.

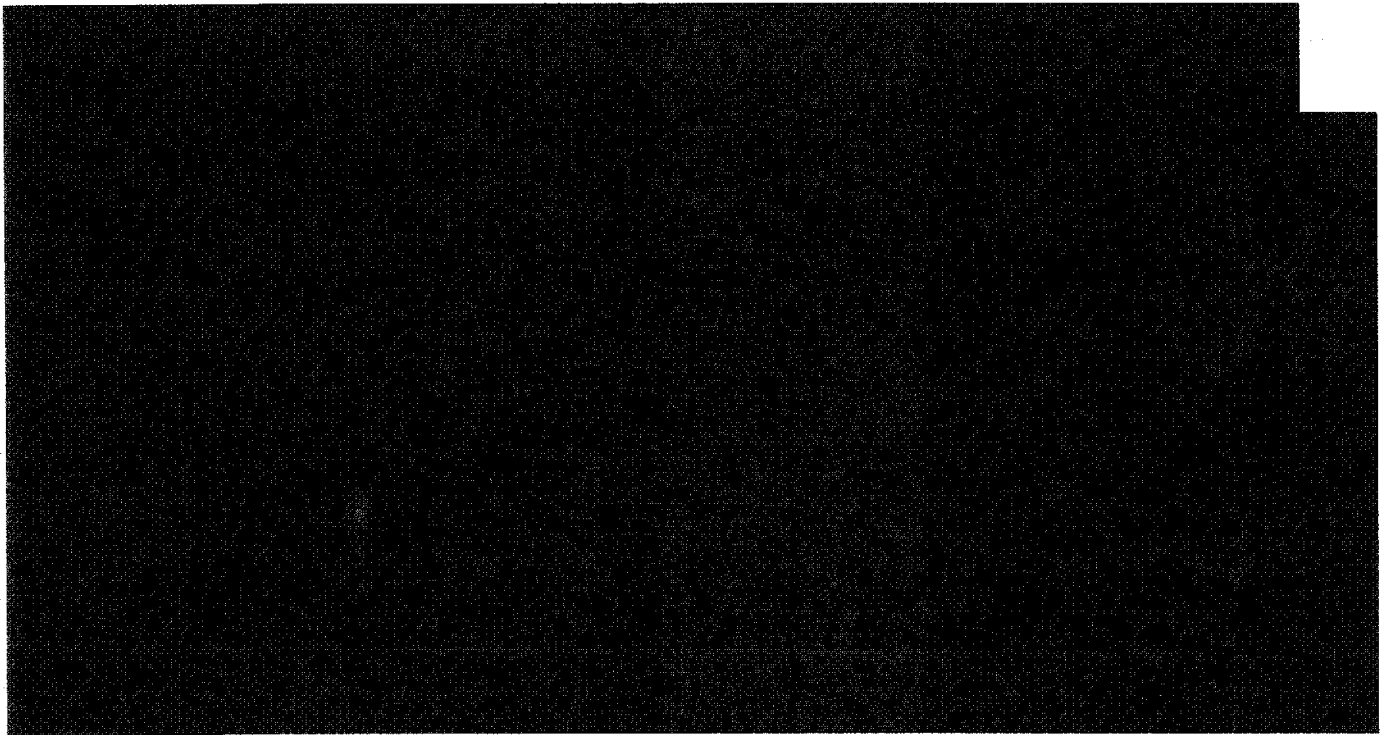
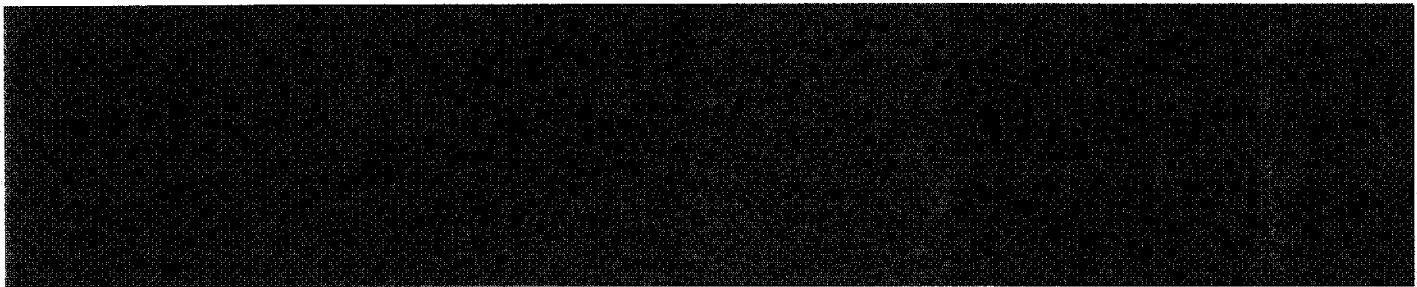
1. Noise from the Tap Room already affects us and children until 11pm/ 1030pm (Sun). Adding another hour to each day's noise means more broken sleep.
2. The noise problem is especially due to customers being very loud in the open garden area. Nothing stops this noise carrying down Barnsbury Street.

