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## AGENDA FOR THE LICENSING SUB COMMITTEE B

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Members of Licensing Sub Committee B are summoned to a meeting, which will be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on, **8 December 2015 at 6.30 pm.**

**John Lynch**  
**Head of Democratic Services**

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Despatched : 30 November 2015

### **Membership**

Councillor Alex Diner (Chair)  
Councillor Marian Spall (Vice-Chair)  
Councillor Robert Khan

### **Substitute**

All other members of the Licensing committee

Quorum: is 3 Councillors

**Welcome :** Members of the public are welcome to attend this meeting.  
Procedures to be followed at the meeting are attached.



**A. Formal matters** **Page**

1. Introductions and procedure
2. Apologies for absence
3. Declarations of substitute members
4. Declarations of interest

If you have a **Disclosable Pecuniary Interest\*** in an item of business:

- if it is not yet on the council's register, you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent;
- you may **choose** to declare a Disclosable Pecuniary Interest that is already in the register in the interests of openness and transparency.

In both the above cases, you **must** leave the room without participating in discussion of the item.

If you have a **personal** interest in an item of business **and** you intend to speak or vote on the item you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent but you **may** participate in the discussion and vote on the item.

**\*(a) Employment, etc** - Any employment, office, trade, profession or vocation carried on for profit or gain.

**(b) Sponsorship** - Any payment or other financial benefit in respect of your expenses in carrying out duties as a member, or of your election; including from a trade union.

**(c) Contracts** - Any current contract for goods, services or works, between you or your partner (or a body in which one of you has a beneficial interest) and the council.

**(d) Land** - Any beneficial interest in land which is within the council's area.

**(e) Licences**- Any licence to occupy land in the council's area for a month or longer.

**(f) Corporate tenancies** - Any tenancy between the council and a body in which you or your partner have a beneficial interest.

**(g) Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

This applies to **all** members present at the meeting.

5. Order of Business
6. Minutes of Previous Meetings 1 - 22

**B. Items for Decision** **Page**

1. Nando's, 99-100 Turnmill Street, EC1M 5QP - Application for a premises licence variation 23 – 68  
Clerkenwell

2.	Borough Wines, 344a Essex Road, N1 3PD - Application for a new premises licence	69 – 102 Canonbury
3.	The Junction Cafe, 95 Junction Road, N19 5QX - Application for a new premises licence	103 – 130 Junction
4.	Restaurant, 88 Highbury Park, N5 2XE - Application for a new premises licence	131 – 162 Highbury East
5.	City News, 4 Exmouth Market, EC1R 4PX - Application for a new premises licence	163 – 184 Clerkenwell

**C. Urgent non-exempt items**

Any non-exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

**D. Exclusion of public and press**

To consider whether, in view of the nature of the remaining items on the agenda, any of them are likely to involve the disclosure of exempt or confidential information within the terms of the Access to Information Procedure Rules in the Constitution and, if so, whether to exclude the press and public during discussion thereof.

**E. Urgent Exempt Items (if any)**

Any exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

## ISLINGTON LICENSING SUB-COMMITTEES -

### PROCEDURE FOR HEARING LICENSING APPLICATIONS UNDER THE LICENSING ACT 2003

#### INTRODUCTION

#### TIME GUIDE

- 1) The Chair of the Sub-Committee will open the meeting and invite all members of the Sub-Committee, Officers, the applicant and anybody making representations, including witnesses (who have been given permission to appear) to introduce themselves.
- 2) The Chair will introduce the application and draw attention to the procedure to be followed as detailed below.

#### CONSIDERATION OF APPLICATIONS:

**N.B. The Sub-Committee have read all the papers. All parties should use this time to present a summary of their key points and not to repeat the detail already provided in the report.**

- 3) **The Licensing Officer** will report any further information relating to the application or representations. Where necessary the relevant parties will respond to these points during their submissions.
- 4) **Responsible Authorities** to present the key points of their representations; and clarify any points requested by the Authority. Witnesses, given permission by the Authority, may appear. 10 mins
- 5) The Sub-Committee to question the responsible authorities on matters arising from their submission.
- 6) **Interested Parties** to present the key points of their representations; and clarify any points requested by the Authority. Witnesses, given permission by the Authority, may appear. 10 mins
- 7) The Sub-Committee to question the objectors on matters arising from their submission.
- 8) **The applicant** to present the key points of their application, address the representations and clarify any points requested by the Authority. Witnesses given permission by the Authority may appear. 10 mins
- 9) The Sub-Committee to question the applicants on matters arising from their submission.
- 10) If required, the Licensing Officer to clarify matters relating to the application and the Licensing Policy.
- 11) The Chair may give permission for any party to question another party in the order of representations given above.

#### CASE SUMMARIES

- 12) **Responsible Authorities**
  - 13) **Interested parties**
  - 14) **Applicant**
- 2 mins each

#### DELIBERATION AND DECISION

- 15) The Sub-Committee may retire to consider its decision. The Committee Clerk and Legal Officer will remain with the Sub-Committee.
- 16) If the Sub-Committee retires, all parties should remain available to provide further information or clarification.
- 17) The chair will announce their decision giving reasons and any conditions to be attached to the licence. All parties will be informed of the decision in writing.

London Borough of Islington

## Licensing Sub Committee B - 14 October 2015

Minutes of the meeting of the Licensing Sub Committee B held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 14 October 2015 at 6.30 pm.

**Present:**           **Councillors:**       Alex Diner (Chair), Aysegul Erdogan and Flora Williamson

### Councillor Alex Diner in the Chair

- 56**        **INTRODUCTIONS AND PROCEDURE (Item A1)**  
Councillor Alex Diner welcome everyone to the meeting, asked members and officers to introduce themselves and outlined the procedures for the meeting.
- 57**        **APOLOGIES FOR ABSENCE (Item A2)**  
Apologies were received from Councillor Khan and Councillor Spall.
- 58**        **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**  
Councillor Williamson substituted for Councillor Spall and Councillor Erdogan substituted for Councillor Khan.
- 59**        **DECLARATIONS OF INTEREST (Item A4)**  
None.
- 60**        **ORDER OF BUSINESS (Item A5)**  
The order of business was as the agenda. Items B1 – B3 were taken together at the meeting although each decision was made separately.
- 61**        **MINUTES OF PREVIOUS MEETING (Item A6)**  
**RESOLVED**  
That the minutes of the meeting held on the 4 August 2015 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.
- 62**        **6A AND 6B ESTHER ANNE PLACE, N1 1WL - APPLICATION FOR A PROVISION STATEMENT (Item B1)**  
Items B1-B3 were taken together as one item although decisions on each item were made separately.

The licensing officer reported that two documents had been circulated separately. These were the applicant's response to objections from residents and in return the response from residents to this document. These would be interleaved with the agenda papers. The noise officer had withdrawn their objections and the metropolitan police had also withdrawn their representation following conditions put forward by the applicant.

Local residents representing Almeida Street, Moon Street, Studd Street and Theberton Street resident associations spoke against the application. It was reported that planning consent had been granted until only 23:00 hours each day and that exit from the mall area should be to Upper Street only. Residents were concerned about noise disturbance and loitering. There would be 66 flats along the Central Avenue. They considered that there should be no off sales or sales of take away food. There should be no disturbance from live

## Licensing Sub Committee B - 14 October 2015

music after 10pm. It was understood that the planning status of A1 and A3 development was flexible but it was considered that there should be some limit to the use of A3. They stated that the access doors to Central Avenue should be closed at 10pm and patrons directed and encouraged to leave via Upper Street. Signage was not enough. There should be no new customers after 10pm. If possible, there should be a ban on smoking in Central Avenue but if not, a set limit to the number of smokers and tables and chairs outside the premises should be fenced off. The dedicated phone number for complaints should be advertised on their website. It was reported that bottling out had been covered in the planning consent and was to be carried out internally. No taxis or private hire vehicles should pick up from Esther Anne Place. Customers using the gym should be discouraged from smoking outside and taxis should be restricted from picking up outside the premises.

Patrons should leave by Upper Street. It was reported that this was a saturation area with a high volume of anti-social behaviour following the consumption of alcohol.

The applicant informed the Sub-Committee that this was an application for a provisional statement and the premises would not be occupied until 2017. A tenant would need to apply for a premises licence and he considered that licensing policy 6, regarding planning consent did not apply to provisional statements.

A ten minute adjournment was held for the Sub-Committee to take legal advice as to whether licensing policy 6 applied to provisional statements.

Upon return, the legal officer reported that she had advised the Sub-Committee members that licensing policy 29, in relation to provisional statements, stated that the Sub-Committee should, as far as reasonably practicable apply the same standards to provisional statements as to premises licences. She stated that licensing policy 6 was therefore still relevant although she had also reminded members that planning and licensing were separate regimes.

The applicant asked the Sub-Committee to consider the weight they would give to the planning consent hours.

The applicant showed a map of the development and reported that the majority of patrons would exit onto Upper Street to local transport. A pop-up restaurant had been provided with a licence under delegated powers and had operated without complaint. Conditions agreed now would be passed onto any premises licence unless there was a substantial change in the application. The bar in the gym was in the basement and was not considered a bar in the strictest sense. This would be a family gym. Restaurants would have a small bar area but most patrons would be seated having a table meal. They would not be fast food restaurants. Outside tables and chairs would be removed and rendered unusable by 10pm. They did not consider that there should be a condition regarding doors and windows as noise escape would be dealt with. It was not necessary to have a condition regarding no further admissions after 10pm. When considering the cumulative impact policy, the Sub-Committee would consider the views of the responsible authorities, the proposed hours, the type and number of customers, the conditions and the standards of management to ensure premises did not have a negative impact on the cumulative impact policy. The development would promote mixed use of the premises and it was expected to have local exhibitions and art and cultural activities. Tables and chairs outside would be properly managed and would have the benefit of encouraging continental, family style dining. Regarding the conditions suggested by the residents he stated that it would not be necessary to restrict the number of smokers as meals would not take a long time, it would not be possible to enforce a condition moving patrons to a specific direction and no new entry to patrons after 10pm was not necessary. Regarding off sales the applicant stated that it was acceptable that off sales be limited to part bottles of wine consumed with the meal. Live music was not a licensable

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activity until 11pm. After 11pm music was background and if there was disturbance the licence could be reviewed or notice served. The applicant would be unable to prevent taxis coming into the development but would not encourage them to do so. It was not considered appropriate or proportionate that all customers had to leave the premises by 11pm.

In response to questions it was noted that the applicant had no objection to a drinking up time in the bar area. It was noted that usually 15% of floor space would be taken up by an ancillary bar. There would be approximately 165 covers in each restaurant, although it was difficult to calculate at this early stage. However, residents were protected if there was a material change and if covers increased to 250-330. This was a restaurant and Challenge 25 would be onerous on the licensee. There would be lighting at either end of the mall and good signage and lighting throughout. There could be a number of smokers walking along Esther Anne Place so it would not be appropriate to restrict smokers outside the premises. The development would be controlled by 24 hour CCTV and security and the two restaurants and the gym would be a small part of the total offer. Concern was raised that the applicant had not completed the section in the application form asking the applicant to describe the steps that would be taken to promote the licensing objectives. The applicant stated he had produced a proposed schedule of conditions and had not wanted to put waffle on the form. He undertook to complete the form more fully for future applications. It was noted that the bar in the gym was more a lounge than a bar. Gym members would need to go through a reception area and it was effectively a private club.

In summary, the residents reported that a premises in the development was already operating without planning permission. A condition had been imposed on the Grangers licence in Clerkenwell regarding table meals. Not allowing re-entry after 10pm was considered reasonable. Tables outside should be fenced off. Smokers should be restricted. Taxis should be discouraged and security at the development could refuse access except for disabled passengers. Residents considered that there be no vehicular access. They stated that taxis already created a parking problem in Theberton Street.

The applicant stated that a no entry policy after 10pm was not appropriate and it would be difficult to micro manage access and egress. The Sub-Committee should consider the weight it gave to the planning consent in the context of hours of operation. The applicant had until 2017 to make amendments to the planning permission. Any licence would not be able to be operated later than the planning consent in any event. Any applicant for a premises licence would not benefit from a provisional statement if there was a material change in the application. Traffic had been considered at the planning stage and it was not considered appropriate to condition.

### **RESOLVED**

a) That the provisional statement in respect of 6a and 6b Esther Anne Place, N1 be granted:-

- i) To permit the premises to sell alcohol, on and off supplies only, on Sundays to Thursdays from 10:00 until 23:00 and Fridays and Saturdays from 10:00 until midnight.
- ii) To allow the provision of late night refreshment, Fridays and Saturdays from 23:00 until midnight.
- iii) Opening hours to be Sundays to Thursdays from 08:00 until 23:00 and Fridays and Saturdays from 08:00 until midnight.

b) Conditions proposed by the applicant and the following additions/amendments shall be applied to the licence.

- Condition 3 proposed. The outside tables shall be cleared of patrons and rendered unusable by 10pm.

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- The bar area be not more than 15% of the total restaurant/bar floor space.
- No drinks shall be served in the bar area within the last 30 minutes of the closing time of the premises.
- No more than 10% of the total capacity of the restaurant shall be permitted to smoke outside the premises at any one time.

### **REASONS FOR DECISION**

The Sub-Committee listened to all the evidence and submissions and read all the material. The Sub-Committee reached the decision having given consideration to the Licensing Act 2003, as amended, and its regulations, the national guidance and the Council's Licensing Policy.

The Sub-Committee took into consideration Licensing policy 29. Licensing policy 29 states that in considering applications for a provisional statement the Sub-Committee will as far as reasonably practicable apply the same standards as required for the grant of the premises licence.

Under Licensing policy 2, the premises fall into the Angel and Upper Street cumulative impact area. Licensing policy 2 creates a rebuttable presumption that applications for new and variations to premises licences that are likely to add to the existing cumulative impact will normally be refused, unless an 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.

The Sub-Committee heard evidence from local residents representing Almeida Street, Moon Street, Studd Street and Theberton Street resident associations. The Sub-Committee noted resident's concerns about noise disturbance and loitering. Residents stated that there would be at least 66 flats and so the future residents above the premises should be considered. Residents were concerned that the hours sought in relation to the premises differed from the planning consent. Residents did not want take aways of food or drink, live music, any new customers after 10pm or any taxi drop offs. Residents were concerned that access should only be via the arcades and Upper Street. Residents were concerned about the number of smokers and the outside seating area and suggested that a contact number should be available for resident's complaints.

The Sub-Committee noted that the police and noise conditions had been agreed and the representations withdrawn. The Sub-Committee heard evidence from the applicant's representative that, in applying for a provisional statement, the applicant was trying to get the best template that their future tenant would have to abide by. The Sub-Committee heard that the hours sought by the applicant were within the core hours set out in licensing policy 8. The Sub-Committee heard that the proposed restaurants were not fast food outlets and that the whole tone was more aspirational. The applicant had offered a condition that outside tables and chairs be rendered unusable by 10pm. The applicant's representative asked that there be no condition in relation to new customers after 10pm and stated that it would not be practicable to have a member of staff directing customers to Upper Street after 10pm, although there would be signage. The Sub-Committee heard that the restaurant would not add to the cumulative impact due to the type of premises, location, hours, types and numbers of customers and the high standards of management. The Sub-Committee noted that the applicant is promoting a mixed use for the development which includes the old Almeida Theatre, rehearsal rooms and hopefully local exhibitions. The applicant's representative confirmed that the bar area would be no bigger than 15% of the floor space. It was noted that the development would have 24 hour CCTV and security.

The Sub-Committee was satisfied that, with the conditions proposed and the additional conditions, the premises would not add to the cumulative impact in the area. The Sub-Committee noted that if the applicant's future tenants applied for a premises licence that was substantially different, new objections could be raised. The Sub-Committee noted the applicant's assurances that the premises would not be operated outside the remit of the planning consent. The Sub-Committee noted that the applicant had met with police and agreed comprehensive conditions. The Sub-Committee noted that the premises were an integral part of the development which would benefit the area.

The Sub-Committee took into account licensing policies 2, 8, 18, 20 and 29 and concluded that, in granting the provisional statement with the comprehensive conditions attached, the licensing objectives would be promoted.

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**15 ESTHER ANNE PLACE, N1 1UL - APPLICATION FOR A PROVISIONAL STATEMENT (Item B2)**

The licensing officer reported that two documents had been circulated separately. These were the applicant's response to objections from residents and in return the response from residents to this document. These would be interleaved with the agenda papers. The noise officer had withdrawn their objections and the metropolitan police had also withdrawn their representation following conditions put forward by the applicant.

Local residents representing Almeida Street, Moon Street, Studd Street and Theberton Street resident associations spoke against the application. It was reported that planning consent had been granted until only 23:00 hours each day and that exit from the mall area should be to Upper Street only. Residents were concerned about noise disturbance and loitering. There would be 66 flats along the Central Avenue. They considered that there should be no off sales or sales of take away food. There should be no disturbance from live music after 10pm. It was understood that the planning status of A1 and A3 development was flexible but it was considered that there should be some limit to the use of A3. They stated that the access doors to Central Avenue should be closed at 10pm and patrons directed and encouraged to leave via Upper Street. Signage was not enough. There should be no new customers after 10pm. If possible, there should be a ban on smoking in Central Avenue but if not, a set limit to the number of smokers and tables and chairs outside the premises should be fenced off. The dedicated phone number for complaints should be advertised on their website. It was reported that bottling out had been covered in the planning consent and was to be carried out internally. No taxis or private hire vehicles should pick up from Esther Anne Place. Customers using the gym should be discouraged from smoking outside and taxis should be restricted from picking up outside the premises.

Patrons should leave by Upper Street. It was reported that this was a saturation area with a high volume of anti-social behaviour following the consumption of alcohol.

The applicant informed the Sub-Committee that this was an application for a provisional statement and the premises would not be occupied until 2017. A tenant would need to apply for a premises licence and he considered that licensing policy 6, regarding planning consent did not apply to provisional statements.

A ten minute adjournment was held for the Sub-Committee to take legal advice as to whether licensing policy 6 applied to provisional statements.

Upon return, the legal officer reported that she had advised the Sub-Committee members that licensing policy 29, in relation to provisional statements, stated that the Sub-Committee should, as far as reasonably practicable apply the same standards to provisional statements as to premises licences. She stated that licensing policy 6 was therefore still relevant

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although she had also reminded members that planning and licensing were separate regimes.

The applicant asked the Sub-Committee to consider the weight they would give to the planning consent hours.

The applicant showed a map of the development and reported that the majority of patrons would exit onto Upper Street to local transport. A pop-up restaurant had been provided with a licence under delegated powers and had operated without complaint. Conditions agreed now would be passed onto any premises licence unless there was a substantial change in the application. The bar in the gym was in the basement and was not considered a bar in the strictest sense. This would be a family gym. Restaurants would have a small bar area but most patrons would be seated having a table meal. They would not be fast food restaurants. Outside tables and chairs would be removed and rendered unusable by 10pm. They did not consider that there should be a condition regarding doors and windows as noise escape would be dealt with. It was not necessary to have a condition regarding no further admissions after 10pm. When considering the cumulative impact policy, the Sub-Committee would consider the views of the responsible authorities, the proposed hours, the type and number of customers, the conditions and the standards of management to ensure premises did not have a negative impact on the cumulative impact policy. The development would promote mixed use of the premises and it was expected to have local exhibitions and art and cultural activities. Tables and chairs outside would be properly managed and would have the benefit of encouraging continental, family style dining. Regarding the conditions suggested by the residents he stated that it would not be necessary to restrict the number of smokers as meals would not take a long time, it would not be possible to enforce a condition moving patrons to a specific direction and no new entry to patrons after 10pm was not necessary. Regarding off sales the applicant stated that it was acceptable that off sales be limited to part bottles of wine consumed with the meal. Live music was not a licensable activity until 11pm. After 11pm music was background and if there was disturbance the licence could be reviewed or notice served. The applicant would be unable to prevent taxis coming into the development but would not encourage them to do so. It was not considered appropriate or proportionate that all customers had to leave the premises by 11pm.

In response to questions it was noted that the applicant had no objection to a drinking up time in the bar area. It was noted that usually 15% of floor space would be taken up by an ancillary bar. There would be approximately 165 covers in each restaurant, although it was difficult to calculate at this early stage. However, residents were protected if there was a material change and if covers increased to 250-330. This was a restaurant and Challenge 25 would be onerous on the licensee. There would be lighting at either end of the mall and good signage and lighting throughout. There could be a number of smokers walking along Esther Anne Place so it would not be appropriate to restrict smokers outside the premises. The development would be controlled by 24 hour CCTV and security and the two restaurants and the gym would be a small part of the total offer. Concern was raised that the applicant had not completed the section in the application form asking the applicant to describe the steps that would be taken to promote the licensing objectives. The applicant stated he had produced a proposed schedule of conditions and had not wanted to put waffle on the form. He undertook to complete the form more fully for future applications. It was noted that the bar in the gym was more a lounge than a bar. Gym members would need to go through a reception area and it was effectively a private club.

