



Report of: Service Director - Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	9 January 2014	B3	Caledonian

Delete as appropriate	Exempt	Non-exempt
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Subject: PREMISES LICENCE NEW APPLICATION
RE: THE CALLY, 427 CALEDONIAN ROAD, LONDON N7 9BC

1. Synopsis

- 1.1 This is an application for a new premise licence under the Licensing Act 2003.
- 1.2 The new application is for:
 - i) The sale of alcohol for consumption on the premises 11:00 to 23:00 Sunday to Thursday and 11:00 to 00:00 Friday and Saturday.
 - ii) Agree the opening hours from 06:00 to 23:00 Sunday to Thursday and from 06:00 to midnight Friday and Saturday.
 - iii) On 13 December a revised operating schedule for the application was submitted by the applicant's agent.

2. Recommendations

- 2.1 To determine the application for a new premises licence under Section 19 of the Licensing Act 2003.
- 2.2 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
 - iii) conditions recommended by responsible Authorities
 - iv) any conditions deemed necessary by the Committee to promote the four licensing objectives.

3. Background

3.1 The premises has previously been licensed to:

- i. Permit the sale of alcohol, the exhibition of film (for karaoke only), facilities for making music (for karaoke only) and playing of recorded music between 10:00 and 00:00 on Mondays to Thursdays, 10:00 and 02:00 on Fridays and Saturdays and 10:00 and 01:00 on Sundays.
- ii. Allow the provision of late night refreshment between 23:00 and 00:00 on Mondays to Thursdays, 23:00 and 02:00 on Fridays and Saturdays and 10:00 and 01:00 on Sundays
- iii. Permit the playing of live music between 18:00 and 00:00 on Fridays, Saturdays and Sundays

3.2 This previous licence lapsed on the 12 May 2009, when the company which held the licence, Ashbell Limited, was dissolved.

3.3 Papers are attached as follows:-

Appendix 1: application form;

Appendix 2: Health & Safety and four local residents;

Appendix 3: suggested conditions and map of premise location.

4. Planning Implications

4.1 The historic use of the site has been A4.

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:

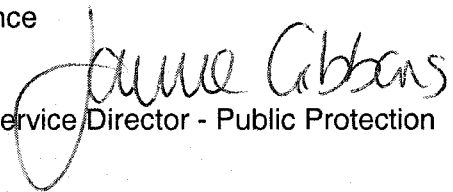
The Council's Statement of Licensing Policy

Licensing Act 2003

Secretary of States Guidance

Final Report Clearance

Signed by


Service Director - Public Protection

Date 17/12/13

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Team

Tel: 020-7527-3031

Fax: 0207-527-3057

E-mail: licensing@islington.gov.uk

WSK/201329990.

Islington Council, 222 Upper Street, London

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

We CLUBWISE (CALEDONIAN) LTD

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 427 CALEDONIAN ROAD, ISLINGTON LONDON		The Call COMMERCIAL/LICENSING - 4 NOV 2013
Post town	LONDON	PUBLIC PROTECTION DIVISION 222 UPPER ST, LONDON N1 1XR
Telephone number at premises (if any)	02036206862	
Non-domestic rateable value of premises	£	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

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

0668075
£190.00 / cash
177 use
OK
KMT
4 Nov 13

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

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

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ✓

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name CLUBWISE (CALEDONIAN) LTD
Address c/o PHILIPS ACCOUNTANTS 286B CHASE ROAD SOUTHGATE LONDON UNITED KINGDOM N14 6HF
Registered number (where applicable) 0869 8670
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY
Telephone number (if any) 07825 775453
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0	1	1 1 2 0 1 3

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

DD	MM	YYYY

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

THIS IS A SMALL PUBLIC HOUSE WITH A SMALL KITCHEN SERVING HOT AND COLD FOOD DURING LICENCED HOURS. THERE WILL BE NO OFF SUPPLIES OF ALCOHOL.

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

N/A

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

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

Provision of regulated entertainment

Please tick any that apply

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

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

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

In all cases complete boxes K, L and M

A

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

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					

Tue			
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)
Thur			
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

D

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

E

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

Thur			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
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 5)		
Sat					
Sun					

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
Tue			Both <input type="checkbox"/>		
			Please give further details here (please read guidance note 3)		
Wed					

Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Fri			
Sat			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 (please read guidance note 5)
Sun			

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – <u>please tick</u> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	11.00	23.00	State any seasonal variations for the supply of alcohol (please read guidance note 4) CHRISTMAS & NEW YEAR UNTIL THE TIME AUTHORISED THE NEXT DAY.	Both	<input type="checkbox"/>
Tue	11.00	23.00			
Wed	11.00	23.00			
Thur	11.00	23.00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) CHRISTMAS & NEW YEAR UNTIL THE TIME AUTHORISED THE NEXT DAY.		
Fri	11.00	00.00			
Sat	11.00	00.00			
Sun	11.00	23.00			

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

Name EDMOND TOSKA	
Address 427 CALEDONIAN ROAD, ISLINGTON LONDON <i>1 ARCHWAY close LONDON N19 3TD</i>	
Postcode	N7 9BG
Personal licence number (if known) LN/14374	
Issuing licensing authority (if known) ISLINGTON COUNCIL	

K

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

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	06.00	23.00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p>
Tue	06.00	23.00	
Wed	06.00	23.00	
Thur	06.00	23.00	
Fri	06.00	00.00	
Sat	06.00	00.00	
Sun	06.00	23.00	

M Describe the steps you intend to take to promote the four licensing objectives:

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

The Islington licensing policy has been taken into consideration in the preparation of this application.