3. Para 38, Islington's Licensing Policy 2013-17, "the LA believes the [Angel and Upper Street Cumulative Impact Area] has reached saturation and any further expansion in the night time economy should not adversely affect the quality of life for residents". I believe it would.

4. Extending the Tap Room's hours might escalate other nuisances and general disturbances in Barnsbury Street, eg shouting matches between drunks in the street in the early hours, vomit on pavements, bins overturned, bottles and cans left lying around etc.

Regards,

A small rectangular area of the document is completely blacked out, redacting the signature and name of the sender.

A large, irregularly shaped area of the document is completely blacked out, redacting the main body of the letter.A wide, horizontal rectangular area at the bottom of the page is completely blacked out, redacting the footer or contact information.

5

Sender, Yesim

From: [REDACTED]
Sent: 03 October 2013 11:41
To: Sender, Yesim
Subject: Re: Tap room 163 upper street

hi

my address is

[REDACTED]

Best Regards

From: "Sender, Yesim" <Yesim.Senler@islington.gov.uk>

To: [REDACTED]
Sent: Thursday, 3 October 2013, 10:02
Subject: RE: Tap room 163 upper street

Dear [REDACTED]

Please provide your postal address for us to process your representation as a valid one.

Kind regards,

Yesim Senler
Licensing Technical Support Officer
Licensing Team
Public Protection Division, Environment & Regeneration, Islington Council, 3rd Floor, 222 Upper Street, London, N1 1XR
Tel: 020 7527 1829, e-mail: yesim.senler@islington.gov.uk, website: www.islington.gov.uk

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

From: [REDACTED]
Sent: 02 October 2013 21:33

To: Licensing
Subject: Tap room 163 upper street

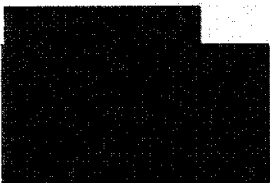
Dear licensing

As a resident who building is directly behind the tap room. I would just like to share my concern on the level of noise and therefore I do not want The taproom open any later than its allocated time at the moment. There is a loud disturbance on Thursday Friday, Saturday, Sunday nights and it does spill out onto the road and into Waterloo Terrace.

I hope the council takes into consideration that the property the tap room does back behind residents homes on both the Waterloo Terrace and Barnsbury Street. A lot of these homes are family homes with children. The taproom does have a small yard at the back of its premises that backs behind the building I live in and other peoples backyards it is this spot that gets very loud. If the council wishes I can send a recording.

I personally would prefer it if the taproom just keeps its opening times as is. I am a third way down in the building I can hear noise in the backyard quite clearly. If it's open any later it will get louder any may cause problems with residents.

Best Regards



This e-mail is intended for the addressee only. If you have received it in error, please contact the sender and delete the material from your computer. Please be aware that information in this email may be confidential, legally privileged and/or copyright protected.

Sender, Yesim

From: [REDACTED]
Sent: 02 October 2013 19:22
To: Licensing
Subject: Application Variation - TAP Room, 163 Upper Street, N1 1RE

Dear Dan

I am writing with regard to the above license variation application.

I would like to vehemently object to this application on the basis of the prevention of public nuisance.

I live at [REDACTED] and I am bothered most nights by significant noise from this bar. The noise from the garden in the bar is exceedingly rowdy and can be heard inside my flat and is a constant nuisance. I have contacted Environmental health on a number of occasions however they have not been able to get to me before 10.30pm which is when they move people inside. I have been driven so mad by this noise I have been contemplating contacting Islington Council to look into how I could apply to have their outside license revoked. When their original application was made I was not aware of them having an outside license, if I had known this I would have opposed it without doubt.

The noise can be so bad that I can not actually speak to people on my own balcony and my evening are very badly interrupted.