In summary, the residents reported that a premises in the development was already operating without planning permission. A condition had been imposed on the Grangers licence in Clerkenwell regarding table meals. Not allowing re-entry after 10pm was considered reasonable. Tables outside should be fenced off. Smokers should be restricted. Taxis should be discouraged and security at the development could refuse

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access except for disabled passengers. Residents considered that there be no vehicular access. They stated that taxis already created a parking problem in Theberton Street.

The applicant stated that a no entry policy after 10pm was not appropriate and it would be difficult to micro manage access and egress. The Sub-Committee should consider the weight it gave to the planning consent in the context of hours of operation. The applicant had until 2017 to make amendments to the planning permission. Any licence would not be able to be operated later than the planning consent in any event. Any applicant for a premises licence would not benefit from a provisional statement if there was a material change in the application. Traffic had been considered at the planning stage and it was not considered appropriate to condition.

### **RESOLVED**

a) that the application for a provisional statement in respect of 15 Esther Anne Place, N1 1UL be granted:-

- i) To permit the premises to sell alcohol, on supplies only, Sundays to Thursdays from 10:00 until 23:00 and Fridays and Saturdays from 10:00 until midnight.
- ii) To allow the provision of late night refreshment, Fridays and Saturdays from 23:00 until midnight;
- iii) Opening hours to be: Sundays to Thursdays from 08:00 until 23:00 and Fridays and Saturdays from 08:00 until midnight.

b) That conditions proposed by the applicant with the following amendments shall be applied to the licence.

- Condition 13 to read. The premises shall operate a Challenge 25 scheme, all staff to be trained accordingly and a refusals book kept.

### **REASONS FOR DECISION**

The Sub-Committee listened to all the evidence and submissions and read all the material. The Sub-Committee reached the decision having given consideration to the Licensing Act 2003, as amended, and its regulations, the national guidance and the Council's Licensing Policy.

The Sub-Committee took into consideration Licensing policy 29. Licensing policy 29 states that in considering applications for a provisional statement the Sub-Committee will as far as reasonably practicable apply the same standards as required for the grant of the premises licence.

Under Licensing policy 2, the premises fall into the Angel and Upper Street cumulative impact area. Licensing policy 2 creates a rebuttable presumption that applications for new and variations to premises licences that are likely to add to the existing cumulative impact will normally be refused, unless an 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.

The Sub-Committee heard evidence from local residents representing Almeida Street, Moon Street, Studd Street and Theberton Street resident associations. The Sub-Committee noted resident's concerns about noise disturbance and loitering. Residents stated that there would be at least 66 flats and so the future residents above the premises should be considered. Residents were concerned that the hours sought in relation to the premises differed from the planning consent. Residents stated that there should be a 30 minute drinking up time and smoking should be discouraged in Central Avenue. Residents were

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concerned that access should only be via the arcades and Upper Street and taxis dropping off in Central Avenue.

The Sub-Committee noted that the police and noise conditions had been agreed and the representations withdrawn. The Sub-Committee heard evidence from the applicant's representative that, in applying for a provisional statement, the applicant was trying to get the best template that their future tenant would have to abide by. The applicant's representative stated that it was a family gym and that there would be a discreet lounge area where alcohol would be sold. It would not be a bar in the strictest sense but more a catering area where people could order juice and food as well as alcohol.

The applicant had offered a condition that alcohol shall only be sold to members of the gymnasium and their bona fide guests or persons attending a private function. Anyone wishing to purchase alcohol would have to pass through reception first. The Sub-Committee noted that the applicant is promoting a mixed use for the development which includes the old Almeida Theatre, rehearsal rooms and hopefully local exhibitions. It was noted that the development would have 24 hour CCTV and security.

The Sub-Committee was satisfied that, with the conditions proposed and the additional conditions, the premises would not add to the cumulative impact in the area. The Sub-Committee noted that if the applicant's future tenants applied for a premises licence that was substantially different, new objections could be raised. The Sub-Committee noted the applicant's assurances that the premises would not be operated outside the remit of the planning consent. The Sub-Committee noted that the applicant had met with police and agreed comprehensive conditions. The Sub-Committee noted that the premises were an integral part of the development which would benefit the area.

The Sub-Committee took into account licensing policies 2, 8, 18, 20 and 29 and concluded that, in granting the provisional statement with the comprehensive conditions attached, the licensing objectives would be promoted.

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### **116N UPPER STREET, N1 1QP - APPLICATION FOR A PROVISIONAL STATEMENT (Item B3)**

The licensing officer reported that two documents had been circulated separately. These were the applicant's response to objections from residents and in return the response from residents to this document. These would be interleaved with the agenda papers. The noise officer had withdrawn their objections and the metropolitan police had also withdrawn their representation following conditions put forward by the applicant.

Local residents representing Almeida Street, Moon Street, Studd Street and Theberton Street resident associations spoke against the application. It was reported that planning consent had been granted until only 23:00 hours each day and that exit from the mall area should be to Upper Street only. Residents were concerned about noise disturbance and loitering. There would be 66 flats along the Central Avenue. They considered that there should be no off sales or sales of take away food. There should be no disturbance from live music after 10pm. It was understood that the planning status of A1 and A3 development was flexible but it was considered that there should be some limit to the use of A3. They stated that the access doors to Central Avenue should be closed at 10pm and patrons directed and encouraged to leave via Upper Street. Signage was not enough. There should be no new customers after 10pm. If possible, there should be a ban on smoking in Central Avenue but if not, a set limit to the number of smokers and tables and chairs outside the premises should be fenced off. The dedicated phone number for complaints should be advertised on their website. It was reported that bottling out had been covered in the planning consent and was to be carried out internally. No taxis or private hire vehicles

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should pick up from Esther Anne Place. Customers using the gym should be discouraged from smoking outside and taxis should be restricted from picking up outside the premises.

Patrons should leave by Upper Street. It was reported that this was a saturation area with a high volume of anti-social behaviour following the consumption of alcohol.

The applicant informed the Sub-Committee that this was an application for a provisional statement and the premises would not be occupied until 2017. A tenant would need to apply for a premises licence and he considered that licensing policy 6, regarding planning consent did not apply to provisional statements.

A ten minute adjournment was held for the Sub-Committee to take legal advice as to whether licensing policy 6 applied to provisional statements.

Upon return, the legal officer reported that she had advised the Sub-Committee members that licensing policy 29, in relation to provisional statements, stated that the Sub-Committee should, as far as reasonably practicable apply the same standards to provisional statements as to premises licences. She stated that licensing policy 6 was therefore still relevant although she had also reminded members that planning and licensing were separate regimes.

The applicant asked the Sub-Committee to consider the weight they would give to the planning consent hours.

The applicant showed a map of the development and reported that the majority of patrons would exit onto Upper Street to local transport. A pop-up restaurant had been provided with a licence under delegated powers and had operated without complaint. Conditions agreed now would be passed onto any premises licence unless there was a substantial change in the application. The bar in the gym was in the basement and was not considered a bar in the strictest sense. This would be a family gym. Restaurants would have a small bar area but most patrons would be seated having a table meal. They would not be fast food restaurants. Outside tables and chairs would be removed and rendered unusable by 10pm. They did not consider that there should be a condition regarding doors and windows as noise escape would be dealt with. It was not necessary to have a condition regarding no further admissions after 10pm. When considering the cumulative impact policy, the Sub-Committee would consider the views of the responsible authorities, the proposed hours, the type and number of customers, the conditions and the standards of management to ensure premises did not have a negative impact on the cumulative impact policy. The development would promote mixed use of the premises and it was expected to have local exhibitions and art and cultural activities. Tables and chairs outside would be properly managed and would have the benefit of encouraging continental, family style dining. Regarding the conditions suggested by the residents he stated that it would not be necessary to restrict the number of smokers as meals would not take a long time, it would not be possible to enforce a condition moving patrons to a specific direction and no new entry to patrons after 10pm was not necessary. Regarding off sales the applicant stated that it was acceptable that off sales be limited to part bottles of wine consumed with the meal. Live music was not a licensable activity until 11pm. After 11pm music was background and if there was disturbance the licence could be reviewed or notice served. The applicant would be unable to prevent taxis coming into the development but would not encourage them to do so. It was not considered appropriate or proportionate that all customers had to leave the premises by 11pm.

In response to questions it was noted that the applicant had no objection to a drinking up time in the bar area. It was noted that usually 15% of floor space would be taken up by an ancillary bar. There would be approximately 165 covers in each restaurant, although it was difficult to calculate at this early stage. However, residents were protected if there was a

## Licensing Sub Committee B - 14 October 2015

material change and if covers increased to 250-330. This was a restaurant and Challenge 25 would be onerous on the licensee. There would be lighting at either end of the mall and good signage and lighting throughout. There could be a number of smokers walking along Esther Anne Place so it would not be appropriate to restrict smokers outside the premises. The development would be controlled by 24 hour CCTV and security and the two restaurants and the gym would be a small part of the total offer. Concern was raised that the applicant had not completed the section in the application form asking the applicant to describe the steps that would be taken to promote the licensing objectives. The applicant stated he had produced a proposed schedule of conditions and had not wanted to put waffle on the form. He undertook to complete the form more fully for future applications. It was noted that the bar in the gym was more a lounge than a bar. Gym members would need to go through a reception area and it was effectively a private club.

In summary, the residents reported that a premises in the development was already operating without planning permission. A condition had been imposed on the Grangers licence in Clerkenwell regarding table meals. Not allowing re-entry after 10pm was considered reasonable. Tables outside should be fenced off. Smokers should be restricted. Taxis should be discouraged and security at the development could refuse access except for disabled passengers. Residents considered that there be no vehicular access. They stated that taxis already created a parking problem in Theberton Street.

The applicant stated that a no entry policy after 10pm was not appropriate and it would be difficult to micro manage access and egress. The Sub-Committee should consider the weight it gave to the planning consent in the context of hours of operation. The applicant had until 2017 to make amendments to the planning permission. Any licence would not be able to be operated later than the planning consent in any event. Any applicant for a premises licence would not benefit from a provisional statement if there was a material change in the application. Traffic had been considered at the planning stage and it was not considered appropriate to condition.

### **RESOLVED**

a) That the provisional statement in respect of 116N Upper Street, N1 1QP be granted:-

- i) To permit the premises to sell alcohol, on and off supplies only, on Sundays to Thursdays from 10:00 until 23:00 and Fridays and Saturdays from 10:00 until midnight.
- ii) To allow the provision of late night refreshment, Fridays and Saturdays from 23:00 until midnight.
- iii) Opening hours to be Sundays to Thursdays from 08:00 until 23:00 and Fridays and Saturdays from 08:00 until midnight.

b) Conditions proposed by the applicant and the following additions/amendments shall be applied to the licence.

- Condition 3 proposed. The outside tables shall be cleared of patrons and rendered unusable by 10pm.
- The bar area be not more than 15% of the total restaurant/bar floor space.
- No drinks shall be served in the bar area within the last 30 minutes of the closing time of the premises.
- No more than 10% of the total capacity of the restaurant shall be permitted to smoke outside the premises at any one time.

### **REASONS FOR DECISION**

The Sub-Committee listened to all the evidence and submissions and read all the material. The Sub-Committee reached the decision having given consideration to the Licensing Act

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2003, as amended, and its regulations, the national guidance and the Council's Licensing Policy.

The Sub-Committee took into consideration Licensing policy 29. Licensing policy 29 states that in considering applications for a provisional statement the Sub-Committee will as far as reasonably practicable apply the same standards as required for the grant of the premises licence.

Under Licensing policy 2, the premises fall into the Angel and Upper Street cumulative impact area. Licensing policy 2 creates a rebuttable presumption that applications for new and variations to premises licences that are likely to add to the existing cumulative impact will normally be refused, unless an 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.

The Sub-Committee heard evidence from local residents representing Almeida Street, Moon Street, Studd Street and Theberton Street resident associations. The Sub-Committee noted resident's concerns about noise disturbance and loitering. Residents stated that there would be at least 66 flats and so the future residents above the premises should be considered. Residents were concerned that the hours sought in relation to the premises differed from the planning consent. Residents did not want take aways of food or drink, live music, any new customers after 10pm or any taxi drop offs. Residents were concerned that access should only be via the arcades and Upper Street. Residents were concerned about the number of smokers and the outside seating area and suggested that a contact number should be available for resident's complaints.

The Sub-Committee noted that the police and noise conditions had been agreed and the representations withdrawn. The Sub-Committee heard evidence from the applicant's representative that, in applying for a provisional statement, the applicant was trying to get the best template that their future tenant would have to abide by. The Sub-Committee heard that the hours sought by the applicant were within the core hours set out in licensing policy 8. The Sub-Committee heard that the proposed restaurants were not fast food outlets and that the whole tone was more aspirational. The applicant had offered a condition that outside tables and chairs be rendered unusable by 10pm. The applicant's representative asked that there be no condition in relation to new customers after 10pm and stated that it would not be practicable to have a member of staff directing customers to Upper Street after 10pm, although there would be signage. The Sub-Committee heard that the restaurant would not add to the cumulative impact due to the type of premises, location, hours, types and numbers of customers and the high standards of management. The Sub-Committee noted that the applicant is promoting a mixed use for the development which includes the old Almeida Theatre, rehearsal rooms and hopefully local exhibitions. The applicant's representative confirmed that the bar area would be no bigger than 15% of the floor space. It was noted that the development would have 24 hour CCTV and security.

The Sub-Committee was satisfied that, with the conditions proposed and the additional conditions, the premises would not add to the cumulative impact in the area. The Sub-Committee noted that if the applicant's future tenants applied for a premises licence that was substantially different, new objections could be raised. The Sub-Committee noted the applicant's assurances that the premises would not be operated outside the remit of the planning consent. The Sub-Committee noted that the applicant had met with police and agreed comprehensive conditions. The Sub-Committee noted that the premises were an integral part of the development which would benefit the area.

The Sub-Committee took into account licensing policies 2, 8, 18, 20 and 29 and concluded that, in granting the provisional statement with the comprehensive conditions attached, the licensing objectives would be promoted.

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**ANGEL BEST MANGAL, 60 PENTON STREET, N1 - APPLICATION FOR A NEW PREMISES LICENCE (Item B4)**

The licensing officer reported that the noise officer had withdrawn their representations following agreement with conditions. A document proposing additional conditions and amended hours, had been circulated by the applicant which would be interleaved with the agenda papers.

The police objected to the application based on the cumulative impact policy. The officer reported that there were 34 licensed premises within a 250m radius of the venue and 240 allegations of crime in the ward. He did not consider that the premises being situated next door to a police station would prevent crime and disorder or public safety. He had concerns regarding the completion of the operating schedule and there was nothing in the application that had allayed his fears.

The applicant informed the Sub-Committee that hours were amended for the sale of alcohol for Sundays to Thursdays to 11pm and Fridays and Saturdays to 11:30 pm. Late night refreshment would be to 11.30 pm on Fridays and Saturdays only. There would be no off sales of alcohol. The police were unable to attribute any crime to the venue. There would be no vertical drinking. Drinking in a restaurant was at a much slower pace than a bar or pub. It was not considered that the premises would add to the cumulative impact with the conditions. The fumes from the chimney stack mentioned in the local resident representation were not from this premises.

In response to questions it was noted that there were 34 covers. The applicant had run an off licence for ten years and had now been managing the restaurant for five months. The premises would not add to the cumulative impact policy. The applicant was happy to agree a condition regarding high strength beers to discourage street drinkers. There would be no off sales.

In summary, the police stated that they had concerns regarding the take away aspect of the application. It was stated that patrons entering at 9 or 10 pm may already be drunk and could cause problems. To refuse to sell alcohol to patrons who were already drunk would need strong management. This venue would attract this type of patron.

The applicant reported that a late night refreshment licence was only required for one hour on Fridays and Saturdays. There was a review procedure if there were problems but the agent did not consider that the applicant would be reviewed.

**RESOLVED**

a) That The Sub-Committee have decided to grant the application for a new premises licence in respect of Angel Best Mangel, 60 Penton Street, N1 9PZ

- i) To permit the premises to sell alcohol, on supplies only, Sunday to Thursday from 11:00am until 11pm and Fridays and Saturdays from 11am until 11:30pm.
- ii) To allow the provision of late night refreshment on Friday and Saturday from 23:00 until midnight.
- iii) Opening hours to be Monday to Saturday from 11:00 am until midnight and on Sundays from 11am until 11pm.

b) Conditions as outlined in appendix 3 as detailed on page 205 of the agenda, the additional conditions tabled by the applicant with the following additions shall be applied to the licence.

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- There be no beers/cider and lagers higher than 6.5% abv sold on the premises.
- A phone number for the designated premises supervisor shall be visible from outside the premises.

### **REASONS FOR DECISION**

The Sub-Committee listened to all the evidence and submissions and read all the material. The Sub-Committee reached the decision having given consideration to the Licensing Act 2003, as amended, and its regulations, the national guidance and the Council's Licensing Policy.

The Sub-Committee took into consideration Licensing Policy 2. The premises fall under the Kings Cross cumulative impact area. Licensing policy 2 creates a rebuttable presumption that applications for new premises licences that are likely to add to the existing cumulative impact will normally be refused, unless an 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.

The Sub-Committee heard evidence from the police that within a radius of 250m of the premises there were 34 other licensed premises. The police were concerned that in the application the applicant on more than one occasion cited the fact that the premises were next to the police station, but this was not enough to show why there would be no crime and disorder. A nearby late night refreshment venue had a huge amount of anti-social behaviour and they did not have an alcohol licence. Although the applicant may manage his premises differently, the nature of the premises would attract drunken people. It would have to have exceptionally strong management and this was not illustrated in the operating schedule. The Sub-Committee noted that the noise team conditions had been agreed and the representation withdrawn.

The Sub-Committee noted that the hours sought had been reduced. The applicant had ten years' experience in the off licence trade. The Sub-Committee noted the conditions offered by the applicant including that alcohol would be ancillary to food, the premises would operate Challenge 25, there would be CCTV to home office standards, there would be regular staff training, there would be an incident book, no under eighteens would be allowed to drink alcohol on the premises and there would be no more than six smokers permitted at a time. The applicant stated that, with the reduced hours and these conditions, the premises would not add to the cumulative impact. The Sub-Committee noted that there were only 34 covers.

The Sub-Committee noted that there were to be no off sales and that drinking was only permitted with a table meal. The applicant indicated that he would be happy with a condition relating to high strength ales and beers and that it was believed that with these measures the premises would not add to any street drinking problems in the area. The Sub-Committee noted the applicant's comments that the chimney stack was brand new and that any fumes encountered by neighbouring properties could not be from his stack.

The Sub-Committee took into account licensing policies 2, 8 and 11.

The Sub-Committee were satisfied that, with the addition of the stringent conditions, the grant of the premises licence would not add to the cumulative impact and would promote the licensing objectives.

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The meeting ended at 9.15 pm

**CHAIR**

**Licensing Sub Committee B - 20 October 2015**

Minutes of the meeting of the Licensing Sub Committee B held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 20 October 2015 at 6.30 pm.

**Present:**           **Councillors:**           Robert Khan (Chair), Satnam Gill and Michelline Ngongo

**Councillor Robert Khan in the Chair**

- 66**           **INTRODUCTIONS AND PROCEDURE (Item A1)**  
Councillor Khan welcomed everyone to the meeting, asked members and officers to introduce themselves and outlined the procedures for the meeting.
- 67**           **APOLOGIES FOR ABSENCE (Item A2)**  
Apologies were received from Councillor Spall and Councillor Diner.
- 68**           **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**  
Councillor Ngongo substituted for Councillor Spall and Councillor Gill substituted for Councillor Diner.
- 69**           **DECLARATIONS OF INTEREST (Item A4)**  
Councillor Khan declared a personal interest in Item B4 – 424 St John Street as he is the ward councillor.
- 70**           **ORDER OF BUSINESS (Item A5)**  
The items would be considered in the order set out in the agenda.
- 71**           **THE GREEN HOUSE, 49 GREEN LANES, N16 9BU - APPLICATION FOR A NEW PREMISES LICENCE (Item B1)**  
The licensing officer tabled proposed conditions from the noise team which would be interleaved with the agenda papers.

The noise officer reported that a number of complaints had been received during an event on the 10 October. On the application form for a temporary event, regulated entertainment had not been ticked. The officer stated that if the noise team had known that regulated entertainment was taking place they would have objected to the event based on the lack of sound insulation on the premises and the number of past complaints. He asked that the licence be refused, but if it were granted, the tabled condition be used to replace condition 2 on page 101 of the report.

One local resident stated that there was no sound insulation on the premises. The party wall was a garden fence and the roof was plastic. Bedrooms were 6 metres away from the premises. At an event in early 2015 a metal band played until 10.30 at night creating disturbance. A further local resident reported that he did not see how children could be protected from harm from the noise nuisance from the premises. The premises could not contain the sound given the structure. Residents could hear the noise arising from the sale of food in the evening. If films were shown there would be incredible noise escape. It was reported that the premises was acoustically transparent and the business was concerned

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about making money at children's expense. A local resident reported that the noise from coffee machines and dishwashers could already be heard. The premises were unfit for purpose and residents had no confidence in the applicants. The applicants had already received noise complaints and had shown a disregard for the community. The applicants had not stated how they would address problems. There was already a saturation of licensed premises in the area. Residents understood the desire to maximise revenue streams but stated that the premises was not suitable.