We have read & agree with the pool of conditions, which is attached. We have also read the mandatory & additional mandatory conditions and agree to follow all of these measures.

We will endeavour to run a smooth pub by following the requirements set out in your policy. We will employ additional staff when busy, ensure all staff undergo training before they start work especially on health & safety.

b) The prevention of crime and disorder

An Incident book shall be used to record all instances of Public Disorder.

The licensee will be a member of any Pub Watch Scheme that is active in our area.

Notices providing crime prevention advice will be prominently displayed in the premises.

We will have CCTV to monitor all activity at all times, which will keep 30 days of records.

Never allow alcohol to be consumed outside the premises.

A notice will be displayed within the premises warning customers to guard their belongings, no smoking indoors, no drugs will be tolerated on the premises.

c) Public safety

Pre-opening checks will be carried out prior to opening ensure that all entrances/exits are clean & unobstructed and in correct working conditions.

The CCTV will be checked daily and will be readily available for inspection by any of the responsible authorities.

d) The prevention of public nuisance

Signs will ask customers to respect the local neighbours when leaving the premises.

Dedicated taxi numbers will be available to customers at all times.

~~All pre-recorded music played through the in-house music system will be controlled by an automatic noise limiting device which will restrict the sound system output to below pre-set threshold levels.~~

e) The protection of children from harm

The licensee will adopt the challenge 25 & the bii national standard proof of age scheme.

We will keep a log of all refusals, logs to be available on request.

An age verification policy will be in places. We will ensure staff will ask to see accredited id (citizen card, passport, driving licence) showing a photo & dob.

Staff will be trained in all aspects of age related products. Records will be kept of all training.

The Child Protections posters will be put up.

Checklist:

Please tick to indicate agreement

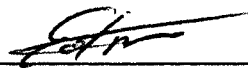
- I have made or enclosed payment of the fee. ✓
- I have enclosed the plan of the premises. ✓
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ✓

- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

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

Part 4 – Signatures (please read guidance note 10)

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

Signature	
Date	04/11/13
Capacity	DIRECTOR

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) 427 CALEDONIAN ROAD, ISLINGTON LONDON			
Post town	LONDON	Postcode	N7 9BG
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

The Cally 427 Caledonian Road, London N7 9BG / Revised Operating Schedule

A) General

We will operate our business in a responsible manner and actively promote the Licensing Objectives at all times.

B) Prevention of crime and disorder.

CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable frontal identification of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or a Police Officer within 24 hours of any request.

Alcoholic and other drinks purchased from the premises may not be taken outside the premises in open containers and staff shall monitor departing customers to prevent this. Also no glasses shall be taken outside the venue.

Notices will be displayed advising customers of the Borough wide DPPO and that no open containers of alcohol or other drinks and no glasses or bottles may be removed from the premises.

A hard back incident book in which all instances of crime and disorder will be recorded shall be kept and made available to the Police or Authorised Officers on request.

All staff shall be trained for their role on induction and receive refresher training every six months. Staff authorised to sell alcohol shall receive training in the operation of Challenge 25 as the proof of age policy. Written training records will be kept for each member of staff.

Challenge 25 will be operated as the Proof of Age Policy and only a passport, photo driving licence or proof of age card with the PASS logo or hologram will be accepted as proof of age. A hard back refusals record of refusals shall be kept in which all refusals of service to underage persons, persons appearing to be under 25 requesting alcohol without acceptable proof of age or persons who are intoxicated shall be recorded. The record will be checked and signed by the DPS on a weekly basis. It will be made available to a Police or Authorised Officer on request.

Notices will be displayed at the entry / exit door and point of sale advising customers that CCTV and Challenge 25 are in operation, advising departing customers they are in a residential area and to leave quietly, not to loiter outside or drink in the street due to the DPPO. Smokers will be requested to remain quiet and to dispose of cigarette butts legally.

C) Public safety.

A fire risk assessment will be undertaken and emergency plan prepared. A written record of the fire risk assessment and emergency plan will be prepared and regularly reviewed.

D) Public Nuisance.

1 Dispersal

The Premises Licence Holder will prepare and implement a dispersal policy to the written approval and satisfaction of the Council's noise service.

2 Deliveries

Deliveries shall not take place Sundays or Bank Holidays.

Deliveries shall only take place between the hours of 07.00 and 21.00 on other days.

3 Bottling out and Refuse

Bottling out and refuse disposal shall not take place Sundays or Bank Holidays.

Bottling out and refuse disposal shall only take place between the hours of 07.00 and 21.00 on other days.

4 Outside Areas

No consumption of alcohol shall take place outside the building.

No tables or chairs shall be placed outside the building.

5 Smoking

Smoking shall be restricted to the Brewery Road façade and kept to reasonable numbers at all times.

A suitable container shall be provided for smoking litter on the buildings Brewery Road façade.