I would be very happy to attend the hearing if I am available.

If you have any queries please do not hesitate to contact me and many thanks for your consideration.

I would be very grateful if you could confirm receipt of this email.

Many thanks and kind regards

[REDACTED]

Your ref: WK/2013 2595
(7)

Licensing Act 2003 representation pro-forma

Should you wish to comment on the licence application this form to help you. Please feel free to attach additional sheets.

You do not have to make any comment, and comments may be made in support of as well as against the application, providing they refer to one or more of the licensing objectives (please see the guidance notes for further advice).

Premises Name and address Tap Room
112 Upper Street London N1 1RE.

Your Name: [REDACTED]

Interest: Local resident

(E.g. resident, business, TRA Chair, Councillor, solicitor)

Your Address: [REDACTED]

[REDACTED] London

Email: [REDACTED]

Telephone [REDACTED]

Please comment on the licensing objectives below relevant to your concerns or observations, you may also wish to include suggestions how your concerns could be addressed:

Public Nuisance

The premises allow customers to drink outside at the back, which results in very loud talking and laughing and the noise of glasses & drinking. Previously there was no such nuisance in the area. It is already a problem with a licence until 23.00, but with an extension until midnight this would be a big disturbance in the neighbourhood.

Crime and Disorder

Protection of Children from Harm

Public Safety

I wish my identity to be kept anonymous Yes/No – *No*

We will treat representations as anonymous where there is a genuine reason to do so; if you wish your name and address details to be withheld then please explain the reason:

No problem.

Copies of this representation will be sent to the applicant, or their agent/solicitor, including name and address details (but other personal contact information such as telephone numbers and email addresses will be removed) unless you have specifically requested anonymity. Copies of this representation will be included in a report that will be available to the public and will be published on the internet; however the published on-line version of the report will have name and address details removed.

Signature 

Date 5/10/2013

Please ensure name and address details completed above

Return to: Licensing Service
London Borough of Islington
3rd Floor
222 Upper Street
London N1 1XR
or send by email to: licensing@islington.gov.uk

Sender, Yesim

From: [REDACTED]
Sent: 09 October 2013 16:36
To: Licensing
Subject: Tap room, 163 Upper Street; licence variation

I object to the extension of licensing hours for this property to midnight Monday to Saturday and 11.30 pm on Sundays, on the grounds of public nuisance.

The garden to this property (an outside drinking and smoking area) is already a source of unwelcome noise to neighbours in Barnsbury Street, especially those who have a line of sight/ sound to the Tap Room garden. As drinkers become louder the more they drink, the extension of hours will mean not only an extension in time of the existing noise nuisance, but also a rise in volume in the extra hours.

I objected to the original licence under the heading of crime/ disorder and public safety, as well as public nuisance. The last thing Upper Street and Barnsbury Street needs is more drunks and bad behaviour/ littering/vomiting/drug dealing and consumption. Extended opening hours will only aggravate an already unsatisfactory environment in the late evenings.

[REDACTED]

Sent from my iPad

Suggested conditions of approval consistent with the operating schedule

1. The number of persons allowed outside to smoke will be kept to a manageable number and supervised by staff.
2. No glasses will be allowed outside the premises after 23:00.
3. Patrons who are awaiting taxis will be encouraged to wait inside until its arrival.
4. The premises will adopt a proof of age scheme and a Challenge 23 Policy.
5. Children will only be allowed on the premises when accompanied by a responsible adult.