In response to questions it was noted that Leconfield Road was a quiet residential area with young families. On one occasion, the music was so loud that a resident had to leave her house. The only access to the main building was through the Greenhouse which had no soundproofing. Patrons would be congregating in the loading bay area.

The applicant reported that they had held a consultation day for residents. Hours would be until 11pm on weekdays. They would be holding supper clubs and controlled events rather than a bar. They would hold family friendly, community events. It was accepted that an event on the 14 February caused problems. They had given a third party permission to hold an event but did not police it themselves and had not held anything of that nature since. Alcohol would be served with food rather than as a bar. They did not want live music but intended to hold film screening and supper clubs for ticketed events. They were happy to find a compromise. The applicant was paying rent for the café space and if licensed he would have the power to stop problems. The café was not currently working as it was and a wider business needed to be found. It was noted that they only heard about complaints when they had submitted an application in March 2015 and they were shocked. They withdrew this application and had held temporary events since.

A resident spoke in support of the application stating the area was in need of regeneration and this type of venture would bring diversity. He did not believe that live music was the intention. A consultation day had been held and it was hoped to reach a compromise with the residents. The well-being room was through the Greenhouse and should be appropriate. He suggested that, if there was a problem with the Greenhouse it could be demolished.

In response to questions it was noted that events would subsidise the core business. The café was a nice place for members to be. Film screenings would take place in the well-being room which was a brick structure with skylights. It was accepted that there had been teething problems in the early days. They had not been aware of complaints received in early 2015 but once aware they had stopped holding any type of event. On the 10 October 2015 they held a market but did not tick the box stating there would be regulated entertainment. The applicant had experience of catering but not of running a bar. He named two of the four licensing objectives when asked. They agreed with the tabled noise condition.

In summary the noise officer reported that if the licence was granted then live music would also be allowed under the Live Music Act. On the 10 October the activity took place in the afternoon and the noise team were unavailable to witness this event.

The residents reported that the premises was unfit for purpose and compromise could not always be reached. Basic noise was heard every day. The market created a noise nuisance. They asked for refusal and asked that the Sub-Committee listened to a video clip sent earlier in the day.

The applicant stated that all conditions would be accepted. He would liaise with residents who would have direct communication to him for complaints. The well-being room would be used for activities to minimise disruption.

During deliberation the Sub-Committee listened to a noise clip sent in by residents.

**RESOLVED**

That the application for a new premises licence for The Greenhouse, 49 Green Lanes, N16 9BU be refused.

**REASONS FOR DECISION**

The Sub-Committee listened to all the evidence and submissions and read all the material. The Sub-Committee reached the decision having given consideration to the Licensing Act 2003, as amended, and its regulations, the national guidance and the Council's Licensing Policy.

The Sub-Committee noted from the evidence of the residents that there was inadequate sound insulation for the premises which was in close proximity to residential premises. Families with children were living in the area and there had already been problems with noise resulting in loss of sleep for children and loss of amenity for all residents. Loud music emanated from the premises and also the noise of day to day activities such as conversations, and noise from a coffee machine and dishwasher. A market had been held on the premises in October 2015 and had been the subject of complaints. On that occasion, the director of the company had omitted to tick a box stating that regulated entertainment would be taking place when an accordion player and singer were performing. The noise team stated that they would have objected to the TEN if this box had been ticked. The noise team had already been involved and had given advice in March 2015 that they had received multiple calls from residents in connection with low key events in the Greenhouse area and any gatherings under the glass roof outside of normal office hours had to be discouraged.

The steps proposed by the applicant in the operating schedule were not appropriate to control the level of noise emanating from the premises.

Home office guidance 8.34 and 8.35 requires applicants to obtain sufficient information to enable them to demonstrate when setting out steps they propose to take to promote the licensing objectives the layout of the local area, proximity to residential premises and any risks posed to the local area by the applicant's licensable activities. The applicant had failed to set out in his application how he would manage this risk of public nuisance and had failed to provide adequate dispersal proposals.

Licensing policy 1 states that the licensing authority, in considering applications for new licences, will take into account the location of the premises and character of the area, the views of responsible authorities and other people and the physical suitability of the building proposed for licensable activities.

The Sub-Committee considered licensing policy 10 which states, when assessing the applicant's ability to demonstrate a commitment to high standards of management the licensing authority will take into account whether the applicant can demonstrate knowledge of the licensing objectives. The history of noise nuisance from the premises and complaints showed that the applicant appeared unaware of the potential for noise nuisance of licensable activities. The Sub-Committee was dissatisfied with his grasp of licensing objectives when questioned. The noise team had presented a new condition at the hearing for an acoustic survey to be done and recommendations to be implemented. However, the noise team still recommended refusal. The Sub-Committee noted that the condition involved a survey and then considerable works to be implemented before any licensable activities could take place.

The Sub-Committee concluded that it was appropriate and proportionate to the licensing objectives of public nuisance and protection of children from harm and in the public interest to refuse the application.

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**OLD FRIEND, 277 CALEDONIAN ROAD, N1 1ET - APPLICATION FOR A NEW PREMISES LICENCE (Item B2)**

The licensing officer reported that training documents, security procedures and age verification policy had been circulated. These would be interleaved with the agenda papers. Two further conditions had been agreed with the police regarding drinking up time and the employment of a door supervisor after 9pm. It was noted that the police and public health representation had been withdrawn after conditions had been agreed and also one resident representation had been withdrawn.

The licensing authority welcomed the reduction in drinking hours and the employment of a door supervisor but reported that the premises was in a cumulative impact area and the presumption would need to be rebutted that the premises licence would not undermine the licensing objectives. It was noted that the applicant had submitted training documents but had received a caution for selling alcohol previously without a licence. There was no mention of the applicant's previous training, joining pubwatch or of the maximum number of covers. The conditions offered in the schedule were ambiguous with one stating that alcohol would only be sold to persons seated having a table meal while it was unclear if this was the case in the karaoke rooms. Conditions 3-5 contradicted conditions 6-8. Conditions needed to be clear and enforceable. He requested that a door supervisor be employed by an external company so they would not be subjected to management pressure. It was noted that Menelik was the previous licence holder.

A local resident objecting to the application, stated that it had taken years for the previous licence to be revoked. The noise from the premises had been horrendous. It had a glass front and no soundproofing. She wanted regeneration in Caledonian Road but there were a large number of licences in the area. She also considered there would be noise disorder from the premises. A licence to 2 or 3 am was not acceptable as it was a residential area.

The licensing officer stated that the licence was until 11pm during the week and midnight at the weekends. The resident stated that the neon sign outside was far too bright.

The applicant's agent referred the Sub-Committee to the training policies that had been circulated which should address concerns. He would be referring to the Thwaites case. Hours were reduced, the premises was a restaurant with discreet karaoke and was not a bar or nightclub. The application now fell within the core hours. The representation by the police had been withdrawn. The applicant would enhance the dining experience. The Home Office guidance stated that the police would be the main source of advice on matters relating to the crime and disorder objective. The police were no longer objecting to the application and were satisfied that the application did not undermine the cumulative impact policy. The noise officers were not objecting and staff would be checking that all windows and doors were shut. They had worked through the licensing policy, they were within framework hours, they had created bespoke policies regarding training and dispersal, they could have sought a transfer of the licence if it was still in existence so would not be adding to the cumulative impact. They were not seeking seasonal extensions. The caution had been accepted at another premises in the borough which had been let to another individual who had actually been in breach of the law. The applicant's representative stated that Mr Xie accepted the caution, as he did not understand the position. The lack of address on the application form was an oversight.

In response to questions it was noted that there were no non-standard timings requested. It was reported that all aspects of the application had been discussed at length with the

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police. It was agreed that the door supervisor be from an external agency. There would be a noise limiting device installed. The applicant, through the use of an interpreter, was unable to name for the Sub-Committee any of the licensing objectives. It was noted that the applicant had let his shop to a tenant and he was removing alcohol from the shelves when he had a visit from council officers. It was accepted that he should have exercised greater supervision.

In summary, the licensing authority stated that the Thwaites case could be distinguished from this premises as, in that particular case the premises were being well run and had no history of complaints. In this instance the applicant had received a caution. Also, the Thwaites case was possibly not in a cumulative impact area. He advised that the number of covers could be provided. In response to this, the applicant's representative stated that there could be a maximum of 40 covers upstairs and 40 covers downstairs. The licensing authority further stated that the applicant had said that he received a formal caution for an offence that he says he did not commit and he wondered why this would be the case. Alcohol would be sold in four karaoke rooms without food and there was therefore the potential for excess alcohol. The premises were in a cumulative impact area and the applicant, although he had a personal licence was unable to answer questions about the licensing objectives. The licensing authority considered this to be unsatisfactory.

The resident reported that she still had concern about the noise from the karaoke rooms and that you could drink in these rooms. She also raised concerns about the number of people in the premises.

The applicant's representative reported that the applicant's response about the licensing objectives was due to the language barrier and there would be two employees on the premises who could speak English adequately. The noise team had not objected and there was no evidence to say there would be noise disturbance. He considered that they would not add to the cumulative impact and considered that their application had been hampered by a diabolical previous licensee. Each application should be considered on its merits. In the Thwaites case it stated that there should be no speculation on what might happen. A number of bespoke policies had been produced and new conditions offered. Residents had the power of review and the applicant risked losing the licence if he failed to run the licence properly. The applicant's representative asked the Sub-Committee to grant the licence.

**RESOLVED** that the application for a new premises licence for Old Friend, 277 Caledonian Road, N1 1ET be refused.

### **REASONS FOR DECISION**

The Sub-Committee listened to all the evidence and submissions and read all the material. The Sub-Committee reached the decision having given consideration to the Licensing Act 2003, as amended, and its regulations, the national guidance and the Council's Licensing Policy.

The Sub-Committee took into consideration Licensing Policy 2 and Home Office guidance 13.30. The premises fall under the Kings Cross cumulative impact area. Licensing policy 2 creates a rebuttable presumption that applications for new premises licences that are likely to add to the existing cumulative impact will normally be refused, unless an applicant can demonstrate in the operating schedule 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.

The Sub-Committee considered that the activities proposed were likely to add to the existing cumulative impact of the area. The applicant had not demonstrated that the operation of the premises would not impact adversely on the licensing objective of public

nuisance and the Sub-Committee did not regard this as an exceptional case. There were no conditions which could effectively mitigate the negative impact on the licensing objective of public nuisance and it was appropriate and proportionate and in the public interest to refuse the application.

The Sub-Committee noted that the previous premises had ceased to operate before this application was submitted. Although the previous licensed premises had had a troubled history, the Sub-Committee accepted the argument of the applicant's representative that it should concentrate on the merits of the current application and gave no consideration to earlier issues with another premises licence holder.

The police, public health and noise team had withdrawn their representations when conditions had been agreed, however, the licensing authority continued to be concerned about the potential for public nuisance. One of the conditions stated that there would be no vertical drinking anywhere on the premises. The Sub-Committee noted that it was not clear from the operating schedule whether the restaurant condition would apply to the entire premises and it was confirmed that in the basement area, where karaoke would take place, substantial meals would not be served. There could be a total of 80 patrons on the premises including 40 downstairs and it would not be possible to impose a condition realistically requiring a restaurant condition to apply to the entire premises.

Under licensing policy 10 the licensing authority, when assessing the applicant's ability to demonstrate a commitment to high standards of management will take into account whether the applicant can demonstrate a comprehensive knowledge of best practice, can understand verbal and written advice and requirements, can demonstrate knowledge of the licensing objectives and their responsibilities under the Licensing Act, can run his business lawfully and in accordance with good practice and is able to demonstrate a track record of compliance with legal requirements.

The applicant had accepted a police caution for selling alcohol without a licence in other premises within the last 18 months. Although the applicant's representative stated that this had been due to a misunderstanding and he had not committed the offence, the Sub-Committee considered that it could not go behind the fact of the caution.

When the applicant was questioned on his understanding of the licensing objectives, it became clear that he could not speak English. His colleagues translated the question but he was still unable to answer. The applicant's representative stated that he would be the general manager and there would be an under manager and another person who could speak adequate English at the premises. However, they made no representations at the Sub-Committee and there was no evidence that the applicant could understand his responsibilities under the Licensing Act.

**73**      **THE FIG TREE, 35 UPPER STREET, N1 OPN - APPLICATION FOR A NEW PREMISES LICENCE (Item B3)**

The licensing officer reported that noise and police representations had been withdrawn as conditions had been agreed. A letter had been received from the applicant stating that this licence replaced a previously held licence. The letter would be interleaved with the agenda papers.

A local resident reported that Upper Street was already saturated and was concerned regarding off sales. There would be noise following the closure of the premises after 12:30 at night. There was too great a concentration of licensed premises in the Angel area and the saturation policy should be applied. She was very frustrated about the number of licenses being granted and stated that this would be another one that would add to the cumulative impact.

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The licensing officer reported that this would be a licence for on sales only and the resident stated that this would be an improvement.

The applicant's representative reported that the premises were acquired in 2003 for A3 use. The applicant undertook his responsibility towards training. In 2009, planning permission was granted for 3 residential units above and during construction work the premises caught fire. The freeholder was ordered by the court to put them the applicant back in the premises. He understood the saturation policy. He advised that if there had not been a fire they would still be operating under the original licence and so would not have an additional impact. This licence was for a restaurant which served alcohol only with a meal. There was no bar area. They had not any issues or complaints prior to the fire and hoped to join the local pubwatch. Training would be available for all staff. Opening times and conditions had been agreed and the applicant wanted to run the premises as it had been run previously. The opening hours had been amended. The applicant was a responsible operator and it was hoped that he would be given the opportunity to run the premises.

### **RESOLVED**

- a) That a new premises licence in respect of The Fig Tree, 35 Upper Street, N1 0PN be granted:-
- i) To permit the sale by retail of alcohol, on supplies only, Sundays to Thursdays from 11:00 until 23:00 and Fridays and Saturdays from 11:00 until midnight.
  - ii) To allow late night refreshment, Fridays and Saturdays from 23:00 until midnight.
  - iii) The premises to be open to the public, Sundays to Thursdays from 09:00 until 23:30 and Fridays and Saturdays from 09:00 until half past midnight.
- b) Conditions as outlined in appendix 3 as detailed on page 183 of the agenda shall be applied to the licence.

### **REASONS FOR DECISION**

The Sub-Committee listened to all the evidence and submissions and read all the material. The Sub-Committee reached the decision having given consideration to the Licensing Act 2003, as amended, and its regulations, the national guidance and the Council's Licensing Policy.

The Sub-Committee took into consideration Licensing Policy 2. The premises fall under the Angel and Upper Street cumulative impact area. Licensing policy 2 creates a rebuttable presumption that applications for new premises licences that are likely to add to the existing cumulative impact will normally be refused, unless an 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.

The Sub-Committee noted that there were now no off sales which was a main concern of the residents, two of whom had withdrawn. They noted that the applicant had previous experience of running a similar business in the same location lawfully and had demonstrated a track record of compliance with legal requirements. In his presentation he demonstrated a comprehensive knowledge of best practice and had agreed conditions with the noise team and police. The application was for a restaurant operating within core hours set out in licensing policy 8.

The Sub-Committee considered that the grant of the premises licence could potentially add to the existing cumulative impact. However, the applicant demonstrated in his operating schedule with the agreed conditions that there would be no negative cumulative impact on any of the licensing objectives.

The Sub-Committee considered that it was appropriate, proportionate and in the public interest to grant the licence.

**74**      **424 ST JOHN STREET, EC1V 4NJ - APPLICATION FOR A NEW PREMISES LICENCE (Item B4)**

The licensing officer reported that the applicant was not in attendance. A letter and email had been sent informing the applicant of the notice of hearing.

**RESOLVED** that the item be adjourned to a future meeting.

The meeting ended at 8.50 pm

**CHAIR**



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	8 <sup>th</sup> December 2015		Clerkenwell

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE VARIATION APPLICATION**  
**Nando's, 99-100 Turnmill Street, London EC1M 5QP**

**1. Synopsis**

- 1.1 This is an application for the variation of a premise licence under the Licensing Act 2003.
- 1.2 The application is to allow:
  - a) A reduction of permitted hours for the sale of alcohol, for consumption on the premises only, to: 11:00 to 23:00 on Sunday to Thursday and 11:00 to 00:00 on Friday and Saturday.
  - b) A reduction of permitted hours for the provision of Late Night Refreshment to: 23:00 to 00:00 on Friday and Saturday.
  - c) A reduction of permitted opening hours to: 09:00 to 23:30 Sunday to Thursday and 09:00 to 00:30 on Friday and Saturday.
  - d) The removal of the provision for regulated entertainment from the licence.
  - e) An amendment of the authorised plan attached to the licence.
  - f) An amendment to the current conditions attached to Annex 2 and Annex 3 of the premises licence.
- 1.3 The premises licence currently permits:
  - a) The sale of alcohol, for consumption on and off the premises, between: 10:00 and 04:00, Monday to Saturday, and 12:00 to 04:00 on Sunday.

- b) The provision of live music, recorded music and performance of dance, between: 09:00 to 04:00, Monday to Saturday and 22:30 to 04:00 on Sunday.
- c) The provision of Late Night Refreshment, between: 23:00 and 04:00, Monday to Sunday.
- d) Opening hours between: 09:00 and 04:30, Monday to Saturday, and 12:00 to 04:30 on Sunday.

**2. Relevant Representations**

Licensing Authority	No
Metropolitan Police	No
Noise	No
Health and Safety	No
Trading Standards	No
Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes: five
Other bodies	No

**3. Background**

3.1 Papers are attached as follows:-

- Appendix 1: application form and applicant's response to representations;
- Appendix 2: representations;
- Appendix 3: suggested conditions and map of premises location.

3.2 Five local residents have submitted representations.

**4. Planning Implications**

4.1 No comments.

**5. Recommendations**

5.1 To determine the application for a variation of the premises licence under Section 34 of the Licensing Act 2003.

- 5.2 To consider that this address is in the 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.
- 5.3 If the Committee grants the application it should be subject to:
- i. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (see appendix 3)
  - ii. any conditions deemed appropriate by the Committee to promote the four licensing objectives.(see appendix 3)

**6 Conclusion and reasons for recommendations**

- 6.1 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 as appropriate to promote the licensing objectives.

**Background papers:**

The Council's Statement of Licensig Policy  
Licensing Act 2003  
Secretary of States Guidance

**Final Report Clearance**

**Signed by**

  
Service Director – Public Protection

**Date**

25/11/15

**Received by**

Head of Scrutiny and Democratic Services

**Date**

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)

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

**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.

We Nando's Chickenland Limited

*(Insert name(s) of applicant)*

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

<b>Premises licence number</b> LN/5126-190615
--

**Part 1 – Premises Details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Nando's 99-100 Turnmill Street			
<b>Post town</b>	LONDON	<b>Post code</b>	EC1M 5QP

<b>Telephone number at premises (if any)</b>	TBA
<b>Non-domestic rateable value of premises</b>	£59,500 – Band C

**Part 2 – Applicant details**

<b>Daytime contact telephone number</b>			
<b>E-mail address (optional)</b>			
<b>Current postal address if different from premises</b>	Nando's Chickenland Limited St Mary's House 42 Vicarage Crescent	<b>Postcode</b>	SW11 3LD

address			
---------	--	--	--

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? X Yes  No

If not from what date do you want the variation to take effect from Day Month Year  

--	--	--	--	--	--

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? YES Please tick yes

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

This application is to vary the terms of the existing premises licence for the premises formerly traded as Ember public house. The premises has been acquired by Nando's Chickenland Ltd with a view to opening a new Nando's restaurant in the New Year.

The applicant is an experienced operator of well over 300 restaurants nationwide offering South African/Portuguese style chicken meals. The applicant's business is family orientated and food based with alcohol making up only a very small percentage of the business.

It is proposed to considerably reduce the hours for licensable activities, to reduce the number of licensable activities and to amend the operating schedule and premises layout plan to reflect the applicant's restaurant operation and to better meet the licensing objectives. The applicant has given consideration to the premises location within the Clerkenwell cumulative impact area and it is proposed to replace the current terms of the licence (converted from the old Licensing Act 1964) with modern and appropriate conditions promoting the licensing objectives.

Opening hours have been applied for to provide possible early morning opening of the restaurant to allow service of breakfasts (a non-licensable activity).