6 Amplified sound

Amplified sound on the premises shall be restricted to one wall mounted television set in the bar area.

7 Doors and windows.

Windows shall be kept closed and doors shall be kept closed as far as practicable after 21.00

E) Prevention of harm to children.

All staff shall be trained for their role on induction and receive refresher training every six months. Staff authorised to sell alcohol shall receive training in the operation of Challenge 25 as the proof of age policy. Written training records will be kept for each member of staff.

Challenge 25 will be operated as the Proof of Age Policy and only a passport, photo driving licence or proof of age card with the PASS logo or hologram will be accepted as proof of age. A hard back refusals record of refusals shall be kept in which all refusals of service to underage persons, persons appearing to be under 25 requesting alcohol without acceptable proof of age or persons who are intoxicated shall be recorded. The record will be checked and signed by the DPS on a weekly basis. It will be made available to a Police or Authorised Officer on request.

No unaccompanied children shall be permitted in the premises at any time and children and young persons under 18 shall be required to leave by 21.00.

Williams, John

Appendix: 2

From:
Sent: 04 November 2013 16:57
To: Tomashevski, Katie
Subject: RE: Premises License Application-427 Caledonian Road
Attachments:

Dear Katie,

Thanks for getting in touch. This does not affect our opposition to the application. Our opposition has been to the establishment of an alcohol license from the outset. I have slightly revised our letter to take account of this but our opposition remains.

Please see attached.

Could I also ask, should this application not be notified on the street outside or on the shop window of the premises? It was on the window in the early days but there has been nothing for weeks. How would other people in the area be able to oppose or support if it is not notified?

Thanks

> From: Katie.Tomashevski@islington.gov.uk
> To:
> Subject: FW: Premises License Application-427 Caledonian Road
> Date: Mon, 4 Nov 2013 16:18:54 +0000
>
> Dear ,
>
> I am writing to inform you that the application received on 4 November 2013 for the above premises has been deemed invalid. However, the Licensing Authority has received another application for the same premises today, 4 November 2013, and they have applied for the following licensable activities:
>
> The sale of alcohol for consumption on the premises 11:00 to 23:00 Sunday to Thursday and 11:00 to 00:00 Friday and Saturday
>
> Please let me know if you wish to make representations for the new application.
>
> Kind regards,
> Katie Tomashevski
> Licensing Officer
> 222 Upper Street
> London N1 1XR
> Tel: 020-7527-3882
>
> -----Original Message-----
> From: Williams, John On Behalf Of Licensing
> Sent: 31 October 2013 14:40
> To: Tomashevski, Katie
> Subject: FW: Premises License Application-427 Caledonian Road
>
>

>
> -----Original Message-----
> From:
> Sent: 31 October 2013 13:46
> To: Licensing
> Subject: Premises License Application-427 Caledonian Road
>
> Dear Sir/Madam,
>
> Please find attached our comments regarding the Premises Licensing Application New-427 Caledonian Road, N7
> 9BG
>
> 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.

Licensing Service
3rd Floor, 222 Upper Street
London Borough of Islington
London
N1 1XR

November 4th 2013

Dear Sir/Madam

**RE: Licensing Act 2003 – Premises Licence Application New
427 Caledonian Road, London, N7 9BG**

I write on behalf of my partner and I, of

reference to the above Premises Licence application.

We are writing to represent against the application in its entirety. We do not believe the introduction of a pub at the above address will be beneficial to the area and believe it could only be detrimental to it. Caledonian Road is steadily improving in quality and we do not believe the activities listed in the licence application represent the best use of the premises on Caledonian Road. Approximately 2 years ago there was a similar application for the same premises, which was rejected. We struggle to see why the same premise is having a further license application of the same/similar grounds.

We do not oppose the premises being used for business but are completely opposed to an application for licence, live music and alcohol.

We have set out the detail of our representation below.

The prevention of crime and disorder & the prevention of public nuisance

Caledonian Road has a history of drinking problems. We are seeing this slowly reduced. Having the new bar will do nothing to reduce this impact.

We note that the premises sit just outside the council's newly adopted (2013) Licensing Policy and Licensing Policy 2 Cumulative Impact Areas. These policies provide two important presumptions: "presumption against awarding new, or variations to licences to sell alcohol" and "create a rebuttable presumption that applications for new premises licences, club premises certificates".

Although just outside this area the fact that the premises are on the same street as the policy is trying to restrict, should be taken into account. We assume this area has been implemented for certain reasons relating to crime and disorder. The Caledonian Road has/is being used by many drunks and drug users. It is frequent to see people walking down the street holding beer cans and we even have them enter our estate on some occasions. Introducing a pub in this area that these people could go to will not help.

The Caledonian Road area has recently seen a mass increase in student dwellings. The introduction of this pub would see it become the closest establishment to these students. This could dramatically increase the number of people using the establishment and the numbers 'spilling' on to the streets at certain times of the day and night.

Additionally, there are other drinking establishments further down the road (South towards Kings Cross) and about only 200 mt from the same premises. One establishment of note is

the one positioned on the corner of Frederica Street and Caledonian Road. This pub is an eyesore and often frequented by undesirables. It would be to the detriment of the area if the new premises were to become like this. Why should the focus of new business be on alcohol in a street that is not bereft of pubs as well as drunkenness and some anti-social behaviour?