Suggested conditions of approval recommended by the Police

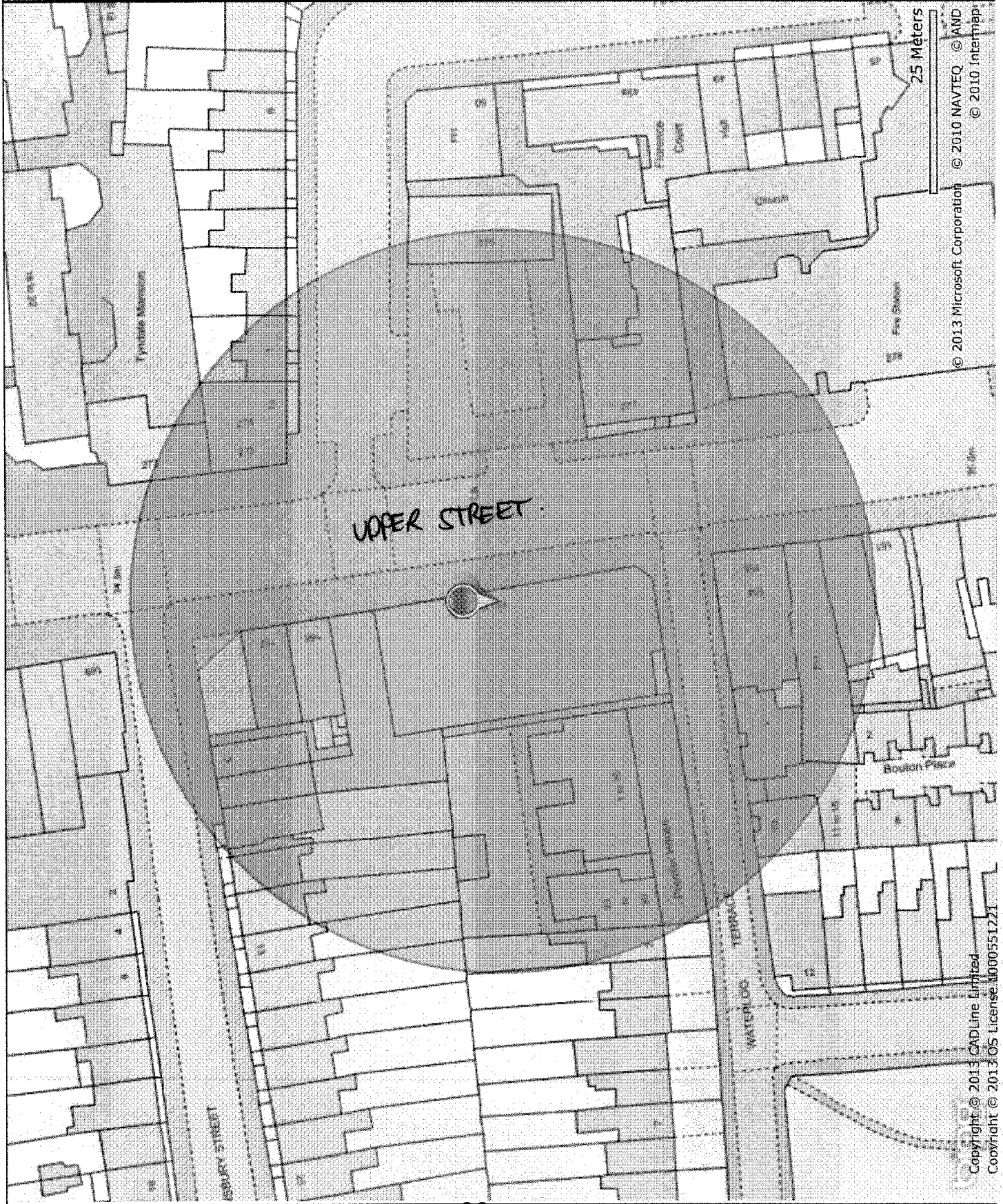
6. No glasses to be taken outside after 22:30.
7. Rear garden to be cleared of patrons by 22:30.
8. The number of patrons allowed within the frontage smoking area to be restricted to a maximum of 8 after 22:30 and this will be supervised by staff at all times.