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 N/A

**Part 4 Operating Schedule**

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

- Provision of regulated entertainment** Please tick all that apply
- a) plays (if ticking yes, fill in box A)
  - b) films (if ticking yes, fill in box B)
  - c) indoor sporting events (if ticking yes, fill in box C)
  - d) boxing or wrestling entertainment (if ticking yes, fill in box D)
  - e) live music (if ticking yes, fill in box E)

- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)  
(if ticking yes, fill in box H)

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

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

**In all cases complete boxes K, L and M**

**A**

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

**B**

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

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b>Please give further details</b> (please read guidance note 3)		
Day	Start	Finish			
Mon					

Tue			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 4)  <b>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</b> (please read guidance note 5)
Wed			
Thur			
Fri			
Sat			
Sun			

**D**

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

**E**

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

F

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

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)	<u>Please give a description of the type of entertainment you will be providing</u>
--	---

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

I

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

J

<u>Supply of alcohol Standard days and timings</u> (please read guidance note 6)			<u>Will the supply of alcohol be for consumption</u> (Please tick box) (please read guidance note 7)	On the premises	X
Day	Start	Finish			Off the premises
Mon	1100	2300	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	1100	2300			
Wed	1100	2300			

Thur	1100	2300	<b><u>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</u></b> (please read guidance note 5)
Fri	1100	0000	
Sat	1100	0000	
Sun	1100	2300	

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)

None

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b><u>State any seasonal variations</u></b> (please read guidance note 4)	
Day	Start	Finish		
Mon	0900	2330		
Tue	0900	2330		
Wed	0900	2330		<b><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></b> (please read guidance note 5)
Thur	0900	2330		
Fri	0900	0030		
Sat	0900	0030		
Sun	0900	2330		

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.

Annex 2 - Conditions number 1 – 7

Annex 3 – Conditions number 1 - 7

The above conditions to be replaced with proposed conditions attached to this application.

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

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

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

The applicant is an experienced and responsible operator and has had regard to the Licensing Act 2003, Section 182 Guidance, London Borough of Islington Statement of Policy and the need to promote the licensing objectives. The applicant notes this premises is within the CIP area and offers a number of conditions to promote the licensing objectives and confirms taking these offered conditions and the nature of the operation into account there will be no risk of additional cumulative impact.

See attached schedule of conditions.

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

As above – see attached schedule of conditions.

**c) Public safety**

As above – see attached schedule of conditions.

**d) The prevention of public nuisance**

As above – see attached schedule of conditions.

**e) The protection of children from harm**

As above – see attached schedule of conditions..

**Checklist:**

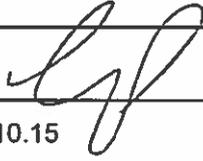
**Please tick to indicate agreement**

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

**IT IS AN OFFENCE, LIABLE ON 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	
Date	15.10.15
Capacity	Solicitors and Agents for the Applicant

**Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 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)**

Trethowans LLP  
The Pavilion  
Botleigh Grange Business Park  
Hedge End

<b>Post town</b>	Southampton	<b>Post code</b>	SO30 2AF
------------------	-------------	------------------	----------

<b>Telephone number (if any)</b>	+44 (0) 23 8032 1000
----------------------------------	----------------------

**If you would prefer us to correspond with you by e-mail your e-mail address (optional)**  
karen.lush@trethowans.com

**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.**

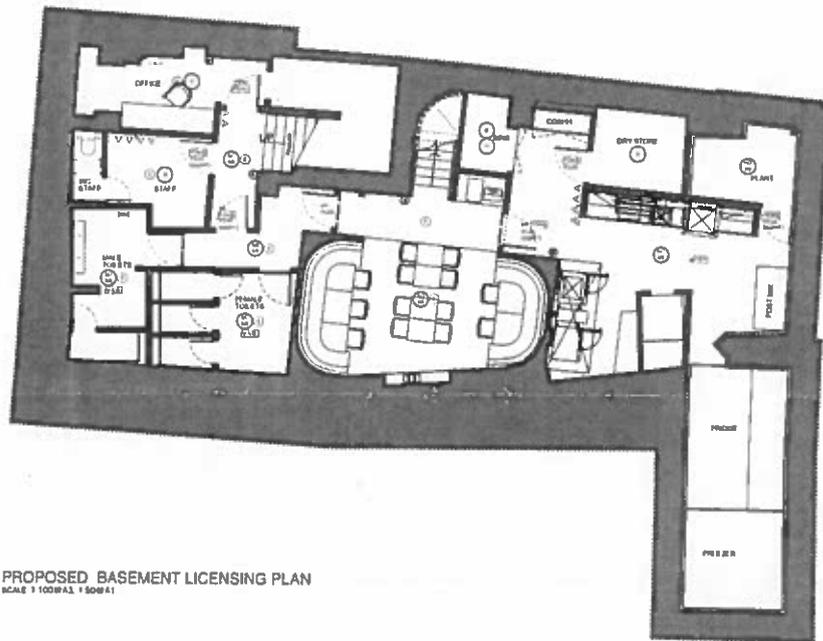
1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing 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.
3. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
4. 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.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. 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.
8. 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.
9. 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.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

## SCHEDULE OF CONDITIONS

### Nando's – 99-100 Turnmill Street, Islington

1. CCTV shall be installed, operated and maintained. 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 (subject to the Data Protection Act 1998) within 24 hours of any request. There shall be sufficient members of trained staff at the premises during operating hours to be able to comply with any such request.
2. The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. Acceptable identification for the purposes of age verification will include a driving licence, passport or photographic identification bearing the "PASS" logo and date of birth. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person. Challenge 25 signage shall be displayed within the premises.
3. Notices shall be displayed at the exit requesting customers to respect the needs of local residents and to leave the restaurant and area quietly.
4. Staff will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records will be kept of such training. All staff will receive refresher training every six months as a minimum and records are to be kept of this refresher training. Training records will be kept on the premises and made available for inspection by an authorised officer or police officer upon request.
5. An incident and refusals log shall be kept and maintained on the premises and will be available for inspection immediately upon request by an authorised officer or police officer. Any incidents that include physical altercation or disorder, physical ejection, injury, ID seizure or refusal of sale of alcohol will be recorded. The entry to include an account of the incident and the identity of all persons involved (or descriptions of those involved if identity is unknown). Each entry shall be timed, dated and include the author's name.
6. Substantial food and non-alcoholic beverages (including drinking water) shall be available throughout the permitted hours in all parts of the premises where alcohol is provided.
7. The use of the outside seating area will be monitored by staff and the use of this area for dining shall cease at 2200 daily.
8. The supply of alcohol at the premises shall only be to a person either waiting to be seated or taking a table meal there and for consumption by such person as ancillary to their meal.





PROPOSED BASEMENT LICENSING PLAN  
SCALE 1/8" = 1'-0" (1/4" = 1'-0")

**GENERAL NOTES**

THE WALL AND CEILING FINISHES ON ESCAPE ROUTES AND EXITS SHOULD BE FINISHED TO ACHIEVE A CLASS 1 SURFACE SPREAD OF FLAME RATING AND TO BE CONFORMANT TO CLASS 1 RATING AS PER TABLE 9.10.1.4.2 OF THE NATIONAL FIRE ALARMS CODE.

THE FINISHES ON THE WALLS AND CEILING OF THE FIRE ESCAPE ROUTES AND EXITS SHOULD BE FINISHED TO ACHIEVE A CLASS 1 SURFACE SPREAD OF FLAME RATING AND TO BE CONFORMANT TO CLASS 1 RATING AS PER TABLE 9.10.1.4.2 OF THE NATIONAL FIRE ALARMS CODE.

ALL FINISHES TO BE TYPED AND SORTED TO BE IN ACCORDANCE WITH 1001/900 AND FINISHES SCHEDULE 1001/900.

ALLOW FOR ADEQUATE HEAD ROOM INCLUDING TRANSFER CORNER ON STAIR TREADS.

**LEGEND**

..... FLOOR FINISH  
- - - - - WALL FINISH  
- - - - - CEILING FINISH  
- - - - - ESCAPE ROUTE  
- - - - - EXIT

△ 1/2" DIA. VENT  
△ 1/4" DIA. VENT  
△ 1/2" DIA. VENT  
△ 1/4" DIA. VENT  
△ 1/2" DIA. VENT  
△ 1/4" DIA. VENT  
△ 1/2" DIA. VENT  
△ 1/4" DIA. VENT

○ FIRE ALARM CALL POINT OR SIGN  
○ ALL EXITS AND VENTS TO DISCHARGE TO THE OUTSIDE OF THE BUILDING SHALL BE PROVIDED WITH A CLASS 1 SURFACE SPREAD OF FLAME RATING AND TO BE CONFORMANT TO CLASS 1 RATING AS PER TABLE 9.10.1.4.2 OF THE NATIONAL FIRE ALARMS CODE.

○ FIRE ALARM CALL POINT OR SIGN  
○ ALL EXITS AND VENTS TO DISCHARGE TO THE OUTSIDE OF THE BUILDING SHALL BE PROVIDED WITH A CLASS 1 SURFACE SPREAD OF FLAME RATING AND TO BE CONFORMANT TO CLASS 1 RATING AS PER TABLE 9.10.1.4.2 OF THE NATIONAL FIRE ALARMS CODE.

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**FDKL** FIRE ESCAPE KIT  
**FDKC** FIRE ESCAPE KIT  
**EXIT** EXIT  
**EXIT** EXIT  
**FDKS** FIRE ESCAPE KIT  
**FD SB** FIRE ESCAPE KIT

**E** VENT  
**VP** VENT  
**FD30** FIRE ESCAPE KIT  
**FD30 (S)** FIRE ESCAPE KIT  
**FD30 (S)(INT)** FIRE ESCAPE KIT  
**FD60** FIRE ESCAPE KIT  
**FD60 (S)** FIRE ESCAPE KIT

**FD60 (S)(INT)** FIRE ESCAPE KIT  
**ML** FIRE ESCAPE KIT  
**F.A.P.** FIRE ESCAPE KIT  
**ANSUL** FIRE ESCAPE KIT  
**V.A.D.** FIRE ESCAPE KIT

**moreno:masey architecturestudio**  
1-888-234-2344  
www.moreno:masey.com

PROJECT: BASEMENT LICENSING PLAN  
DATE: 15/01/18  
SCALE: 1/8" = 1'-0" (1/4" = 1'-0")  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
DATE: 15/01/18  
SCALE: 1/8" = 1'-0" (1/4" = 1'-0")  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
DATE: 15/01/18  
SCALE: 1/8" = 1'-0" (1/4" = 1'-0")



## PREMISES LICENCE LICENSING ACT 2003

<b>Premises licence number</b>	LN/5126-190615	<b>Date of original grant*</b>	24 November 2005
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*\*An annual fee associated with this licence is to be paid on the anniversary of the original grant date.*

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>			
<b>EMBER</b>			
<b>99-100 TURNMILL STREET</b>			
<b>Post town</b>	London	<b>Post code</b>	EC1M 5QP
<b>Telephone number</b>	020 7490 3985		

<b>Where the licence is time limited the dates</b>
Not Applicable

<b>Licensable activities authorised by the licence</b>
<b>Ground Floor and Basement</b>
<ul style="list-style-type: none"> <li>The provision of regulated entertainment by way of: The performance of live music The playing of recorded music The performance of dance</li> <li>The provision of late night refreshment</li> <li>The sale by retail of alcohol</li> </ul>

<b>The times the licence authorises the carrying out of licensable activities</b>				
<ul style="list-style-type: none"> <li>The provision of regulated entertainment for the performance of live music:</li> </ul>				
Monday	09.00	to	04.00	the following day
Tuesday	09.00	to	04.00	the following day
Wednesday	09.00	to	04.00	the following day
Thursday	09.00	to	04.00	the following day
Friday	09.00	to	04.00	the following day
Saturday	09.00	to	04.00	the following day
Sunday	22.30	to	04.00	the following day
<ul style="list-style-type: none"> <li>The provision of regulated entertainment for the playing of recorded music:</li> </ul>				
Monday	09.00	to	04.00	the following day
Tuesday	09.00	to	04.00	the following day
Wednesday	09.00	to	04.00	the following day
Thursday	09.00	to	04.00	the following day
Friday	09.00	to	04.00	the following day
Saturday	09.00	to	04.00	the following day
Sunday	22.30	to	04.00	the following day

- The provision of regulated entertainment for the performance of dance:

Monday	09.00	to	04.00	the following day
Tuesday	09.00	to	04.00	the following day
Wednesday	09.00	to	04.00	the following day
Thursday	09.00	to	04.00	the following day
Friday	09.00	to	04.00	the following day
Saturday	09.00	to	04.00	the following day
Sunday	22.30	to	04.00	the following day

- The provision of late night refreshment:

Monday	23.00	to	04.00	the following day
Tuesday	23.00	to	04.00	the following day
Wednesday	23.00	to	04.00	the following day
Thursday	23.00	to	04.00	the following day
Friday	23.00	to	04.00	the following day
Saturday	23.00	to	04.00	the following day
Sunday	23.00	to	04.00	the following day

- The sale by retail of alcohol:

Monday	10.00	to	04.00	the following day
Tuesday	10.00	to	04.00	the following day
Wednesday	10.00	to	04.00	the following day
Thursday	10.00	to	04.00	the following day
Friday	10.00	to	04.00	the following day
Saturday	10.00	to	04.00	the following day
Sunday	12.00	to	04.00	the following day

Except on:

New Year's Eve, except on a Sunday: 10.00 until the time authorised on the following day

New Year's Eve on a Sunday, 12.00 until the time authorised on the following day.

If there are no permitted hours on the following day, midnight on the 31<sup>st</sup> December

**The opening hours of the premises:**

Monday	09.00	to	04.30	the following day
Tuesday	09.00	to	04.30	the following day
Wednesday	09.00	to	04.30	the following day
Thursday	09.00	to	04.30	the following day
Friday	09.00	to	04.30	the following day
Saturday	09.00	to	04.30	the following day
Sunday	12.00	to	04.30	the following day

**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**

Faucet Inn Limited  
88-90 George Street  
London  
W1U 8PA

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

06824966

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

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol**  
007181 - Slough Borough Council

Islington Council  
Public Protection Division  
222 Upper Street  
London  
N1 1XR  
T: 020 7527 3031  
E: [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)

\_\_\_\_\_  
Service Manager (Commercial)

\_\_\_\_\_  
Date of Issue

Licence

## 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.

There are further 'Mandatory conditions' applicable to licences authorising the supply of alcohol. A full list of the current mandatory conditions is available from the licensing pages on Islington's web site, [www.islington.gov.uk](http://www.islington.gov.uk). This list is subject to change by order of the Secretary of State and licensees and other responsible persons are advised to ensure they are aware of the latest conditions.

## Annex 2 - Conditions consistent with the Operating Schedule

1. Unless otherwise specified on this licence no regulated entertainment shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests.
2. The sale of alcohol is not authorised after midnight on any day on which music and dancing is not provided after midnight.

On any day that music and dancing ends between midnight and two o'clock in the morning the sale of alcohol shall cease when the music and dancing end.

The sale of alcohol shall cease at midnight on any Sunday on which music and dancing is not provided after midnight;

Where music and dancing end between midnight on any Sunday and 00.30hours, sale of alcohol on that Sunday shall end when the music and dancing end.

Where music and dancing end between midnight and 02.00 hours on any Sundays immediately before a bank holidays the sale of alcohol on that Sunday shall cease when the music and dancing end.

The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
3. The maximum number of persons accommodated at any one time in the premises shall not exceed the following:

<b>Ground Floor:</b>	<b>180</b>
<b>Basement:</b>	<b>100</b>
4. The licence shall be subject to the Council's standard conditions for Places of Entertainment.
5. The licence shall be subject to the Council's technical standards for Places of Entertainment.
6. The licence is subject to the following Additional Conditions referred to in the Standard Conditions for Places of Public Entertainment:
  - ADDITIONAL CONDITIONS D: APPLICABLE TO PREMISES USING DOOR SUPERVISORS.
  - ADDITIONAL CONDITION GO: APPLICABLE TO THE KEEPING OF GOOD ORDER.
  - ADDITIONAL CONDITIONS SX: FOR PARTICULAR CONTROL OVER STRIPTEASE OR SIMILAR ENTERTAINMENT INVOLVING NUDITY.

7. The pair of inward opening final exit doors serving the basement shall be locked in the fully open position when the premises are occupied.

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

1. The licensee shall appoint a noise consultant registered with the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of sound insulation and noise control measures to prevent persons in the neighbourhood from being unreasonably disturbed by noise of music from the premises. The scheme shall be submitted for approval by the council and the approved scheme fully implemented to the satisfaction of the council and the licensee notified in writing accordingly, prior to the premises opening beyond 01.00 on Mondays to Thursdays, 02.00 on Fridays and Saturdays and 22.30 on Sundays.
2. A CCTV system shall be installed and maintained which monitors the front entrance. The camera shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 31 days with time and date stamping. Tape recordings shall be made available to an authorised officer or a police officer within 24 hours on any request.
3. The licensee shall provide at least 2 door supervisors, registered with the Security Industry Authority, on Fridays and Saturdays until 4.30am to patrol inside and outside the premises.
4. There will be no unaccompanied children under 18 on the premises at any time and no under 18 year olds on the premises after 9pm.
5. Persons leaving the premises will be advised by written notice, to leave the area quietly and without causing disturbance in the neighbourhood.
6. Persons leaving the premises will be requested by written notice to use the toilets on the premises before leaving.
7. The name and telephone number of the person in charge of the premises shall be displayed on the premises in a prominent position so that it can be seen from outside the premises.

### **Annex 4 – Plans**

Reference Number: ISL 88860 1/2 and 2/2 14 July 2005

Appendix C  
Rep 1

**Gallacher, Simon**

---

**From:** [REDACTED]  
**Sent:** 23 October 2015 13:44  
**To:** Gallacher, Simon  
**Cc:** Licensing  
**Subject:** licence application Nando's (Formerly Ember), 99-100 Turnmill Street, London EC1M 5QP

Dear Simon

I just wanted to write regarding the licence application for: Nando's Formerly Ember, 99-100 Turnmill Street, EC1M 5QP

I am enormously encouraged that Nando's have vastly reduced their proposed licenced hours, in respect of the licenced hours currently in place for Ember.

However as this is a new application, I would encourage the licence committee to keep the licenced hours for the new Nando's premises in line with the recent Conran restaurant. I was present at that licence hearing. I believe the hours agreed for that premises widely cater for their customer and is in keeping with similar licenced premises in that area.

I feel we must keep consistency with the licenced hours, particularly for this area. I would encourage the licence committee to ensure the application is consistent with these hours:

**Conran Awarded**

On Sales	Off Sales	Opening Hours
11:00 - 23:00	11:00 - 22:00	08:00 - 23:00
11:00 - 23:00	11:00 - 22:00	08:00 - 23:00
11:00 - 23:00	11:00 - 22:00	08:00 - 23:00
11:00 - 23:00	11:00 - 22:00	08:00 - 23:00
11:00 - 00:00	11:00 - 22:00	08:00 - 00:00
11:00 - 00:00	11:00 - 22:00	08:00 - 00:00
11:00 - 19:00	11:00 - 19:00	10:00 - 19:00

Kind regards

[REDACTED]

[REDACTED]

Rep 2

Licensing representation, 2 Nov 2015, Nando's, 99-100 Turnmill St, EC1M 5QP

[Redacted]

Dear Sirs,

I write as an interested party and local resident at [Redacted]

I object to this application as it stands, but would be happy to fully support it with some minor amendments and added conditions. I appreciate that the existing application has removed the off licence sales and greatly reduced the hours of operations and on licence sales.

However, the licence as it stands is still more extensive than other licences recently awarded nearby (including among others) Conran Albion and Granger & Co. And it would therefore have a negative cumulative impact on local residents and the area bearing in mind all 4 of Islington's licensing objectives and Licensing Policies 1, 2, 5, 8, 18 and 21.

My main objections are:

- A. It is in an area of cumulative impact that was four years ago already defined as saturated by Islington's licensing policy
- B. There is an insufficient noise and management programme to minimise noise and nuisance on the nearby area and residents
- C. The lack of detailed delivery and rubbish restrictions (in line with other recently granted licences) that seek to minimise disturbance – the condition currently offered is vague and has no teeth so to speak

I recommend approving the application with the following changes:

	Nando's Application		Please Approve with Changes	
	On Sales	Opening Hours	On Sales	Opening Hours
Mon 11:00-23:00		09:00-23:30 11:00-22:30		11:00-23:00
Tues 11:00-23:00		09:00-23:30 11:00-22:30		11:00-23:00
Wed 11:00-23:00		09:00-23:30 11:00-22:30		11:00-23:00
Thu 11:00-23:00		09:00-23:30 11:00-22:30		11:00-23:00
Fri 11:00-00:00		09:00-00:30 11:00-23:30		11:00-00:00
Sat 11:00-00:00		09:00-00:30 11:00-23:30		11:00-00:00
Sun 11:00-23:00		09:00-23:30 11:00-19:00		11:00-19:00

... and with the added conditions as detailed below. If these changes and conditions are not adopted, then I believe this application should be refused so as not to undermine the licensing objectives and add to existing cumulative impact.