We also note that the license has been requested to midnight Friday and Sat night. We are opposed to this as we live right opposite such premises and are extremely concerned about noise levels and nuisance.

Additionally, aside from the N91 bus how would people get home at this time? The tube closes at close to midnight whilst the last train on the overground is normally before midnight. With people leaving the establishment at closing this will cause further nuisance.

The area is close to Kings Cross, which already has late nightclubs and bars and Upper Street, also with plenty of late bar options, there is no need for an additional late venue in Caledonian Road.

Public Safety

In addition to the aforementioned concerns on crime, disorder and public nuisance, we believe that the award of a licence will have a detrimental impact on public safety especially late at night. We come back home at night on a regular basis and want to feel safe walking back home and not having to deal with drunkenness. Our elderly neighbour is particularly concerned that there may be people under the influence leaving the establishment at night.

The protection of children from harm

I can look at the premises from the bedroom window as I write this letter. We are planning to have children in the not too distant future and are concerned about safety and nuisance issues this licence could bring. My neighbour opposite has a young child and my elderly neighbour below sleeps in the equivalent room opposite the premises. They could well be disturbed by people leaving the premises as well as any unsociable behaviour.

Yours Sincerely

Williams, John

From:
Sent: 07 November 2013 20:59
To: Tomashevski, Katie
Subject: Re: 427 Caledonian road London N7 9BG licence application

Dear Katie Tomashevski

Thank you for getting back to me regarding the changes of the application, I stand by my previous email I sent even if the hours upon which they have applied for have changed, I still see concern and would be very grateful if you could put forward my email towards the recent application the premises has applied for.

Thank you
 Sincerely

> On 4 Nov 2013, at 16:22, "Tomashevski, Katie" <Katie.Tomashevski@islington.gov.uk> wrote:

>

> Dear

>

> I am writing to inform you that the application received on 4 October 2013 for the above premises has been deemed invalid. However, the Licensing Authority has received another application for the same premises today, 4 November 2013, and they have applied for the following licensable activities:

>

> The sale of alcohol for consumption on the premises 11:00 to 23:00 Sunday to Thursday and 11:00 to 00:00 Friday and Saturday

>

> Please let me know if you wish to make representations for the new application.

>

> Kind regards,

> Katie Tomashevski

> Licensing Officer

> 222 Upper Street

> London N1 1XR

> Tel: 020-7527-3882

>

>

>

> -----Original Message-----

> From: Williams, John On Behalf Of Licensing

> Sent: 01 November 2013 16:21

> To: Tomashevski, Katie

> Subject: FW: 427 Caledonian road London N7 9BG licence application

>

>

>

> -----Original Message-----

> From: Sam [<mailto:>]

> Sent: 01 November 2013 16:13

> To: Licensing

> Subject: 427 Caledonian road London N7 9BG licence application

>

> My details

>

>

>

>
>
>
>
> To whom it may concern this email is regarding 427 Caledonian road London N7 9BG who have recently requested a licence to sell alcohol and have live or recorded music.
>
> My concerns as follows.
> Public nuisance...my concerns are more for the hours in which they have requested to sell alcohol and play live or recorded music, I can say I'm fully against it as these long hours give people an opportunity to drink alcohol up until an hour that is unnecessary and that myself, partner and children are asleep as the majority of family's who live in Carrick house are also, the consumption of alcohol of these hours will result in people being intoxicated and behaving in a loud aggressive manner and having no consideration for people who live in the surrounding area, as my partner is up at an early hour for work the live or recorded music played until late into the night will effect his sleep and also our children, this is a big concern if the noise or even the drunken brawls will result in the police being involved, Caledonian road hasn't got the best reputation as it is the licence in which this property has requested will only cause more problems.
> If someone could contact me just to confirm that my email has been seen and will be added to the application that would be great thank you
>
> Sincerely
>
>
> 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.

The Cally
427 Caledonian Road
London
N7 9BC

02 December 2013

Public nuisance

I understand that the applicant has agreed to change areas of the first proposal; however my original concerns remain the same.

Would the applicant give written assurances that the premises will not be used for private functions outside these hours?

Public Safety / Protection of children from harm

I note that immediately outside the premises there is a zebra crossing and also a set of public crossing traffic lights that are in constant use by the residents of Caledonian Estate.

There is very little pavement space however the traffic light section seems to be where the smokers are encouraged to group. It is fair to assume they will sometimes be more than a little inebriated thus making what should be a place of safety more a place of potential hazard for the people on the estate

who constantly use these crossings as well as the general public; this has a serious impact on parents with buggies and double buggies.

Public nuisance

This is a residential area and I strongly object and believe that this licencing application for a night club will be a nuisance and detrimental to the wellbeing of the children and families living on the Caledonian Estate, causing endless disturbance and on-going disruption to all aspects of our lives.

With children and families constantly having to witness smoking, drinking, hear bad language, littering, urinating and vomiting adults who in the past used our estate and street as a toilet, this will happen again.