Title : 163 Upper Street - 50 Metre Area

Islington Borough Boundary

Printed by :
RO RO

Printed at :
04-11-2013



Licensed Premises within 250 Metres

Licensed Activity	Premises Description	Licence No	Address 1	Address 2	Address 3
On-Licence	Restaurant Licensed	LN/000002926	Le Mercury Deuxieme	Ground Floor	154-155 Upper Street
On-Licence	Public House/Bar/Club	LN/000008916	The Grand Union	153 Upper Street	London
On-Licence	Restaurant Licensed	LN/000004062	Fig & Olive	151 Upper Street	London
On-Licence	Cafe	LN/000010254	Valentine'S	275 Upper Street	London
On-Licence	Restaurant Licensed	LN/000008282	Shandis	149A	149 Upper Street
Late Night Refreshments	Take-Away	LN/000003645	Pizza Hut	169 Upper Street	London
On-Licence	Restaurant Licensed	LN/000007110	Pera Mediterranean Restaurant	170 Upper Street	London
On-Licence	Restaurant Licensed	LN/000004345	Terra Sarda	279 Upper Street	London
On-Licence	Cafe	LN/000010113	Workers Cafe	172 Upper Street	London
On-Licence	Public House/Bar/Club	LN/000008736	Be At One	144-145 Upper Street	London
Off-Licence	Restaurant Licensed	LN/000003309	Rabieng Thai	143 Upper Street	London
On-Licence	Public House/Bar/Club	LN/000009869	Lucky Voice	173-174 Upper Street	London
On-Licence	Restaurant Licensed	LN/000007657	La Petite Auberge	283 Upper Street	London
Off-Licence	Small Supermarket	LN/000003312	Zaco Mini Market	175 Upper Street	London
On-Licence	Restaurant Licensed	LN/000004361	La Porchetta Pizzeria	141-142 Upper Street	London
On-Licence	Restaurant Licensed	LN/000010788	Comedor Grill and Bar	176 Upper Street	London
On-Licence	Restaurant Licensed	LN/000009916	Almeida Wine Bar & Restaurant	Myddelton Hall	30-32 Almeida Street
On-Licence	Restaurant Licensed	LN/000012682	Blue Legume	177 Upper Street	London
On-Licence	Cafe	LN/000003668	Ottolenghi Ltd	287 Upper Street	London
On-Licence	Cafe	LN/000013354	Espresso Chez Le Boulanger	178 Upper Street	London
Late Night Refreshments	Take Away	LN/000011900	Popeye Chicken & Doner	178 Upper Street	London
On-Licence	Public House/Bar/Club	LN/000009603	The Vineyard	179 Upper Street	London
On-Licence	Islington Council	LN/000012206	Islington Council	Town Hall	Upper Street
On-Licence	Theatre	LN/000003433	Almeida Theatre	Almeida Theatre	1A-1B Almeida Street
On-Licence	Restaurant Licensed	LN/000003231	Antepiller	139 Upper Street	London
On-Licence	Cafe	LN/000005532	Chameleon	58 Cross Street	London
On-Licence	Restaurant Licensed	LN/000012202	Antonio's Ristorante	137 Upper Street	London

On-Licence	Restaurant Licensed	LN/000003937	Casale Franco	134 Upper Street	London
On-Licence	Restaurant Licensed	LN/000011714	Cafe La Divina	134 Upper Street	London
On-Licence	Public House/Bar/Club	LN/000004368	House of Wolf	181 Upper Street	London
Off-Licence	Delicatessen	LN/000003186	Angel Delicatessen Limited	48 Cross Street	London
On-Licence	Restaurant Licensed	LN/000014075	Daylesford Organic	133 Upper Street	London
On-Licence	Cafe	LN/000012664	Madam Chi Coffee Lounge	187 Upper Street	London
On-Licence	Public House/Bar/Club	LN/000010115	John Salt	131-132 Upper Street	London
On-Licence	Restaurant Licensed	LN/000002913	The Fish and Chip Shop	Ground and First Floors	189 Upper Street
On-Licence	Public House/Bar/Club	LN/000002391	The Mitre Public House	130 Upper Street	London
On-Licence	Restaurant Licensed	LN/000002920	Pasha	301 Upper Street	London
On-Licence	Restaurant Licensed	LN/000004817	Zaffrani	47 Cross Street	London
On-Licence	Restaurant Licensed	LN/000004916	The Ottoman Restaurant	302 Upper Street	London
On-Licence	Restaurant Licensed	LN/000008277	Desperados	127 Upper Street	London
On-Licence	Restaurant Licensed	LN/000002973	Tiger Lil'S	269-270 Upper Street	London
On-Licence	Public House/Bar/Club	LN/000008692	Zilouf's	269-270 Upper Street	London
Late Night	Take-Away	LN/000011969	Papa John's	123 Upper Street	London
Refreshments	Restaurant Licensed	LN/000003444	Gallipoli Cafe Again	120 Upper Street	London
On-Licence	Off-Licence	LN/000006078	The Sampler Uk Ltd	266 Upper Street	London
On-Licence	Theatre	LN/000009418	Little Angel Theatre	Little Angel Theatre	14 Dagmar Passage
On-Licence	Restaurant Licensed	LN/000003150	Isarn	119 Upper Street	London
On-Licence	Restaurant Licensed	LN/000007681	Gem Restaurant Ltd	265 Upper Street	London

**Title : 163 Upper
Street - 250 Metre
Area - Licensed
Premises**

Islington Borough
Boundary
Premises Licences

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Printed at :
04-11-2013