*I have discussed this application with other residents. If multiple objections are similar, it is due to our approach as a community. No objection should be discounted for being similar.*

Kind regards,

[Redacted]

**Recommended Conditions**

*Please note my recommendations for conditions are inline with those set on other recent licences in the area.*

1. On premises licence and opening hours:

	Please Approve with Changes	
	On Sales	Opening Hours
Mon 11:00-22:30		11:00-23:00
Tues 11:00-22:30		11:00-23:00
Wed 11:00-22:30		11:00-23:00
Thu 11:00-22:30		11:00-23:00
Fri 11:00-23:30		11:00-00:00
Sat 11:00-23:30		11:00-00:00
Sun 11:00-19:00		11:00-19:00

2. The premises nor any part therein shall be permitted to operate as a bar.
3. No licence shall be granted for any exceptional days to be open all night.
4. If granted, the licence should terminate if management changes hands.
5. Alcoholic drinks may only be consumed within the premises during those hours permitted for the sale of alcohol and 30 minutes after the permitted terminal hour.
6. The premises licence holder must ensure that no alcohol is consumed outside the premises at any time, and any smokers are required to leave glasses inside.
7. No new customers are permitted to enter the premises after 22:00 Mondays through Thursdays and after 23:00 Fridays and Saturdays.
8. No customers carrying open or sealed bottles shall be admitted at any time.
9. The premises shall be ones in which (i) customers are shown to their table, (ii) food is provided in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery and (iii) intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals. A table meal shall not be constituted by bar snacks or a single side order of food.
10. No deliveries shall be made on Sundays or Bank Holidays or between the hours of 18:30 and 08:00 daily. On Saturdays, deliveries for fresh produce, flowers and bread may be made by van but only between 09:00 to 17:00 hours. Deliveries shall only take place so as to minimise noise and traffic disturbance.
11. The licence holder shall ensure that rubbish shall not at any time obstruct any pavements or roadways adjacent to the premises. No noxious smells shall be permitted to cause a nuisance to nearby properties and the premises are to be properly ventilated. No rubbish shall be moved, removed or placed outside the premises other than on collection weekdays between the hours of 08:00 and 18:00, on Saturdays between the hours of 09:00 and 17:00 but never on Sundays or Bank Holidays.
12. The premises shall be particularly aware of its neighbours to ensure it does not cause noise nuisance, that rubbish collections are properly managed and plant kept in good order. The premises shall have internal storage for refuse which prevents items being left on the streets, or the noisy dispersal of bottles. Any forecourts and paving areas shall be immediately washed down and kept clean.
13. No music or noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. Windows should be kept closed so as not to cause noise disturbance. Doors to access and egress the premises shall be kept closed so far as practicable, employ automatic door closing mechanisms and not be wedged or held open.
14. No more than 10 persons shall be permitted to smoke outside the premises at any one

time, and no more than five persons after 21:00. Smokers shall only be permitted to smoke in a designated area, which should be defined as the location least likely to cause noise nuisance to local residents and congestion on the public footpath. No smoking outside the premises shall be permitted after 22:00. The licence holder shall ensure the area outside the premises are swept and cleaned at no less than three intervals every day and at the end of each night, and that all cigarette butts are removed and disposed of in the premises.

15. The licence holder shall not allow any queuing outside of the premises at any time and shall provide sufficient space within the premises for any queue that forms. A queue shall mean any single person, or persons, waiting to be served at the premises. The licence holder shall actively discourage and disperse any persons trying to wait outside the premises or who otherwise obstruct the pavement or roadway and shall decline them service if they fail to disperse.
16. No chairs or tables or signage or display boards of any kind shall be placed on the pavement or carriageway outside the premises at any time and the licence holder shall not seek any licence or variation of this licence for any such tables or chairs in the future.
17. The licence holder shall ensure that all lights in the main dining area of the premises are switched off when the premises are closed to save energy and minimise light pollution.
18. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly. The premises shall have a defined dispersal policy to ensure that customers and staff leave safely and quietly and are assisted where necessary.
19. A member of staff of the licence holder shall be present at the exit from 22:00 until the last patron leaves on any day of operations in order to direct patrons to the nearest transport links and to ensure that patrons do not create a disturbance or loiter outside or adjacent to the premises. The licence holder shall not call, or otherwise arrange, directly or indirectly taxis for any patrons so as not to increase late night traffic noise outside the premises. The licence holder shall encourage patrons to use public transport or disperse to the main roads to wait for passing taxis.
20. The contact telephone number for the premises licence holder/designated premises supervisor/duty manager shall be displayed inside the premises or immediately outside the premises such that it is clearly visible from outside without the need to enter the premises.
21. Children shall be permitted on the premises for the purposes of having a meal if accompanied by a responsible adult. Staff shall be trained on their responsibilities to not sell alcohol to persons who are or appear to be under age. The licensee shall adopt the Challenge 25 and BII National Standards Proof of Age Scheme. The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards e.g. Citizencard, a passport, or UK Driving Licence bearing the photograph and date of birth of the bearer. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they understood the training. The licensee shall keep records of training and instruction given to staff.
22. The Designated Premises Supervisor shall ensure that all management staff are trained to use and maintain the Incident Book. The Incident Book shall be readily available for inspection by the Police or other statutory authority. It shall be maintained to record all crimes reported to the venue, ejections of patrons, complaints received, incidents of disorder, faults in the CCTV system, and any other relevant incidents for the Police or other statutory authority.
23. CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system shall record in real time, date and time stamped and will

continually operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request free of charge together with facilities for viewing should these be necessary. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge to assist in the immediate investigation of offences.

24. The licence holder shall appoint a noise consultant registered with the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of sound insulation and noise control measures designed to ensure that noise from equipment on the premises (including but not limited to air conditioning and kitchen extracts) is kept to a minimum and meets the Council's Db guidelines to prevent persons in the neighbourhood from being disturbed by noise from equipment on the premises. A certified true copy of that scheme shall be delivered to the Clerkenwell Green Preservation Society not less than fourteen (14) days prior to the opening of the premises for trade and to any resident of EC1 requesting an electronic copy of the same within 7 days of any such request.
25. The licence holder shall ensure that any extractor fans, any air conditioning units or any other equipment used by, or connected, to the premises shall operate at all times within the maximum permitted noise limits required by the Council or, if lower, by the then current legislation including any subordinate legislation and regulations.

#### **Objections based on the four licensing objectives**

##### **Public Nuisance**

This application fails to demonstrate that the grant of the premises licence would not give rise to a negative cumulative impact on the Licensing Objective for the Prevention of Public Nuisance.

The application also does not address:

- Licensing Policy 5 in that they have not suggested any measures or plan to ensure that their customers do not contribute to problems of anti-social drinking
- Licensing Policy 8 nor Licensing Policy 21 in that they have not suggested any active dispersal policy to mitigate the Licensing Authority's position that the possibility of disturbance to residents is more likely to occur at night and in early morning hours
- Licensing Policy 18 which states that complaints about noise in Islington have risen substantially over the last 10 years and the considerable expansion of the night-time economy has increased noise within urban settings above the national average

There is the possibility of public nuisance caused by alcohol-related antisocial behaviour and crime, as noted above. Also the possibility of public nuisance through customers talking/smoking and driving through the area, noise from customers leaving at night, noise from increased traffic at night, noise from deliveries and rubbish removal, noise and blocking of pavement from customers smoking outside, and noise and blocking of pavement from customers queuing/waiting outside.

Specific concerns also include:

- Dispersal of people with late night alcohol, but no active dispersal policy suggested by the applicant
- No policy suggested by the applicant to manage patrons smoking, queuing and/or waiting for tables outside the premises, thus creating a cumulative impact upon noise disturbance and blocking the pavement. Also notably no waiting area proposed in the applicant's floor plan to help manage this cumulative impact
- No evidence presented by the applicant that noise will not emanate from the premises

I would also note that my concerns are not based on speculation. They are based on experience of the cumulative impact of existing establishments on residents, which has resulted in the Council instituting the cumulative impact policy for Clerkenwell.

### Crime and Disorder

Clerkenwell is an area the Council has recognised as having a high number of licensed premises, which collectively lead to problems related to the licensing objectives.

This application also fails to consider Licensing Policy 1, which takes into account (among other matters) the location of the premises and character of the area. The premises are located on Tummill Street near many residential blocks on the same street and surrounding streets.

### Protection of Children from Harm

This application fails to demonstrate that the grant of the premises licence would not give rise to a negative cumulative impact on the Licensing Objective for the Protection of Children from Harm. Licensing Policy 1 notes that the character of the area must also be considered. The aforementioned increase in crime, disorder and antisocial behaviour also further threatens children.

### Public Safety

This application fails to demonstrate that the grant of the premises licence would not give rise to a negative cumulative impact on the Licensing Objective for the Protection of Public Safety. This application threatens public safety not only due to the aforementioned increase in crime, disorder, and antisocial behaviour associated with alcohol consumption, but also due to loitering in the street after the licensed hours.

Islington has the second highest density of licensed premises in London and suffers from well above the London average for violent crimes attributable to alcohol. Clerkenwell is already designated as an area of cumulative impact and saturation. This situation should not be further aggravated with an additional licence.

Rep 3

Licensing representation  
Nando's, 99-100 Turnmill St, EC1M 5QP  
Date 12 November 2015



Dear Sirs,

I write as an interested party and local resident.

I object to this application as it stands, but would be happy to fully support it with some minor amendments and added conditions. I appreciate that the existing application has removed the off licence sales and greatly reduced the hours of operations and on licence sales.

However, the licence as it stands is still more extensive than other licences recently awarded nearby (including among others) Conran Albion and Granger & Co. And it would therefore have a negative cumulative impact on local residents and the area bearing in mind all 4 of Islington's licensing objectives and Licensing Policies 1, 2, 5, 8, 18 and 21.

My main objections are:

- A. It is in an area of cumulative impact that was four years ago already defined as saturated by Islington's licensing policy
- B. There is an insufficient noise and management programme to minimise noise and nuisance on the nearby area and residents
- C. The lack of detailed delivery and rubbish restrictions (in line with other recently granted licences) that seek to minimise disturbance – the condition currently offered is vague and has no teeth so to speak

I recommend approving the application with the following changes:

	Nando's Application		Please Approve with Changes	
	On Sales	Opening Hours	On Sales	Opening Hours
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Wed	11:00-23:00	09:00-23:30	11:00-22:30	11:00-23:00
Thu	11:00-23:00	09:00-23:30	11:00-22:30	11:00-23:00
Fri	11:00-00:00	09:00-00:30	11:00-23:30	11:00-00:00
Sat	11:00-00:00	09:00-00:30	11:00-23:30	11:00-00:00
Sun	11:00-23:00	09:00-23:30	11:00-19:00	11:00-19:00

... and with the added conditions as detailed below. If these changes and conditions are not adopted, then I believe this application should be refused so as not to undermine the licensing objectives and add to existing cumulative impact.

*I have discussed this application with other residents. If multiple objections are similar, it is due to our approach as a community. No objection should be discounted for being similar.*

Kind regards



**Recommended Conditions**

*Please note my recommendations for conditions are inline with those set on other recent licences in the area.*

1. On premises licence and opening hours:

	Please Approve with Changes	
	On Sales	Opening Hours
Mon	11:00-22:30	11:00-23:00
Tues	11:00-22:30	11:00-23:00
Wed	11:00-22:30	11:00-23:00
Thu	11:00-22:30	11:00-23:00
Fri	11:00-23:30	11:00-00:00
Sat	11:00-23:30	11:00-00:00
Sun	11:00-19:00	11:00-19:00

2. The premises nor any part therein shall be permitted to operate as a bar.
3. No licence shall be granted for any exceptional days to be open all night.
4. If granted, the licence should terminate if management changes hands.
5. Alcoholic drinks may only be consumed within the premises during those hours permitted for the sale of alcohol and 30 minutes after the permitted terminal hour.
6. The premises licence holder must ensure that no alcohol is consumed outside the premises at any time, and any smokers are required to leave glasses inside.
7. No new customers are permitted to enter the premises after 22:00 Mondays through Thursdays and after 23:00 Fridays and Saturdays.
8. No customers carrying open or sealed bottles shall be admitted at any time.
9. The premises shall be ones in which (i) customers are shown to their table, (ii) food is provided in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery and (iii) intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals. A table meal shall not be constituted by bar snacks or a single side order of food.
10. No deliveries shall be made on Sundays or Bank Holidays or between the hours of 18:30 and 08:00 daily. On Saturdays, deliveries for fresh produce, flowers and bread may be made by van but only between 09:00 to 17:00 hours. Deliveries shall only take place so as to minimise noise and traffic disturbance.
11. The licence holder shall ensure that rubbish shall not at any time obstruct any pavements or roadways adjacent to the premises. No noxious smells shall be permitted to cause a nuisance to nearby properties and the premises are to be properly ventilated. No rubbish shall be moved, removed or placed outside the premises other than on collection weekdays between the hours of 08:00 and 18:00, on Saturdays between the hours of 09:00 and 17:00 but never on Sundays or Bank Holidays.
12. The premises shall be particularly aware of its neighbours to ensure it does not cause noise nuisance, that rubbish collections are properly managed and plant kept in good order. The premises shall have internal storage for refuse which prevents items being left on the streets, or the noisy dispersal of bottles. Any forecourts and paving areas shall be immediately washed down and kept clean.
13. No music or noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. Windows should be kept closed so as not to cause noise disturbance. Doors to access and egress the premises shall be kept closed so far as practicable, employ automatic door closing mechanisms and not be wedged or held open.
14. No more than 10 persons shall be permitted to smoke outside the premises at any one

- time, and no more than five persons after 21:00. Smokers shall only be permitted to smoke in a designated area, which should be defined as the location least likely to cause noise nuisance to local residents and congestion on the public footpath. No smoking outside the premises shall be permitted after 22:00. The licence holder shall ensure the area outside the premises are swept and cleaned at no less than three intervals every day and at the end of each night, and that all cigarette butts are removed and disposed of in the premises.
15. The licence holder shall not allow any queuing outside of the premises at any time and shall provide sufficient space within the premises for any queue that forms. A queue shall mean any single person, or persons, waiting to be served at the premises. The licence holder shall actively discourage and disperse any persons trying to wait outside the premises or who otherwise obstruct the pavement or roadway and shall decline them service if they fail to disperse.
  16. No chairs or tables or signage or display boards of any kind shall be placed on the pavement or carriageway outside the premises at any time and the licence holder shall not seek any licence or variation of this licence for any such tables or chairs in the future.
  17. The licence holder shall ensure that all lights in the main dining area of the premises are switched off when the premises are closed to save energy and minimise light pollution.
  18. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly. The premises shall have a defined dispersal policy to ensure that customers and staff leave safely and quietly and are assisted where necessary.
  19. A member of staff of the licence holder shall be present at the exit from 22:00 until the last patron leaves on any day of operations in order to direct patrons to the nearest transport links and to ensure that patrons do not create a disturbance or loiter outside or adjacent to the premises. The licence holder shall not call, or otherwise arrange, directly or indirectly taxis for any patrons so as not to increase late night traffic noise outside the premises. The licence holder shall encourage patrons to use public transport or disperse to the main roads to wait for passing taxis.
  20. The contact telephone number for the premises licence holder/designated premises supervisor/duty manager shall be displayed inside the premises or immediately outside the premises such that it is clearly visible from outside without the need to enter the premises.
  21. Children shall be permitted on the premises for the purposes of having a meal if accompanied by a responsible adult. Staff shall be trained on their responsibilities to not sell alcohol to persons who are or appear to be under age. The licensee shall adopt the Challenge 25 and BII National Standards Proof of Age Scheme. The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards e.g. Citizencard, a passport, or UK Driving Licence bearing the photograph and date of birth of the bearer. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they understood the training. The licensee shall keep records of training and instruction given to staff.
  22. The Designated Premises Supervisor shall ensure that all management staff are trained to use and maintain the Incident Book. The Incident Book shall be readily available for inspection by the Police or other statutory authority. It shall be maintained to record all crimes reported to the venue, ejections of patrons, complaints received, incidents of disorder, faults in the CCTV system, and any other relevant incidents for the Police or other statutory authority.
  23. CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system shall record in real time, date and time stamped and will

continually operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request free of charge together with facilities for viewing should these be necessary. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge to assist in the immediate investigation of offences.

24. The licence holder shall appoint a noise consultant registered with the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of sound insulation and noise control measures designed to ensure that noise from equipment on the premises (including but not limited to air conditioning and kitchen extracts) is kept to a minimum and meets the Council's Db guidelines to prevent persons in the neighbourhood from being disturbed by noise from equipment on the premises. A certified true copy of that scheme shall be delivered to the Clerkenwell Green Preservation Society not less than fourteen (14) days prior to the opening of the premises for trade and to any resident of EC1 requesting an electronic copy of the same within 7 days of any such request.
25. The licence holder shall ensure that any extractor fans, any air conditioning units or any other equipment used by, or connected, to the premises shall operate at all times within the maximum permitted noise limits required by the Council or, if lower, by the then current legislation including any subordinate legislation and regulations.

#### **Objections based on the four licensing objectives**

##### **Public Nuisance**

This application fails to demonstrate that the grant of the premises licence would not give rise to a negative cumulative impact on the Licensing Objective for the Prevention of Public Nuisance.

The application also does not address:

- Licensing Policy 5 in that they have not suggested any measures or plan to ensure that their customers do not contribute to problems of anti-social drinking
- Licensing Policy 8 nor Licensing Policy 21 in that they have not suggested any active dispersal policy to mitigate the Licensing Authority's position that the possibility of disturbance to residents is more likely to occur at night and in early morning hours
- Licensing Policy 18 which states that complaints about noise in Islington have risen substantially over the last 10 years and the considerable expansion of the night-time economy has increased noise within urban settings above the national average

There is the possibility of public nuisance caused by alcohol-related antisocial behaviour and crime, as noted above. Also the possibility of public nuisance through customers talking/smoking and driving through the area, noise from customers leaving at night, noise from increased traffic at night, noise from deliveries and rubbish removal, noise and blocking of pavement from customers smoking outside, and noise and blocking of pavement from customers queuing/waiting outside.

Specific concerns also include:

- Dispersal of people with late night alcohol, but no active dispersal policy suggested by the applicant
- No policy suggested by the applicant to manage patrons smoking, queuing and/or waiting for tables outside the premises, thus creating a cumulative impact upon noise disturbance and blocking the pavement. Also notably no waiting area proposed in the applicant's floor plan to help manage this cumulative impact
- No evidence presented by the applicant that noise will not emanate from the premises

I would also note that my concerns are not based on speculation. They are based on experience of the cumulative impact of existing establishments on residents, which has resulted in the Council instituting the cumulative impact policy for Clerkenwell.

### Crime and Disorder

Clerkenwell is an area the Council has recognised as having a high number of licensed premises, which collectively lead to problems related to the licensing objectives.

This application also fails to consider Licensing Policy 1, which takes into account (among other matters) the location of the premises and character of the area. The premises are located on Tummill Street near many residential blocks on the same street and surrounding streets.

### Protection of Children from Harm

This application fails to demonstrate that the grant of the premises licence would not give rise to a negative cumulative impact on the Licensing Objective for the Protection of Children from Harm. Licensing Policy 1 notes that the character of the area must also be considered. The aforementioned increase in crime, disorder and antisocial behaviour also further threatens children.

### Public Safety

This application fails to demonstrate that the grant of the premises licence would not give rise to a negative cumulative impact on the Licensing Objective for the Protection of Public Safety. This application threatens public safety not only due to the aforementioned increase in crime, disorder, and antisocial behaviour associated with alcohol consumption, but also due to loitering in the street after the licensed hours.

Islington has the second highest density of licensed premises in London and suffers from well above the London average for violent crimes attributable to alcohol. Clerkenwell is already designated as an area of cumulative impact and saturation. This situation should not be further aggravated with an additional licence.



Rep 4

**Gallacher, Simon**

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**From:** [REDACTED]  
**Sent:** 13 November 2015 18:19  
**To:** Gallacher, Simon  
**Subject:** Nandos, 99-100 Turnmill St. EC1M 5QP

As a local resident, I wish to object the Nandos licensing application because it exceeds core hours.

The venue is in the Clerkenwell cumulative impact area and is located just outside Farringdon Station, a hot spot for crime and anti-social behavior.

Accordingly, I recommend the Licensing Committee limit Nandos closing time to 23.00 monday through thursday and midnight on friday and saturday.

[REDACTED]

Rep 5

Licensing representation Nando's, 99-100 Turnmill St, EC1M 5QP

Date 13 November 2015

Resident, [REDACTED]

Dear Sirs,

I write as an interested party and local resident.

I object to this application as it stands, but would be happy to fully support it with some minor amendments and added conditions. I appreciate that the existing application has removed the off licence sales and greatly reduced the hours of operations and on licence sales.

However, the licence as it stands is still more extensive than other licences recently awarded nearby (including among others) Conran Albion and Granger & Co. And it would therefore have a negative cumulative impact on local residents and the area bearing in mind all 4 of Islington's licensing objectives and Licensing Policies 1, 2, 5, 8, 18 and 21.