There are plenty of late night pubs with music and entertainment within a short walk away so another one is completely unnecessary. **Shillibeer's night club is not more than 5 minutes' walk away in North Road and is open till 2am already at the weekend.**

As it stands now we suffer our share of anti-social behaviour from the drunks leaving local establishments heading home in our direction. They sit on the wall or by the bus stop opposite talking aggressively, loudly swearing, urinating and vomiting and on occasions fighting with no regard to the residents living on the Caledonian Estate or to our children's health and wellbeing.

Public Safety

There would be significant danger and noise throughout the evening and especially in the early hours with loud drunk and sometimes extremely intimidating people as is the nature of this kind of establishment.

Therefore the health and safety and wellbeing of the children and families living on the Caledonian Road Estate and locally would be substantially compromised by lack of sleep and the peaceful enjoyment of their home.

Even without this license we are unfortunate enough to suffer some of the fallout from other licenced premises in the area with people waiting at the all night bus stop causing anti-social behaviour that is heard and witnessed by families' it is very clear that these people have been consuming alcohol. When asked to stop become abusive and threatening towards people whose only desire is to have a good night sleep.

Crime and disorder

With great respect to the panel I point out the local authorities own review of the Licensing Policy in 2012. Alcohol consumption is increasingly identified as a **major factor behind violent crime and disorder in the borough with serious consequences to victims, businesses and local communities'**

The number of licensed premises in Islington has increased rapidly, as have resulting negative impacts like noise and anti-social behaviour. Islington Councils own words

I robustly fear that my child and those children and families living on Caledonian Estate will have to witness additional crime and disorder on our streets due to the increased numbers consuming alcohol and the activities that go hand and hand with late night drinking and music/dancing (NIGHT CLUBS).

Throughout the night we already suffer the disorder caused by people leaving other local establishments fighting, vandalising of street property, aggressive and verbal abuse when asked to stop, littering, urinating in public, vomiting and with no respect to properties or those living in the surrounding properties. It is not so long ago when a young Islington resident was stabbed to death in a Night Club venue and the dangers still exist.

Protection of children from harm

We need to protect our children from harm and it is imperative that during the day time we do not allow our children to suffer and witness numbers of people smoking and standing in groups. Our children will feel intimidated and scared as we all will when forced to pass groups of people standing in the street.

I implore the panel to reject this application

Williams, John

From:
Sent: 19 November 2013 10:41
To: Licensing
Subject: YOUR REFERENCE: WK201329990

Dear Ms Tomashevsvki

THE CALLY, 427 CALEDONIAN ROAD, LONDON N7 9BC

I wish to object to the licensing application for these premises.

This building is situated opposite an estate of about 200 flats and there will certainly noise nuisance, particularly at closing time - midnight on Fridays and Saturdays - which will be much worse in the summer when we have our windows open.

Yours sincerely

**ISLINGTON**

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

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

Our ref : GW
Your ref:

Date: 19 November 2013

Mr Edmond Toska
Clubwise (Caledonian) Ltd
The Cally 427 Caledonian Road
London
N7 9BG

Dear Sir

**Licensing Act 2003
Representation from Responsible Authority for Health and Public Safety
The Cally 427 Caledonian Road N7 9BG**

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

At a survey of the premises on 25 October 2013 it was found that the requirements specified in the attached schedule are in need of urgent attention to ensure the existing arrangements at the premises are adequate for health and public safety.

The premises should be maintained in good condition. Staff should be trained in the health and safety measures applicable to the premises and the action to be taken in the event of an emergency or evacuation. Enclosed for your attention are **Health and Safety Standards for Places of Assembly, Shops and Commercial Premises**.

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

Please give notification of the commencement and completion of the works.

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

Yours faithfully

Geoff Weaver
Senior Building Surveyor (Licensing Health and Safety)



**Islington Licensing Authority
Licensing Act 2003**

Representation form from Responsible Authority for Health and Public Safety

Name	Geoff Weaver
Job title	Senior Building Surveyor (Licensing Health and Safety)
Postal address	Islington Council, Building Control Service 222 Upper Street, London N1 1XR
email	geoff.weaver@islington.gov.uk
Contact telephone number	020 7527 5986
Name and address of the premises concerning the representation	The Cally 427 Caledonian Road N7 9BG
Public Safety	The arrangements at the premises are insufficient for health and public safety. See attached requirements schedule.
Suggested conditions that could be added to the licence to remedy the public safety representation	The premises shall not be used under the licence until the requirements specified in the schedule dated 19 November 2013 have been completed and approved in writing by the responsible authority for health and public safety.

Signed: _____ Date: _____

Please return this form along with any additional sheets to: Applicant and Islington Council, Licensing Team, 222 Upper Street, London N1 1XR or email to licensing@islington.gov.uk This form must be returned within the statutory period. For more details please check with the Licensing Support Team on 020 7527 3031.

**Licensing Act 2003 – Requirements schedule dated 19 November 2013 for
The Cally 427 Caledonian Road N7 9BG**

- (1) The following doors should be at least 30 minutes fire resisting, self-closing, close fitting to frames and floors and fitted with smoke and intumescent seals:

- Door between the hotel kitchen and the cellar area.
- The two lobby doors separating the bar area from the hotel stairway enclosure.