My main objections are:

- A. It is in an area of cumulative impact that was four years ago already defined as saturated by Islington's licensing policy
- B. There is an insufficient noise and management programme to minimise noise and nuisance on the nearby area and residents
- C. The lack of detailed delivery and rubbish restrictions (in line with other recently granted licences) that seek to minimise disturbance – the condition currently offered is vague and has no teeth so to speak

I recommend approving the application with the following changes:

	Nando's Application		Please Approve with Changes	
	On Sales	Opening Hours	On Sales	Opening Hours
Mon	11:00-23:00	09:00-23:30	11:00-22:30	11:00-23:00
Tues	11:00-23:00	09:00-23:30	11:00-22:30	11:00-23:00
Wed	11:00-23:00	09:00-23:30	11:00-22:30	11:00-23:00
Thu	11:00-23:00	09:00-23:30	11:00-22:30	11:00-23:00
Fri	11:00-00:00	09:00-00:30	11:00-23:30	11:00-00:00
Sat	11:00-00:00	09:00-00:30	11:00-23:30	11:00-00:00
Sun	11:00-23:00	09:00-23:30	11:00-19:00	11:00-19:00

... and with the added conditions as detailed below. If these changes and conditions are not adopted, then I believe this application should be refused so as not to undermine the licensing objectives and add to existing cumulative impact.

*I have discussed this application with other residents. If multiple objections are similar, it is due to our approach as a community. No objection should be discounted for being similar.*

Kind regards

[REDACTED]

**Recommended Conditions**

*Please note my recommendations for conditions are inline with those set on other recent licences in the area.*

1. On premises licence and opening hours:

	Please Approve with Changes	
	On Sales	Opening Hours
Mon	11:00-22:30	11:00-23:00
Tues	11:00-22:30	11:00-23:00
Wed	11:00-22:30	11:00-23:00
Thu	11:00-22:30	11:00-23:00
Fri	11:00-23:30	11:00-00:00
Sat	11:00-23:30	11:00-00:00
Sun	11:00-19:00	11:00-19:00

2. The premises nor any part therein shall be permitted to operate as a bar.
3. No licence shall be granted for any exceptional days to be open all night.
4. If granted, the licence should terminate if management changes hands.
5. Alcoholic drinks may only be consumed within the premises during those hours permitted for the sale of alcohol and 30 minutes after the permitted terminal hour.
6. The premises licence holder must ensure that no alcohol is consumed outside the premises at any time, and any smokers are required to leave glasses inside.
7. No new customers are permitted to enter the premises after 22:00 Mondays through Thursdays and after 23:00 Fridays and Saturdays.
8. No customers carrying open or sealed bottles shall be admitted at any time.
9. The premises shall be ones in which (i) customers are shown to their table, (ii) food is provided in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery and (iii) intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals. A table meal shall not be constituted by bar snacks or a single side order of food.
10. No deliveries shall be made on Sundays or Bank Holidays or between the hours of 18:30 and 08:00 daily. On Saturdays, deliveries for fresh produce, flowers and bread may be made by van but only between 09:00 to 17:00 hours. Deliveries shall only take place so as to minimise noise and traffic disturbance.
11. The licence holder shall ensure that rubbish shall not at any time obstruct any pavements or roadways adjacent to the premises. No noxious smells shall be permitted to cause a nuisance to nearby properties and the premises are to be properly ventilated. No rubbish shall be moved, removed or placed outside the premises other than on collection weekdays between the hours of 08:00 and 18:00, on Saturdays between the hours of 09:00 and 17:00 but never on Sundays or Bank Holidays.
12. The premises shall be particularly aware of its neighbours to ensure it does not cause noise nuisance, that rubbish collections are properly managed and plant kept in good order. The premises shall have internal storage for refuse which prevents items being left on the streets, or the noisy dispersal of bottles. Any forecourts and paving areas shall be immediately washed down and kept clean.
13. No music or noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. Windows should be kept closed so as not to cause noise disturbance. Doors to access and egress the premises shall be kept closed so far as practicable, employ automatic door closing mechanisms and not be wedged or held open.
14. No more than 10 persons shall be permitted to smoke outside the premises at any one

time, and no more than five persons after 21:00. Smokers shall only be permitted to smoke in a designated area, which should be defined as the location least likely to cause noise nuisance to local residents and congestion on the public footpath. No smoking outside the premises shall be permitted after 22:00. The licence holder shall ensure the area outside the premises are swept and cleaned at no less than three intervals every day and at the end of each night, and that all cigarette butts are removed and disposed of in the premises.

15. The licence holder shall not allow any queuing outside of the premises at any time and shall provide sufficient space within the premises for any queue that forms. A queue shall mean any single person, or persons, waiting to be served at the premises. The licence holder shall actively discourage and disperse any persons trying to wait outside the premises or who otherwise obstruct the pavement or roadway and shall decline them service if they fail to disperse.
16. No chairs or tables or signage or display boards of any kind shall be placed on the pavement or carriageway outside the premises at any time and the licence holder shall not seek any licence or variation of this licence for any such tables or chairs in the future.
17. The licence holder shall ensure that all lights in the main dining area of the premises are switched off when the premises are closed to save energy and minimise light pollution.
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continually operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request free of charge together with facilities for viewing should these be necessary. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge to assist in the immediate investigation of offences.

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#### **Objections based on the four licensing objectives**

##### **Public Nuisance**

This application fails to demonstrate that the grant of the premises licence would not give rise to a negative cumulative impact on the Licensing Objective for the Prevention of Public Nuisance.

The application also does not address:

- Licensing Policy 5 in that they have not suggested any measures or plan to ensure that their customers do not contribute to problems of anti-social drinking
- Licensing Policy 8 nor Licensing Policy 21 in that they have not suggested any active dispersal policy to mitigate the Licensing Authority's position that the possibility of disturbance to residents is more likely to occur at night and in early morning hours
- Licensing Policy 18 which states that complaints about noise in Islington have risen substantially over the last 10 years and the considerable expansion of the night-time economy has increased noise within urban settings above the national average

There is the possibility of public nuisance caused by alcohol-related antisocial behaviour and crime, as noted above. Also the possibility of public nuisance through customers talking/smoking and driving through the area, noise from customers leaving at night, noise from increased traffic at night, noise from deliveries and rubbish removal, noise and blocking of pavement from customers smoking outside, and noise and blocking of pavement from customers queuing/waiting outside.

Specific concerns also include:

- Dispersal of people with late night alcohol, but no active dispersal policy suggested by the applicant
- No policy suggested by the applicant to manage patrons smoking, queuing and/or waiting for tables outside the premises, thus creating a cumulative impact upon noise disturbance and blocking the pavement. Also notably no waiting area proposed in the applicant's floor plan to help manage this cumulative impact
- No evidence presented by the applicant that noise will not emanate from the premises

I would also note that my concerns are not based on speculation. They are based on experience of the cumulative impact of existing establishments on residents, which has resulted in the Council instituting the cumulative impact policy for Clerkenwell.

### Crime and Disorder

Clerkenwell is an area the Council has recognised as having a high number of licensed premises, which collectively lead to problems related to the licensing objectives.

This application also fails to consider Licensing Policy 1, which takes into account (among other matters) the location of the premises and character of the area. The premises are located on Tummill Street near many residential blocks on the same street and surrounding streets.

### Protection of Children from Harm

This application fails to demonstrate that the grant of the premises licence would not give rise to a negative cumulative impact on the Licensing Objective for the Protection of Children from Harm. Licensing Policy 1 notes that the character of the area must also be considered. The aforementioned increase in crime, disorder and antisocial behaviour also further threatens children.

### Public Safety

This application fails to demonstrate that the grant of the premises licence would not give rise to a negative cumulative impact on the Licensing Objective for the Protection of Public Safety. This application threatens public safety not only due to the aforementioned increase in crime, disorder, and antisocial behaviour associated with alcohol consumption, but also due to loitering in the street after the licensed hours.

Islington has the second highest density of licensed premises in London and suffers from well above the London average for violent crimes attributable to alcohol. Clerkenwell is already designated as an area of cumulative impact and saturation. This situation should not be further aggravated with an additional licence.

Licensing representation Nando's, 99-100 Turnmill St, EC1M 5QP  
 Date 12th November 2015  
 Resident, Name, address: [REDACTED]

Dear Sirs,

I write as an interested party and local resident.

I object to this application as it stands, but would be happy to fully support it with some minor amendments and added conditions. I appreciate that the existing application has removed the off licence sales and greatly reduced the hours of operations and on licence sales.

However, the licence as it stands is still more extensive than other licences recently awarded nearby (including among others) Conran Albion and Granger & Co. And it would therefore have a negative cumulative impact on local residents and the area bearing in mind all 4 of Islington's licensing objectives and Licensing Policies 1, 2, 5, 8, 18 and 21.

My main objections are:

- It is in an area of cumulative impact that was four years ago already defined as saturated by Islington's licensing policy
- There is an insufficient noise and management programme to minimise noise and nuisance on the nearby area and residents
- The lack of detailed delivery and rubbish restrictions (in line with other recently granted licences) that seek to minimise disturbance – the condition currently offered is vague and has no teeth so to speak

I recommend approving the application with the following changes:

	Nando's Application		Please Approve with Changes	
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Thu	11:00-23:00	09:00-23:30	11:00-22:30	11:00-23:00
Fri	11:00-00:00	09:00-00:30	11:00-23:30	11:00-00:00
Sat	11:00-00:00	09:00-00:30	11:00-23:30	11:00-00:00
Sun	11:00-23:00	09:00-23:30	11:00-19:00	11:00-19:00

... and with the added conditions as detailed below. If these changes and conditions are not adopted, then I believe this application should be refused so as not to undermine the licensing objectives and add to existing cumulative impact.

I have discussed this application with other residents. If multiple objections are similar, it is due to our approach as a community. No objection should be discounted for being similar.

Kind regards

**Recommended Conditions**

Please note my recommendations for conditions are inline with those set on other recent licences in the area.

- On premises licence and opening hours:

	Please Approve with Changes	
	On Sales	Opening Hours
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- The premises nor any part therein shall be permitted to operate as a bar.
- No licence shall be granted for any exceptional days to be open all night.
- If granted, the licence should terminate if management changes hands.
- Alcoholic drinks may only be consumed within the premises during those hours permitted for the sale of alcohol and 30 minutes after the permitted terminal hour.
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- No customers carrying open or sealed bottles shall be admitted at any time.
- The premises shall be ones in which (i) customers are shown to their table, (ii) food is provided in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery and (iii) intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals. A table meal shall not be constituted by bar snacks or a single side order of food.
- No deliveries shall be made on Sundays or Bank Holidays or between the hours of 18:30 and 06:00 daily. On Saturdays, deliveries for fresh produce, flowers and bread may be made by van but only between 09:00 to 17:00

hours. Deliveries shall only take place so as to minimise noise and traffic disturbance.

- The licence holder shall ensure that rubbish shall not at any time obstruct any pavements or roadways adjacent to the premises. No noxious smells shall be permitted to cause a nuisance to nearby properties and the premises are to be properly ventilated. No rubbish shall be moved, removed or placed outside the premises other than on collection weekdays between the hours of 08:00 and 18:00, on Saturdays between the hours of 09:00 and 17:00 but never on Sundays or Bank Holidays.
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- No more than 10 persons shall be permitted to smoke outside the premises at any one time, and no more than five persons after 21:00. Smokers shall only be permitted to smoke in a designated area, which should be defined as the location least likely to cause noise nuisance to local residents and congestion on the public footpath. No smoking outside the premises shall be permitted after 22:00. The licence holder shall ensure the area outside the premises are swept and cleaned at no less than three intervals every day and at the end of each night, and that all cigarette butts are removed and disposed of in the premises.
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- No chairs or tables or signage or display boards of any kind shall be placed on the pavement or carriageway outside the premises at any time and the licence holder shall not seek any licence or variation of this licence for any such tables or chairs in the future.
- The licence holder shall ensure that all lights in the main dining area of the premises are switched off when the premises are closed to save energy and minimise light pollution.
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- A member of staff of the licence holder shall be present at the exit from 22:00 until the last patron leaves on any day of operations in order to direct patrons to the nearest transport links and to ensure that patrons do not create a disturbance or loiter outside or adjacent to the premises. The licence holder shall not call, or otherwise arrange, directly or indirectly taxis for any patrons so as not to increase late night traffic noise outside the premises. The licence holder shall encourage patrons to use public transport or disperse to the main roads to wait for passing taxis.
- The contact telephone number for the premises licence holder/designated premises supervisor/duty manager shall be displayed inside the premises or immediately outside the premises such that it is clearly visible from outside without the need to enter the premises.
- Children shall be permitted on the premises for the purposes of having a meal if accompanied by a responsible adult. Staff shall be trained on their responsibilities to not sell alcohol to persons who are or appear to be under age. The licensee shall adopt the Challenge 25 and B4 National Standards Proof of Age Scheme. The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards e.g. CitizenCard, a passport, or UK Driving Licence bearing the photograph and date of birth of the bearer. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they understood the training. The licensee shall keep records of training and instruction given to staff.
- The Designated Premises Supervisor shall ensure that all management staff are trained to use and maintain the Incident Book. The Incident Book shall be readily available for inspection by the Police or other statutory authority. It shall be maintained to record all crimes reported to the venue, ejections of patrons, complaints received, incidents of disorder, faults in the CCTV system, and any other relevant incidents for the Police or other statutory authority.
- CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system shall record in real time, date and time stamped and will continually operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request free of charge together with facilities for viewing should these be necessary. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge to assist in the immediate investigation of offences.
- The licence holder shall appoint a noise consultant registered with the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of sound insulation and noise control measures designed to ensure that noise from equipment on the premises (including but not limited to air conditioning and kitchen extracts) is kept to a minimum and meets the Council's Db guidelines to prevent persons in the neighbourhood from being disturbed by noise from equipment on the premises. A certified true copy of that scheme shall be delivered to the Clerkenwell Green Preservation Society not less than fourteen (14) days prior to the opening of the premises for trade and to any resident of EC1 requesting an electronic copy of the same within 7 days of any such request.
- The licence holder shall ensure that any extractor fans, any air conditioning units or any other equipment used by, or connected, to the premises shall operate at all times within the maximum permitted noise limits required by the Council or, if lower, by the then current legislation including any subordinate legislation and

regulations.

#### **Objections based on the four licensing objectives**

##### **Public Nuisance**

This application fails to demonstrate that the grant of the premises licence would not give rise to a negative cumulative impact on the Licensing Objective for the Prevention of Public Nuisance.

The application also does not address:

- Licensing Policy 5 in that they have not suggested any measures or plan to ensure that their customers do not contribute to problems of anti-social drinking
- Licensing Policy 8 nor Licensing Policy 21 in that they have not suggested any active dispersal policy to mitigate the Licensing Authority's position that the possibility of disturbance to residents is more likely to occur at night and in early morning hours
- Licensing Policy 18 which states that complaints about noise in Islington have risen substantially over the last 10 years and the considerable expansion of the night-time economy has increased noise within urban settings above the national average

There is the possibility of public nuisance caused by alcohol-related antisocial behaviour and crime, as noted above. Also the possibility of public nuisance through customers talking/smoking and driving through the area, noise from customers leaving at night, noise from increased traffic at night, noise from deliveries and rubbish removal, noise and blocking of pavement from customers smoking outside, and noise and blocking of pavement from customers queuing/waiting outside.

Specific concerns also include:

- Dispersal of people with late night alcohol, but no active dispersal policy suggested by the applicant
- No policy suggested by the applicant to manage patrons smoking, queuing and/or waiting for tables outside the premises, thus creating a cumulative impact upon noise disturbance and blocking the pavement. Also notably no waiting area proposed in the applicant's floor plan to help manage this cumulative impact
- No evidence presented by the applicant that noise will not emanate from the premises

I would also note that my concerns are not based on speculation. They are based on experience of the cumulative impact of existing establishments on residents, which has resulted in the Council instituting the cumulative impact policy for Clerkenwell.

##### **Crime and Disorder**

Clerkenwell is an area the Council has recognised as having a high number of licensed premises, which collectively lead to problems related to the licensing objectives.

This application also fails to consider Licensing Policy 1, which takes into account (among other matters) the location of the premises and character of the area. The premises are located on Tummill Street near many residential blocks on the same street and surrounding streets.

##### **Protection of Children from Harm**

This application fails to demonstrate that the grant of the premises licence would not give rise to a negative cumulative impact on the Licensing Objective for the Protection of Children from Harm. Licensing Policy 1 notes that the character of the area must also be considered. The aforementioned increase in crime, disorder and antisocial behaviour also further threatens children.

##### **Public Safety**

This application fails to demonstrate that the grant of the premises licence would not give rise to a negative cumulative impact on the Licensing Objective for the Protection of Public Safety. This application threatens public safety not only due to the aforementioned increase in crime, disorder, and antisocial behaviour associated with alcohol consumption, but also due to loitering in the street after the licensed hours.

Islington has the second highest density of licensed premises in London and suffers from well above the London average for violent crimes attributable to alcohol. Clerkenwell is already designated as an area of cumulative impact and saturation. This situation should not be further aggravated with an additional licence.

### Appendix 3

1. CCTV shall be installed, operated and maintained. 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 (subject to the Data Protection Act 1998) within 24 hours of any request. There shall be sufficient members of trained staff at the premises during operating hours to be able to comply with any such request.
2. The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. Acceptable identification for the purposes of age verification will include a driving licence, passport or photographic identification bearing the "PASS" logo and date of birth. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person. Challenge 25 signage shall be displayed within the premises.
3. Notices shall be displayed at the exit requesting customers to respect the needs of local residents and to leave the restaurant and area quietly.
4. Staff will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records will be kept of such training. All staff will receive refresher training every six months as a minimum and records are to be kept of this refresher training. Training records will be kept on the premises and made available for inspection by an authorised officer or police officer upon request.
5. An incident and refusals log shall be kept and maintained on the premises and will be available for inspection immediately upon request by an authorised officer or police officer. Any incidents that include physical altercation or disorder, physical ejection, injury, ID seizure or refusal of sale of alcohol will be recorded. The entry to include an account of the incident and the identity of all persons involved (or descriptions of those involved if identity is unknown). Each entry shall be timed, dated and include the author's name.
6. Substantial food and non-alcoholic beverages (including drinking water) shall be available throughout the permitted hours in all parts of the premises where alcohol is provided.
7. The use of the outside seating area will be monitored by staff and the use of this area for dining shall cease at 2200 daily.
8. The supply of alcohol at the premises shall only be to a person either waiting to be seated or taking a table meal there and for consumption by such person as ancillary to their meal.