Self-closing fire doors should be provided with signs on both sides of the door worded **Fire door keep shut**.

- (2) The under side of the hotel stairway enclosure should be separated from the cellar and bar with 60 minutes fire resisting construction.
- (3) Smoke detectors connected to the hotel fire alarm system should be installed in the cellar area and bar area. The hotel fire alarm system should be in accordance with BS 5839 – 1.
- (4) Smoke detectors connected to the bar's fire alarm system should be installed in the cellar area. The heat detector in the kitchen should be repositioned on the ceiling.

Smoke detectors should be sited so that no point is further than 7.5m from the nearest smoke detector. Heat detectors should be sited so that no point is further than 5.3m from the nearest heat detector. Smoke and heat detectors should not be mounted within 500mm of any walls or obstructions.

Fire alarm sounders should give clear audible warning of 65 dB(A) in all areas of the premises. The fire alarm system should be in accordance with BS 5839 – 1.

- (5) A conspicuously coloured gas cut off valve should be provided in a readily accessible position adjacent to the exit from the kitchen to cut off the gas supply by hand in an emergency. The gas cut off valve should be clearly labelled **Gas emergency cut off control** and the off position or method of operation clearly indicated.
- (6) Mechanical extract ventilation should be installed in the male and female toilets extracting direct to external air at a rate of not less than 6 litres/second per water closet/urinal or 6 air changes per hour, whichever gives the biggest volume. Extract fans should have a 15 minute over-run controlled by the light switches or occupant detecting sensors. Air inlets to the toilets should be provided, e.g. 10mm gaps under the doors.
- (7) The female toilet doors and the door into the male toilets should be fitted with automatic self-closing devices that will shut and hold the doors closed within their frames.
- (8) External shutters in front of any exit doors should be repaired/adjusted to ensure that the shutters fully open and do not obstruct the opening of the exit doors.
- (9) A continuous handrail should be provided to the cellar stairs at a height of not less than 900mm and not more than 1000mm above the pitch line or floor.

Handrails should extend where possible at least 300mm beyond the top or bottom riser of any steps. The handrails should be circular with a diameter 32mm to 50mm or non-circular 50mm wide and 39mm deep having rounded edges.

- (10) The cellar stairs should be provided with adequate lighting. Lighting should be operated by local manual switches convenient for use or an automatic switching system.
- (11) The rear external exit route leading to the street should be provided with adequate lighting. Lighting should be operated by an automatic switching system or kept on when the premises are occupied. Light switches in areas to which the public have access should be key-operated or otherwise protected to prevent unauthorised operation.

(12) In addition to lighting and the existing emergency lighting, emergency lighting in compliance with BS 5266 – 1 should be provided in the parts of the premises specified below:

- Kitchen.
- Cellar area and top of cellar stairs.
- The rear external exit route leading to the street.

Note 1: Non-maintained emergency lighting should be wired to the local lighting circuit in such a manner as to operate not only in the event of failure of the mains supply but also on failure of the supply to the local lighting circuit.

Note 2: The emergency lighting for the rear external exit route emergency could be a maintained fitting providing lighting and emergency lighting.

(13) Existing emergency lighting luminaires within the premises should be cleaned, inspected and tested to ensure that each luminaire is wired to the local lighting circuit in such a manner as to operate not only in the event of failure of the mains supply but also on failure of the supply to the local lighting circuit.

(14) Graphic symbol exit signs in compliance with the Health and Safety (Safety Signs and Signals) Regulations should be provided:

- Entrance/exit door.
- Over the door into the corridor leading to the toilets and emergency exit.
- Over the door leading to the female toilets and emergency exit.
- Over the emergency exit door.

(15) One water or foam fire extinguisher (rating 13A) and one carbon dioxide fire extinguisher (rating 34B) should be provided:

- Behind or adjacent to the bar counter.
- At the foot of the cellar stairs.

A fire blanket and a carbon dioxide fire extinguisher (rating 34B) should be located at the kitchen exit doorway.

Fire extinguishers should be on brackets or stands and located so as not to obstruct exit routes or cause a hazard to persons in and about the premises.

Appropriate signs should be fixed adjacent to the fire extinguishers indicating the type of fire fighting appliance and the class of fire covered.

(16) Copies of the inspection and test certificates specified below, certified by an approved competent person, should be submitted to the responsible authority for health and public safety.

- Electrical installation condition report
- Emergency lighting
- Fire alarm
- Fire fighting appliances
- Gas boilers, gas installations and appliances

Note: Approved competent persons for certification are specified in the attached document **Health and Safety Standards for Places of Assembly, Shops and Commercial Premises**.

**Licensing Act 2003 - Representation from the Pollution Projects Team
Application: The Cally 427 Caledonian Road Islington N7**

I am submitting a representation on behalf of the Pollution Projects Team with respect to a new premises licence application to permit the sale of alcohol, for consumption on the premises, from 11:00 until 23:00 Sunday to Thursday and 11:00 until 00:00 Friday and Saturdays.

The grounds for the representation are:

- Public nuisance

The premises is located in a Cumulative Impact Area so there is no presumption that the application should be refused however there is an expectation in drawing up the application that the Applicant considers the promotion of the licensing objectives; including the prevention of public nuisance.

Licensing Policy Considerations

<i>Licensing Policy 1</i>	<i>Location, hours of operation, compliance history, standards of management and suitability of the building</i>
<i>Licensing Policy 9 & 10</i>	<i>Operating schedules</i>
<i>Licensing Policy 21</i>	<i>Dispersal Policies</i>

Licensing Policy 1

We note:

- The area within which the premises is situated is of a mixed commercial and residential nature.
- The hours applied for are consistent with those recommended for public houses and bars within the Licensing Policy.
- We have considered the compliance history for the current management and reviewed former uses of the premises.
- The Applicant has advised us that the premises will be open for local patrons and that no recorded or live music will be played on the premises; we are advised that amplified sound will be restricted to the use of a wall mounted television at background noise levels.

Licensing Policy 9 and 10

The premises operating schedule provided contains insufficient information to demonstrate that high standards of management will operate on the premises and is highly confusing; the applicant does not appear to have considered the Licensing Policy in preparing it; there is no reference to the local context and the proposed controls in the operating schedule relating to the prevention of public nuisance are not clear.

We have visited the premises and met with Mr Toska to try and confirm management standards and controls in place however his conversation with us had to be officer led and he doesn't appear to understand how to make an application well.

Summary and recommendations

The Pollution Projects Team has considered the application using the Licensing Framework. The applicant does not appear to have sought advice on measures to put in place to promote the licensing objective for the prevention of public nuisance indicating that the style of management will be reactive rather than proactive.

We recommend refusal of the application however if the Licensing Committee is satisfied that the operation of the premises can promote the prevention of public nuisance then we would recommend that the following conditions are placed on the Licence:

A. Dispersal

1. The Premises Licence Holder will prepare and implement a dispersal policy to the written approval and satisfaction of the Council's Noise Service.

B. Deliveries

1. Deliveries shall not take place on Sundays or Bank Holidays.
2. Deliveries shall only be made between the hours of 07:00 and 21:00 on other days.

C. Bottling Out and Refuse

1. Bottling out and refuse disposal shall not take place Sundays or Bank Holidays.
2. Bottling out and refuse disposal shall only take place between the hours of 07:00 and 21:00 other days.

D. Outside Areas

1. No consumption of alcohol shall take place outside the building.
2. No chairs or tables shall be placed outside the building.

E. Smoking

1. Smoking shall be restricted to the Brewery Road façade and kept to reasonable numbers at all times.
2. A suitable container shall be provided for smoking litter on the buildings Brewery Road façade.

F. Amplified Sound

1. Amplified sound on the premises shall be restricted to one wall mounted television set in the bar area.

G. Doors and Windows

Windows shall be kept closed and doors shall be kept closed so far as practicable after 21:00.

Eryka Bancroft
Senior Environmental Health Officer (Noise)
eryka.bancroft@islington.gov.uk
020 7527 3846

2nd December 2013

Suggested conditions of approval consistent with the operating schedule

1. CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable frontal identification of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or a Police Officer within 24 hours of any request.
2. Alcoholic and other drinks purchased from the premises may not be taken outside the premises in open containers and staff shall monitor departing customers to prevent this.
3. No glasses shall be taken outside the venue.
4. Notices will be displayed advising customers of the Borough wide DPPO and that no open containers of alcohol or other drinks and no glasses or bottles may be removed from the premises.
5. A hard back incident book in which all instances of crime and disorder will be recorded shall be kept and made available to the Police or Authorised Officers on request.
6. All staff shall be trained for their role on induction and receive refresher training every six months. Staff authorised to sell alcohol shall receive training in the operation of Challenge 25 as the proof of age policy. Written training records will be kept for each member of staff.
7. Challenge 25 will be operated as the Proof of Age Policy and only a passport, photo driving licence or proof of age card with the PASS logo or hologram will be accepted as proof of age. A hard back refusals record of refusals shall be kept in which all refusals of service to underage persons, persons appearing to be under 25 requesting alcohol without acceptable proof of age or persons who are intoxicated shall be recorded. The record will be checked and signed by the DPS on a weekly basis. It will be made available to a Police or Authorised Officer on request.
8. Notices will be displayed at the entry / exit door and point of sale advising customers that CCTV and Challenge 25 are in operation, advising departing customers they are in a residential area and to leave quietly, not to loiter outside or drink in the street due to the DPPO. Smokers will be requested to remain quiet and to dispose of cigarette butts legally.
9. A fire risk assessment will be undertaken and emergency plan prepared. A written record of the fire risk assessment and emergency plan will be prepared and regularly reviewed.
10. All staff shall be trained for their role on induction and receive refresher training every six months. Staff authorised to sell alcohol shall receive training in the operation of Challenge 25 as the proof of age policy. Written training records will be kept for each member of staff.
11. Challenge 25 will be operated as the Proof of Age Policy and only a passport, photo driving licence or proof of age card with the PASS logo or hologram will be accepted as proof of age. A hard back refusals record of refusals shall be kept in which all refusals of service to underage persons, persons appearing to be under 25 requesting alcohol without acceptable proof of age or persons who are intoxicated shall be recorded. The record will be checked and signed by the DPS on a weekly basis. It will be made available to a Police or Authorised Officer on request.
12. No unaccompanied children shall be permitted in the premises at any time and children and young persons under 18 shall be required to leave by 21.00.