Title : 99-100 Turnmill Street

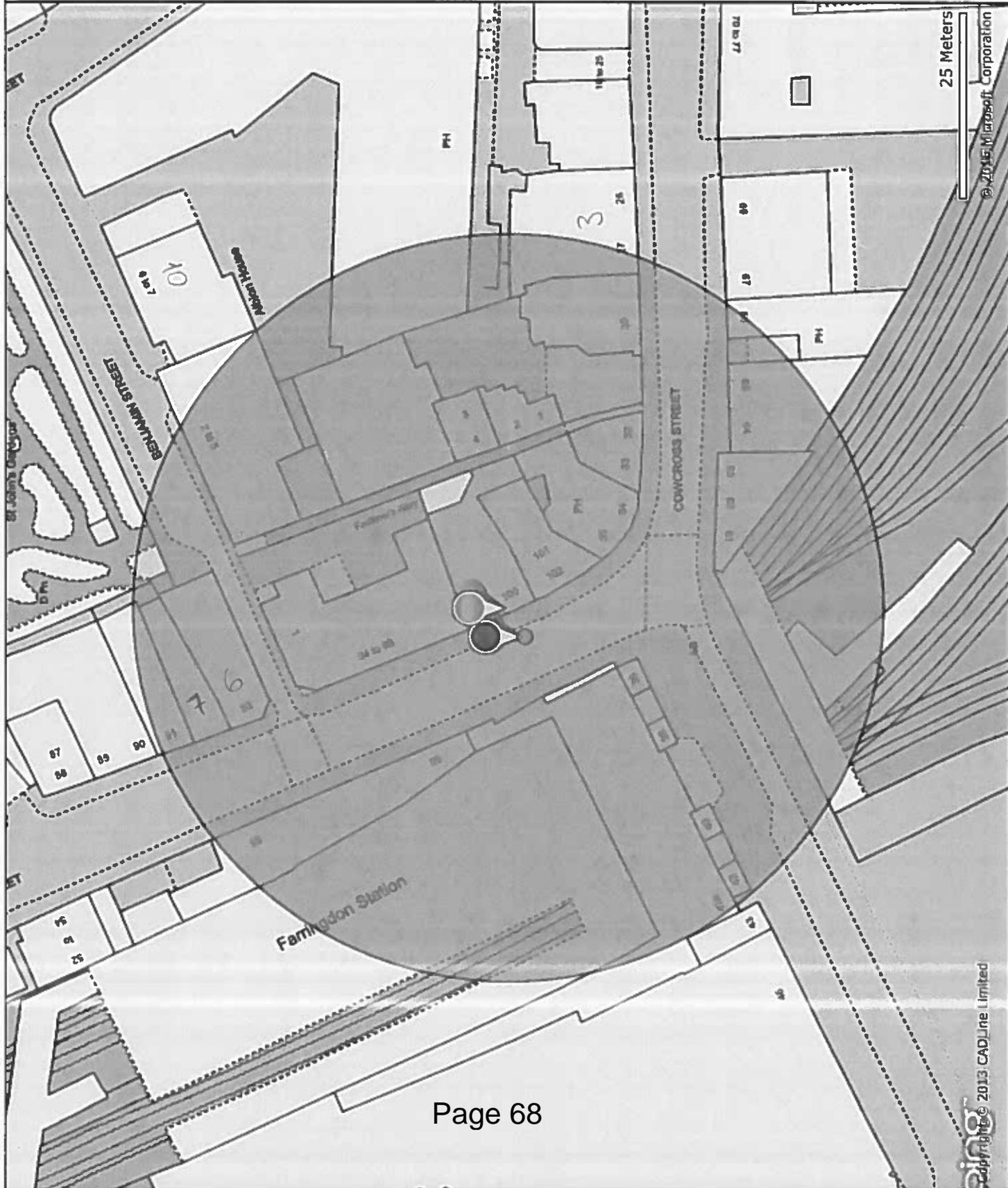
Islington Borough Boundary

25

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Printed at : 21-10-2015

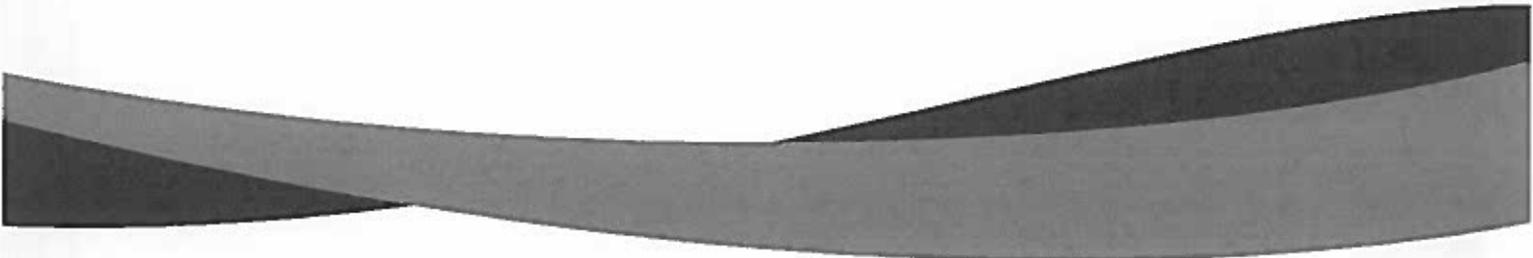
ISLINGTON



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	8 December 2015		Canonbury

Delete as appropriate		Non-exempt
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**Subject:** PREMISES LICENCE NEW APPLICATION  
Borough Wines, 344A Essex Road, London N1 3PD

**1. Synopsis**

- 1.1 This is an application for a new premise licence under the Licensing Act 2003.
- 1.2 The new application is to:
  - i) permit the premises to sell alcohol, on and off supplies, from 09:00 until 23:00 Monday to Sunday.
  - ii) permit the premises to open from 09:00 until 23:00 Monday to Sunday

**2. Relevant Representations**

Licensing Authority	No
Metropolitan Police	No
Noise	No
Health and Safety	No
Trading Standards	No

Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	Three Local Residents
Other bodies	No

### 3. Background

3.1 Papers are attached as follows:-

- Appendix 1: application form;
- Appendix 2: representations;
- Appendix 3: applicants response to representations
- Appendix 4: suggested conditions and map of premises location.

3.2 The premises is not located within any Cumulative Impact Policy area.

3.3 The Licensing Authority received four letters of representation, these were from four local residents.

3.4 In response to the representations, the applicant sent an email detailing the nature of the business. This email was forwarded to the representors on 25 November. At the time of writing the report, one of the representations has been withdrawn.

### 4. Planning Implications

4.1 Planning have confirmed that, planning permission is in place for this premises. There is a condition on the permission which reads;

- The use shall not operate outside the hours of: 08.00 - 23:00 on any day  
REASON: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their premises.

4.2 There are no outstanding planning enforcement investigations in relation to this site.

### 5. Recommendations

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

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

- i. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (See appendix 3);
- ii. conditions recommended by Responsible Authorities deemed appropriate by the Committee (see appendix 3); and
- iii. any additional conditions deemed appropriate by the Committee to promote the four licensing objectives.



WK/201603025



26/10/2015  
ISLINGTON  
26/10/15

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

Appendix 1

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 Borough Wines and Beers Limited

*(Insert name(s) of applicant)*

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

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 344A Essex Road			
Post town	London	Postcode	N1 3P/D

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£15000

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)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)

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£190 26/10/15

- 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)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**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 Borough Wines and Beer Limited
✓	Address Suite A, 4-6 Canfield Place, London, NW6 3BT
✓	Registered number (where applicable) 08633780
	Description of applicant (for example, partnership, company, unincorporated association etc.) Limited company
	Telephone number (if any) 079 390 37905
	E-mail address (optional) boroughwines@gmail.com

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
2	3	11 2 0 15

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)  
Ground floor shop selling wine, beer and selected spirits for on-off sale and consumption on the premises as part of wine tasting. All wines, beers and spirits are sourced from small independent producers. No mainstream wines, beers, spirits or alcopops will be sold on the premises, in addition a small selection of boutique spirits will be available.

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

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

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

Provision of regulated entertainment

Please tick any that apply

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

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

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

**In all cases complete boxes K, L and M**

**A**

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

**B**

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

C

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

**D**

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

**E**

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

**F**

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

**G**

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

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 3)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)		
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

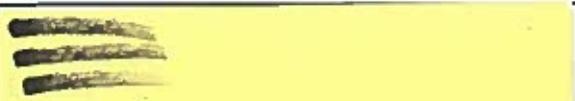
I

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

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	X			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)					
Mon	0900	2300						
Tue	0900	2300						
Wed	0900	2300						
Thur	0900	2300				<b>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</b> (please read guidance note 5)		
Fri	0900	2300						
Sat	0900	2300						
Sun	0900	2300						

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

Name Muriel Chatel	
	
	

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).**

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	0900	2300	<b>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</b> (please read guidance note 5)
Tue	0900	2300	
Wed	0900	2300	
Thur	0900	2300	
Fri	0900	2300	
Sat	0900	2300	
Sun	0900	2300	

**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 subject premises will apply a standard operation which will ensure compliance with all four licensing objectives based on facts outlined (b) to (e)

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

Style of operation is designed to minimise crime and disorder. The sale of alcohol for consumption on premises will only happen in a very controlled environment. The premises will operate a challenge 25 policy in order to ensure that alcohol is only sold to people of a lawful age 18 or over.

**c) Public safety**

The premises will comply with current legal requirement, fire, safety and health and safety including periodic risk assessments.

**d) The prevention of public nuisance**

The style of operation is designed to minimise public nuisance, the on-sale of alcohol will be offered in a controlled environment. The nature of the operation does not require the employment of a door supervisor or a dedicated office. The management policy of the premises is to welcome communication with any local person in relation to any issues which arise concerning the operation of the premises. No refuse including bottles will be moved. Removed or placed outside areas between 2200 and 0700 hours. There will be no deliveries made to the premises between 2000 and 0700 hours. A security shutter system will not cause noise, nuisance to any adjoining noise sensitive premises during operation.

**e) The protection of children from harm**

The premises will operate a strict challenge 25 proof of age policy in order to ensure alcohol is only sold to people age 18 or over. Staff shall be trained and regularly tested on all aspects of the policy. There will be prominent signage throughout the store showing legal age limit.

**Checklist:**

**Please tick to indicate agreement**

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

**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	Muriel Chatel
Date	26/10/2015
Capacity	Director

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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)**

Muriel Chatel

[Redacted address line]

Post town

[Redacted post town]

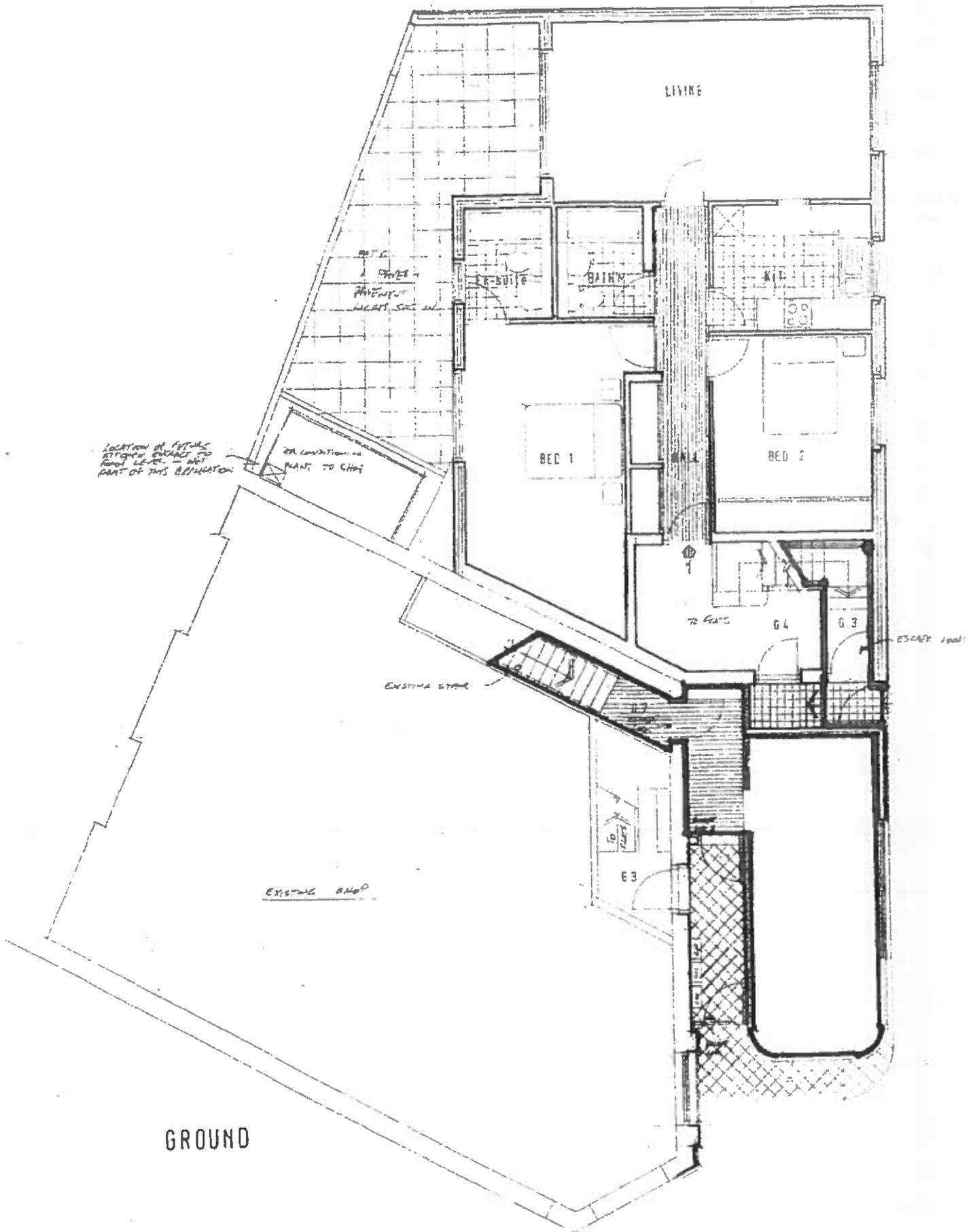
Postcode

[Redacted postcode]

Telephone number

[Redacted telephone number]

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)  
boroughwines@gmail.com





KETK

Appendix 2

**Williams, John**

**From:** [REDACTED]  
**Sent:** 10 November 2015 18:58  
**To:** Licensing  
**Subject:** Premises License application - Borough Wines and Beers 344A Essex Road N1 3PD

Att John Williams

Dear Mr Williams

Thank you for your recent letter providing information on the application for a premises licence at the above address.

As a nearby resident (overlooking the address from the opposite side of the road) I would like to register an objection to the granting of this license. My reasons for this objection are as follows:

**Public nuisance**

The junction of Essex Road and Englefield Road (the location of the proposed licensee) is an area that is already subject to noise and nuisance arising from drunkenness and anti-social behaviour. This is generally of a low level (shouting, scuffles etc.) and generally too short in duration to warrant reporting to the police but nonetheless is of significant irritation to local residents. The addition of another premises selling alcohol will do nothing but add to this problem; with a business licensed for the consumption of alcohol on the premises being the most likely to cause significant disturbance. The reason provided for the consumption of alcohol on premises as 'wine tasting' is somewhat disingenuous (given the small size of the premises) and I'd suggest extremely likely to lead to increased street drinking with its associated noise and nuisance.

I believe the license terms of the Lord Clyde pub (immediately adjacent) contain a restriction on no noise made outside the premises after 8.30pm which highlights the need to limit the impact on the locale of any business.

I look forward to hearing from you

Best wishes

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**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: Borough Wines and Beers 344A Essex Road, London N1 3PD

Your Name: \_\_\_\_\_

Interest: Resident \_\_\_\_\_

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

Your Address: \_\_\_\_\_

Email: \_\_\_\_\_

Telephone: \_\_\_\_\_

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**

Granting the license to the premises may result in people drinking in public space in its immediate vicinity, as a result of the limited size and capacity of the premises. As the premises is located on Englefield Road, a residential road, an increase of drinkers both outside and inside the premises will likely lead to an increase in noise, which will create a disturbance for both residents and pedestrians. Visitors to the premises may also block the surrounding pavement and cause difficulties for pedestrians, particularly those suffering problems with their mobility, for instance the elderly, or those carrying young children in prams. As an example, these pedestrians may be forced to walk into the road, in order to bypass visitors to the premises who are blocking the pavement.

Multiple residents of Englefield Road have previously had issues with individuals consuming alcohol on the front steps of private properties, either individually, or in groups. This can be threatening, and reduce local residents' quality of life. On occasion, this issue has led to the involvement of local police, who have asked these drinkers to leave. Granting this license to the premises is only likely to worsen this kind of nuisance.

**Crime and Disorder/Safety**

Alcohol consumption in and around the premises increases the likelihood of disorderly behaviour in the immediate area, and potentially crime, also. This is a particular concern, given the limited size of the premises, which may lead to its visitors spilling out into the surrounding public space. This may be uncomfortable and reduce quality of life for local residents and pedestrians, particularly vulnerable individuals, such as children, the elderly or the disabled. As the premises is unlikely to have space for a dedicated smoking area, smokers and drinkers who spill out onto the pavement might be a cause of disorder and threaten the safety of local people.

**Protection of Children from Harm**

There are already various drinking establishments and retailers of alcoholic beverages in the immediate surrounding area. Increasing this number by awarding additional licences may worsen issues of underage drinking.

I wish my identity to be kept anonymous /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:



**Williams, John**

---

**From:** [REDACTED]  
**Sent:** 19 November 2015 22:02  
**To:** Licensing  
**Subject:** Objecting for off license and club license at 344A Essex Rd N1

Dear sir/madam,

REF NUMBER: WK/201603025

We already have many off licence's from that premises on the left and right hand side, opposite we have got a major retailer, Sainbury's and Tesco.

We are already struggling to survive with major competition opposite us. And they have also applied for a club licence, this will create crime in the area and public nuisance like urinating and vomiting and violence in the area.

The basement does not have a fire exit for club licence, this is a major health and safety hazard.

The area is already suffering from violence by youngsters, and this will encourage more.

My shop is trading as an off licence news agent at [REDACTED]

Thanks,  
regards,  
[REDACTED]

**From:** corinna.pyke93@gmail.com on behalf of Corinna Pyke  
**Sent:** 26 November 2015 12:59  
**To:** Jones, Carol; Borough Wines  
**Subject:** Premises licence application RE: GROUND FLOOR, 344 ESSEX ROAD, ISLINGTON, LONDON,  
**Attachments:** BW\_er\_plan.pdf; Supporting doc BW and Beers Ltd application for Premises Licence at 344 ESSEX ROAD.docx

Hi Carol,

Please find attached the supporting document for our Premises licence application along with some drawings for the interior design.

I hope this will make a things clearer for the representations of the type offer that Borough Wines operate and hopefully see the positives rather than the negatives of Borough Wines coming to Essex road.

As i mentioned one of the representations is clearly misinformed that we are applying for a club licence rather than just the Premises licence and i feel that it is more a competitive trading objection which i see no grounds for.

Wine merchants such as Borough Wines are very rarely if at all associated with Underage and Problem Drinking this is often smaller off licences selling cheap uneducated choices of alcohol but i was loathed to point this out as i didn't want to antagonise the situation.

Please feel free to also direct them to our website [www.borougwines.co.uk](http://www.borougwines.co.uk)

I am happy to meet with or answer any further queries and reservations around our application any of them may have.

Please let me know if you need any further information and we will attend the hearing 8th December 2015 if this cannot be resolved prior to that date.

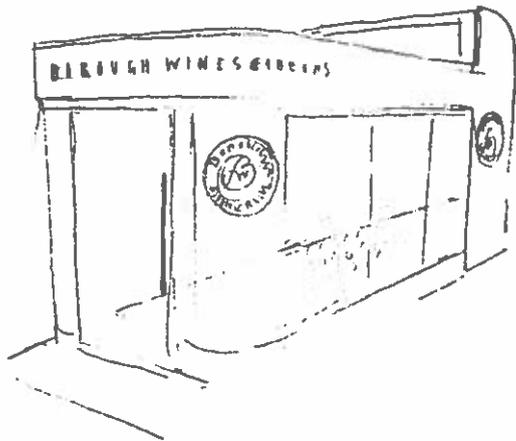
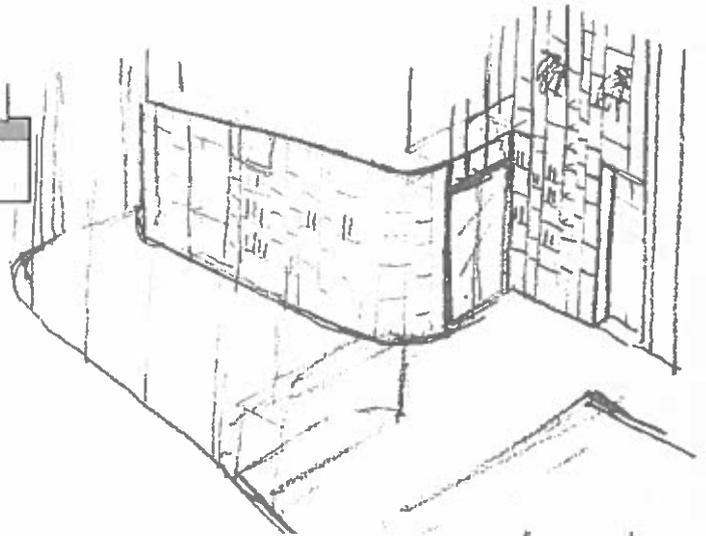
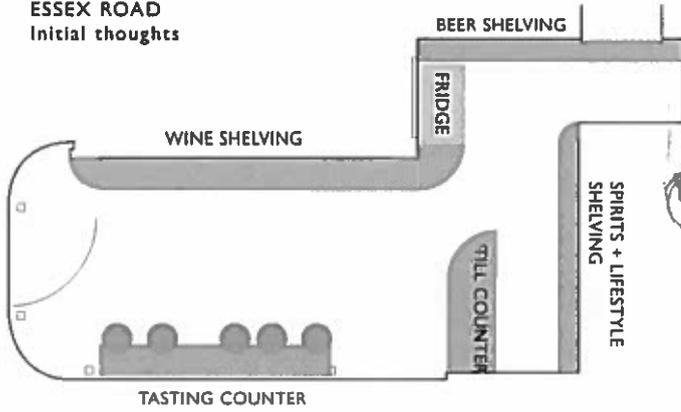
Many Thanks

Corinna

Corinna Pyke  
Tel [REDACTED]  
[www.boroughwines.co.uk](http://www.boroughwines.co.uk)



**BOROUGH WINES**  
ESSEX ROAD  
Initial thoughts



*Borough* **WINES**  
LONDON



**Supporting Document for Borough Wines and Beers ltd application for Premises Licence at 344 ESSEX ROAD, ISLINGTON, LONDON, N1 3PD 26<sup>th</sup> October 2015.**

## **Background**

Borough Wines are small independent wine importers successfully operating retail outlets in Borough Market, London Borough of Hackney Brent and Islington for the past 10 years running their businesses lawfully and in accordance of good business practice.

Borough Wines retail fine wines, craft beers and boutique spirits promoting educated choices around wine purchasing with informed and experienced staff.

All staff hold the minimum of Level 1 WSET wine traing certificate many holding levels 2,3,4 and Master of Wine status.

The borough Wines customer expects expert advice and guidance from the knowledge of our staff and Borough wines have never sold discounted wines or have offered special promotions.