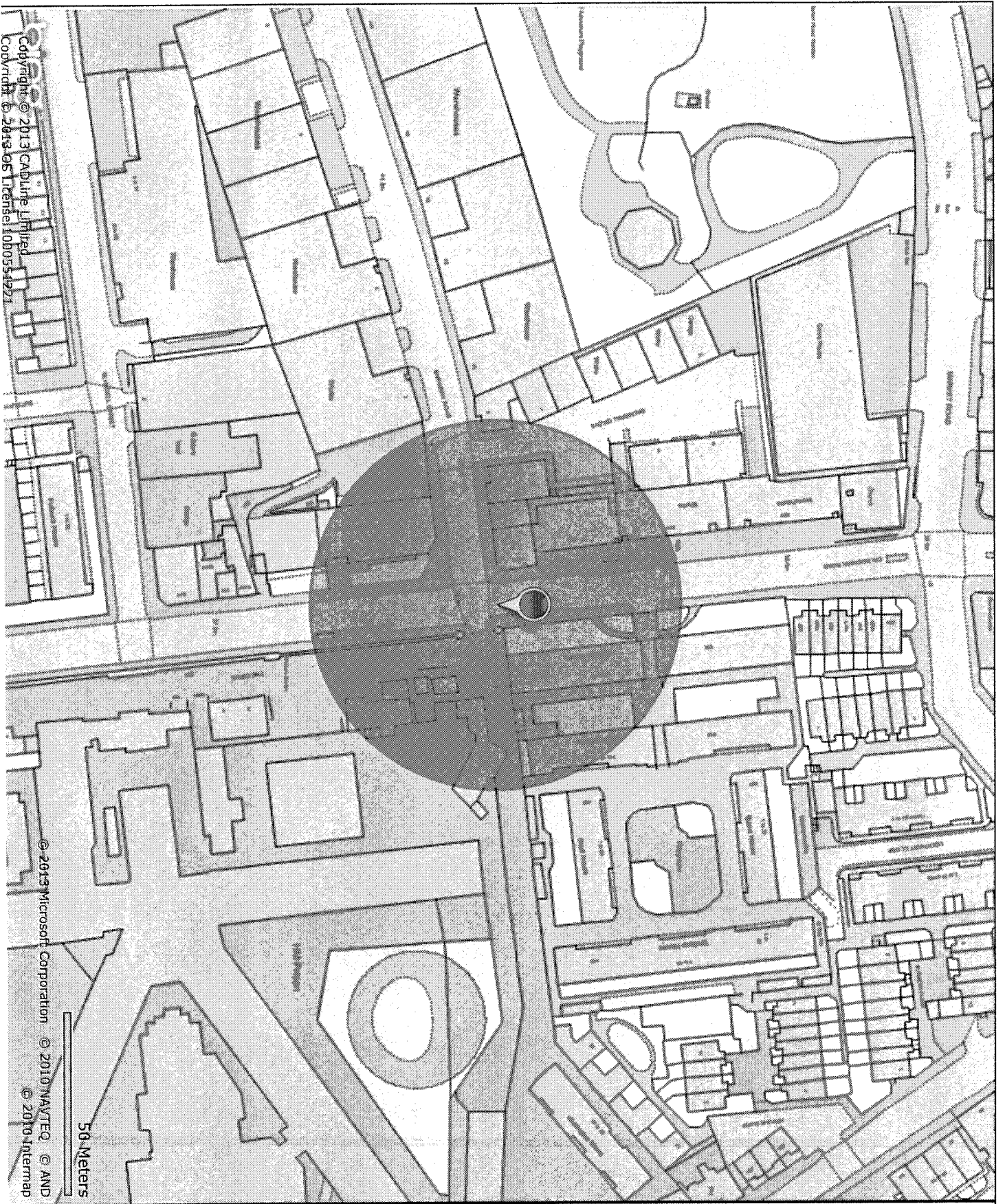
Suggested conditions of approval from the Noise Team (accepted)

13. The Premises Licence Holder will prepare and implement a dispersal policy to the written approval and satisfaction of the Council's noise service.
14. Deliveries shall not take place on Sundays or Bank Holidays.
15. Deliveries shall only be made between the hours of 07:00 and 21:00 on other days.
16. Bottling out and refuse disposal shall not take place Sundays or Bank Holidays.
17. Bottling out and refuse disposal shall only take place between the hours of 07:00 and 21:00 other days.
18. No consumption of alcohol shall take place outside the building.
19. No chairs or tables shall be placed outside the building.

20. Smoking shall be restricted to the Brewery Road façade and kept to reasonable numbers at all times.
21. A suitable container shall be provided for smoking litter on the buildings Brewery Road façade.
22. Windows shall be kept closed and doors shall be kept closed so far as practicable after 21:00.

Suggested conditions of approval from Health & Safety

23. The premises shall not be used under the licence until the requirements specified in the schedule dated 19 November 2013 have been completed and approved in writing by the responsible authority for health and public safety.



Title : 427 Caledonian Road, London N1 0BC

Islington Borough
Boundary

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16-12-2013