## **The Site**

Borough Wines have a history of opening new sites often in areas where there are significant concerns around anti social behavior and have found that rather than exacerbating and encouraging of activities of this nature Borough wines have significantly contributed to its reduction.

The site as it stands is dark and dimly lit on a corner that is neglected and lacks any animation and with the design and type of operation we intend this will only contribute to a positive addition to the area.

It is a known and proven fact that when a empty site lies empty and is then well lit and designed that anti social behavior moves on as these

activities are more visual and can be more easily monitored and curtailed reducing the opportunity.

Borough Wines take time and consideration of each site designing site specific interior design for each store and intend the same care and consideration and good design for this site –please refer to drawings-

Borough Wines will not be running a Bar or Club on the premises just a retail outlet with a on/off licence for tastings and have never had any problems of anti social behavior of any nature from any of our premises and the type of wine and price point are unattractive to young and problem drinkers and given the size restriction of the shop the amount of people in store at any one time will be limited, which will have little if any impact to street congestion.

Borough Wines have been successfully operating a shop in Exmouth Market in a Culmative impact and DPPO area of Islington and have had no complaints or problems and have shown proven good business practice as with all Borough Wines sites London wide.

## **Operational Schedule**

**Demonstrating addressing the issues of prevention of public nuisance, public safety, Prevention of crime and disorder, and protection of Children from harm.**

- Borough Wines do not sell any strong beers, ciders, alcohol pops or cheap spirits and operate a strict challenge 25 policy which all staff are trained and regularly tested on all aspects of the Policy.
- All wine is wrapped and sealed with a branded sticker and sold in a branded bag as wine is bought for consumption at home or as gifts.
- CCTV Cameras will be installed with full coverage both in the shop and the exterior
- Limited cash will be kept on the premises and any cash will be secured in a safe overnight and banked daily.
- All staff are Drink Aware and trained in all aspects wine retail.

- Wine tasting events will be in a very controlled environment promoting education around wine and wine knowledge with limited numbers at each event, these also cater for our on- trade clients from our wholesale division.
- The design of the shop will allow a clear view of the whole shop at all times and many of the wines will be in temperature controlled fridges and specially designed shelving with no baskets or bins with all spirits kept behind the counter.

**Suggested conditions of approval consistent with the operating schedule**

1. The licensee shall adopt the Challenge 25 and the BII National Standards Proof of Age Scheme.
2. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The licensee shall keep records of training and instruction given to staff.
3. The premises licence holder shall comply with the current legal requirement for fire, health and safety.
4. No refuse, including bottles shall be moved, removed or placed outside between the hours of 22:00 and 07:00 daily.
5. The security shutter shall be maintained so as not to cause a noise nuisance to any adjoining noise sensitive premises.



Title : 344a Essex road

Islington Borough Boundary

Printed by :  
RO RO

Printed at :  
03-11-2015

● ISINGTON

bing  
© 2013 bing © 2013 Expedia, Inc.

© 2015 Microsoft Corporation © 2010 NAVTEQ © AND © 2010 Intermap

25 Meters



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	8 December 2015		Junction

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE NEW APPLICATION**  
**The Junction Café, 95 Junction Road, London N19 5QX**

**1. Synopsis**

- 1.1 This is an application for a new premise licence under the Licensing Act 2003.
- 1.2 The new application is to:
  - i) permit the premises to sell alcohol, on supplies only, from 11:00 until 23:00 Monday to Sunday.
  - ii) permit the premises to open from 11:30 until 23:30 Monday to Sunday

**2. Relevant Representations**

Licensing Authority	Yes
Metropolitan Police	No
Noise	No
Health and Safety	No
Trading Standards	No

Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	Two Local Residents
Other bodies	No

### 3. Background

3.1 Papers are attached as follows:-

Appendix 1: application form;

Appendix 2: representations;

Appendix 3: suggested conditions and map of premises location.

3.2 The premises is located within the Junction Area of Archway Cumulative Impact Policy area, adopted by the Council on 24 January 2013.

3.3 The Licensing Authority received five letters of representation, these were from the Licensing Authority, the Police, Islington's Noise Service and two local residents.

3.4 In their representations, the Police and Noise Service requested conditions be attached to any premises licence granted. The applicant accepted the conditions and both the Police and Noise Service withdrew their representations.

3.5 This premises is currently operating as a café and has been running as a coffee shop/restaurant for more than 30 years. The current owner has been running the premises since 2010.

### 4. Planning Implications

4.1 Planning have confirmed that, the A3 use at this location is well established. The sale of alcohol between the stated hours would not contravene the use of the site from the planning perspective, nor any conditions relating to the use.

4.2 There are no outstanding planning enforcement investigations in relation to this site.

### 5. Recommendations

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

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

- i. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (See appendix 3);
- ii. conditions recommended by Responsible Authorities deemed appropriate by the Committee (see appendix 3); and
- iii. any additional conditions deemed appropriate by the Committee to promote the four licensing objectives.

**6. Conclusion and reasons for recommendations**

- 6.1 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 it considers appropriate to promote the licensing objectives.

**Background papers:**

The Council's Statement of Licensing Policy

Licensing Act 2003

Secretary of States Guidance

Final Report Clearance

**Signed by**

Service Director – Public Protection

Date

**Received by**

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)

14/10

wk/201601558

Appendix 1

ISLINGTON

Islington  
Application for a premises licence  
Licensing Act 2003

For help contact  
licensing@islington.gov.uk  
Telephone: 020 7527 3031

\* required information

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="0338.14.01.PL"/>	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes
  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

\* First name

\* Family name

\* E-mail

Main telephone number

Other telephone number

Include country code.

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

IP2/555832  
£190.00/ELMS  
12/10/15

Continued from previous page...

**Address**

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Agent Business**

\* Is your business registered in the UK with Companies House?  Yes  No

\* Is your business registered outside the UK?  Yes  No

\* Business name  If your business is registered, use its registered name.

\* VAT number   Put "none" if you are not registered for VAT.

\* Legal status

\* Your position in the business

Home country  The country where the headquarters of your business is located.

Continued from previous page...

**Agent Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

* Building number or name	33B GRAND PARADE
* Street	GREEN LANES
District	
* City or town	LONDON
County or administrative area	
* Postcode	N4 1LG
* Country	United Kingdom

**Section 2 of 19**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name	95
Street	JUNCTION ROAD
District	
City or town	LONDON
County or administrative area	
Postcode	N19 5QX
Country	United Kingdom

**Further Details**

Telephone number	07877716482
Non-domestic rateable value of premises (£)	11,000

**Section 3 of 19**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

**Confirm The Following**

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

**Section 4 of 19**

**INDIVIDUAL APPLICANT DETAILS**

**Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes                       No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

MR. ALI RIZA

Family name

AKDAG

Is the applicant 18 years of age or older?

- Yes                       No

Continued from previous page...

**Applicant Postal Address**

Is the address the same as (or similar to) the address given in section one?

Yes

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country



If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

**Applicant Contact Details**

Are the contact details the same as (or similar to) those given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

info@archpl.co.uk

Telephone number

Other telephone number

Add another applicant

**Section 5 of 19**

**OPERATING SCHEDULE**

When do you want the premises licence to start?

01 / 11 / 2015  
dd mm yyyy

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

/ /  
dd mm yyyy

Provide a general description of 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 PREMISES IS RUNNING AS A COFFEE SHOP/RESTAURANT FOR MORE THAN 30 YEARS. THE APPLICANT HAS BOUGHT THE THE LEASE IN 2010. THE REASON OF THE APPLICATION FOR SUPPLY OF ALCOHOL IS MAINLY FOR THE COMPETITION IN BETWEEN THE PREMISES, AS THERE ARE NUMBERS OF CAFES/RESTAURANTS IN SURROUNDING AREA. THE PREMISES SITUATED AT 95 JUNCTION ROAD AND PUBLIC TRANSPORT IS WELL PROVIDED. PLEASE SEE THE DRAWING FOR MORE DETAILS.

THE PROPOSED HOURS FOR SUPPLY OF ALCOHOL;

Continued from previous page...

**ON THE PREMISES**

Monday to Sunday between 11:00 am to 23:00 pm

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

**Section 6 of 19**

**PROVISION OF PLAYS**

Will you be providing plays?

- Yes  No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

- Yes  No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

- Yes  No

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

- Yes  No

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

- Yes  No

**Section 13 of 19**

Continued from previous page...

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes  No

**Section 14 of 19**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Section 15 of 19**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes  No

**Standard Days and Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

**Name**

First name

Family name

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

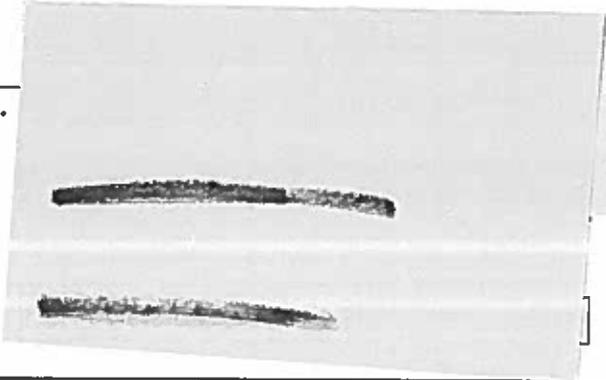
Postcode

Country

Continued from previous page...

Personal Licence number  
(if known)

Issuing licensing authority  
(if known)



**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 19**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

N/A

**Section 17 of 19**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start 11:00

End 23:30

Start

End

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.

TUESDAY

Start 11:00

End 23:30

Start

End

WEDNESDAY

Start 11:00

End 23:30

Start

End

Continued from previous page...

THURSDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 18 of 19**

**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

The applicant will accept the follow conditions.  
The alcohol only will sale in operation hours and the alcohol will be consumed on the premises.  
Alcohol will be served for people to sit and enjoy a drink and order food by table service.  
CCTV will be installed to the premises, installed the CCTV system that meet the standard in 'UK police requirements for digital CCTV system'.  
Emergency lighting will be provided.  
Smoke detector will be installed.  
The premises operates the "challenge 25" the proof of age scheme.

Continued from previous page...

The premises will open and shut at its permitted hours and the sale of alcohol or any other permitted licensing activity will not be carried out at any other time than its permitted opening hours.

b) The prevention of crime and disorder

#### CCTV CONDITIONS

A digital CCTV system WILL be installed in the premises complying with the following criteria:

1. Cameras must be sited to observe the entrance and exit doors and floor areas.
2. Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
3. Cameras overlooking floor areas should be wide angled to give an overview of the premises.
4. Provide a linked record of the date, time, and place of any image.
5. Provide good quality images.
6. Operate under existing light levels within and outside the premises.
7. Have the recording device located in a secure area or locked cabinet.
8. Have a monitor to review images and recorded picture quality.
9. Regularly maintained to ensure continuous quality of image capture and retention.
10. Have signage displayed in the customer area to advise that CCTV is in operation.
11. Digital images must be kept for 31 days.
12. Police or authorised local authority employees will have access to images at any reasonable time.
13. The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Immediate copies must be made available to Police or authorised local authority employees on request.

#### ALCOHOL WITH FOOD CONDITIONS

Alcohol shall only be sold ancillary to a meal purchased at the premises.

Alcohol shall only be served to people taking table meals or waiting to be seated for a meal.

Signs shall be prominently displayed on the exit doors advising customers that alcohol should not be taken off the premises and consumed in the street. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.

c) Public safety

Emergency light will be installed and fire extinguisher will be installed. The fire exit is free of any impediment or obstacle at all time of the operating hours.

d) The prevention of public nuisance

For public nuisance there will not allow any alcohol drink outside of the premises. *Boundary.*  
All occasions when persons have been refused service will be recorded in a refusals book, which shall be kept at the premises for not less than 12 months.  
Suitable signage will be displayed at the point of exit advising customers leave the premises quietly.  
Deliveries to the premises shall only be made during normal working hours (08:00 AM - 18:00 PM).

e) The protection of children from harm

We will be very strict to not sell alcohol to children and *Page 416*  
Any alcohol must be sold by DPS or a person authorised by the DPS at all times.

Continued from previous page...

All staff who sells alcohol will be trained in the role by the DPS with regular refresher training.  
Records of training will be kept and made available for examining officers of the relevant authorities.  
Where a person appears to be under the age 25, identification in the form of passport, photo driving licence or a proof of age card bearing the pass hologram will be sought and if not provided service of alcohol will be refused.  
Suitable signage will be displayed at the point of entry and at the service area advising customers that the premises operates the "challenge 25" proof of age scheme.

## Section 19 of 19

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.  
Premises Licence Fees are determined by the non domestic rateable value of the premises.  
To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

\* Fee amount (£)

### DECLARATION

\* I/we understand 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.

Continued from previous page...



Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text" value="A. ENDER CEMGIL"/>
* Capacity	<input type="text" value="AGENT (ARCH PLANNING &amp; LICENSING)"/>
* Date	<input type="text" value="12"/> / <input type="text" value="10"/> / <input type="text" value="2015"/>
	dd mm yyyy

Once you're finished, you need to do the following:

1. Save this form to your computer by clicking file/save as...
  2.  back to <http://www.gov.uk/apply-for-a-licence/premises-licence/ish/apply-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

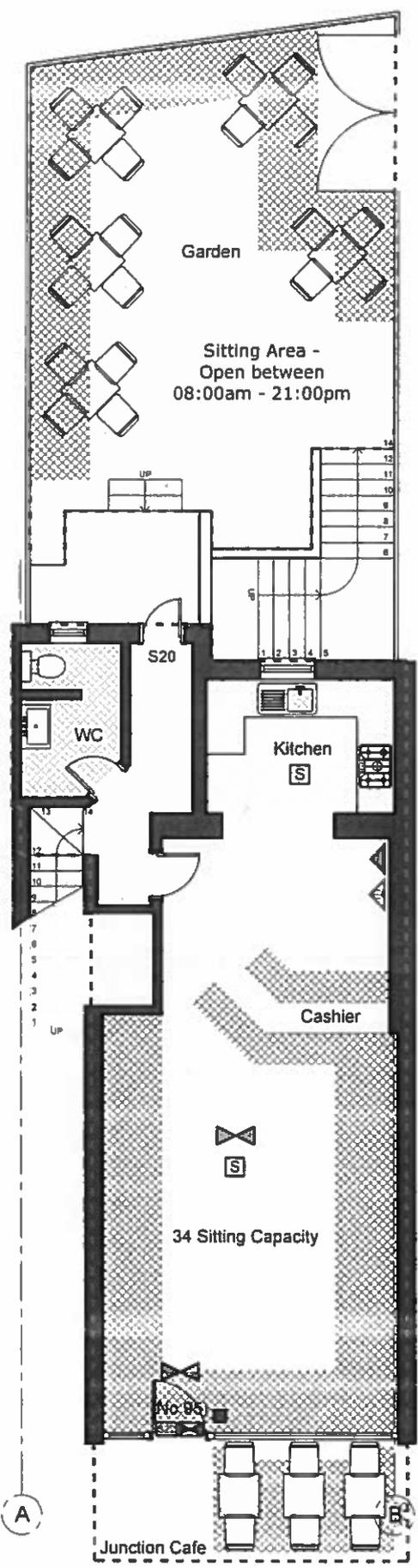
**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="0338.14.01.PL"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
EL15 Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 Next >

- Notes
- 1- This drawing is not for construction
  - 2- All Dimension are in millimeters
  - 3- Dimensions are not to be scaled directly from drawings
  - 4- All dimensions are to be checked on site and the Architect is to be inform of any discrepancies before construction commences
  - 5- All references to drawings refer to current revision of that drawing
  - 6- The Copyright of this drawing belongs to Arch Planning & Licensing Ltd.



**LEGEND**

- AMBIT OF LICENSED PREMISES
- [Cross-hatched box] LIQUOR STORAGE
- [Diagonal-hatched box] LIQUOR SALES
- [Empty box] WC, PASSAGEWAY, ETC
- [X symbol] SAFETY LIGHTNING
- [S in box] SMOKE DETECTOR
- [S20 in box] INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
- S20 FIRE ESCAPE
- [Triangle with dot] CARBON DIOXIDE FIRE EXTINGUISHER
- [Triangle with cross] 9 LT. WATER FIRE EXTINGUISHER

GROUND AREA: 68m<sup>2</sup>  
BASEMENT AREA: 85m<sup>2</sup>  
TOTAL AREA: 153m<sup>2</sup>

Client: Mr. Ali Riza Akdag	
Address: 95 Junction Road, Archway, London N19 5QX	
Ground Floor Plan	
SCALE 1/100@A4	REF. NO 0338 15 01
DATE Nov. 15	DRG BY: L B
33b Grand Parade, Green Lanes, Haringey, London N4 1LG	
Telephone:	(020) 8809 2320
Mobile:	(078) 4241 0527
E-Mail:	info@archpl.co.uk
Website:	www.archpl.co.uk

**Fitzsimons, Aiden**

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**From:** [REDACTED]  
**Sent:** 27 October 2015 20:52  
**To:** Licensing  
**Cc:** Jones, Carol  
**Subject:** Premises Licence Application

Re: Junction Cafe, Basement And Ground, 95 Junction Road, Islington, London, N19 5QX

Dear Islington,

I am a close neighbour of this address and am writing to oppose this application.

This cafe has a garden at the rear and my flat is just [REDACTED] garden away, less than 50 meters, my front door is [REDACTED] doors away. I can currently hear noise from this area and am extremely concerned there will be an increase in the general noise and disturbance both at the back and the front of the Cafe. I live [REDACTED] St. John's and already experience considerable noise from both their outside drinking area but also their customers outside the premises, both while smoking and coming and going. I feel that to have another licensed premises so close by would make it impossible for residents in the immediate vicinity to ever get any respite from the noise, during either day or night. There is also another pub, The Oak and Pastor, on the other side of Junction Road in close proximity to the cafe and this also generates disturbance and noise.

I am concerned about the cumulative impact of noise and disturbance from customers both drinking and smoking outside Junction Cafe or in the garden at the back, adding to the noise of St. John's and The Oak and Pastor. I'm concerned about the impact that deliveries and recycling will have on the residents. Additionally, I am concerned about the increased risk of crime and disorder created by excessive alcohol consumption in the area. There is often shouting and noise late at night from people leaving the various pubs and, at St. John's, additional noise when the pub is open earlier in the day at the weekend. There have also been acts of vandalism locally at night around the corner of St. John's Grove and Junction Road and I frequently hear people shouting before and after closing time when I am in bed.

There is no shortage of places to buy alcohol in Junction Ward and no shortage of licensed eating places and I believe a Saturation Policy exists in this area. My view is that it would be to the detriment of the residents to have yet another one licensed to provide alcohol.

I would be most grateful if you could take my comments into account when you are making your decision about granting a licence.

Kind regards

[REDACTED SIGNATURE]

## Licensing Authority Representation

### Licensing Act 2003

Application: 95 Junction Road London N19

I am submitting a representation on behalf of the Licensing Authority with respect to the new application to permit the sale of alcohol (on sales only) until 11pm.

The grounds for the representation are:

- Public nuisance
- Crime and disorder

### Licensing Policy Considerations

*Licensing Policies 1 & 2  
Licensing Policy 20*

*Location, cumulative impact and saturation  
Smoking and drinking outside*

### Recommendation

In addition to supporting the proposals in the operating schedule to limit the sale of alcohol to customers purchasing a meal the Licensing Authority recommends that the following additional conditions are appropriate for promoting the Licensing objectives:

1. The use of the rear garden area should cease at 9pm
2. The capacity of the rear garden should be limited to seating for 20 customers
3. The internal seating capacity of the premises should not exceed 25

Janice Gibbons  
Service Manager  
Islington Council  
Janice.gibbons@islington.gov.uk

3 November 2015

REF 3

Your Premises License Application New  
Our Licensing/NI  
Date: 5<sup>th</sup> November 2015



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

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

Date 5<sup>th</sup> November 2015

Premises at  
95 Junction Road  
London  
N19 5QX

Dear Sir/Madam

**Re: Premises License Application: 95 Junction Road, N19 5QX**

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

The premise is situated within the Junction Cumulative Impace Zone. There are already 19 other licensed premises within a 250 metre radius of the venue in question, 9 of which have on sales.

Police immediately contacted the applicant upon receipt of the application to arrange a meeting at the site to discuss the application in further detail. There was no response until a second email was sent. This, to the police, gives the impression of poor management, not a sign that is looked upon favourably within a potential licence holder. A meeting has since taken place.

As a result of this meeting a number of conditions were discussed. Should the applicant agree to these conditions the police will withdraw this representation

- CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a supervisor to this effect. The system will provide identifiable full frontal head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system will cover the full exterior of the premises and shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised officer or a police officer (subject to the Data protection Act 1998) within 24hrs of any request free of charge. There will always be a member of staff on duty who can operate the system, to allow officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge to assist in the immediate investigation of offences. If the system malfunctions and will not be operating for longer than one day of business then Police must be informed
  
- The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for the consumption by such a person as ancillary to their meal.

- A challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
- A maximum of 6 people to be allowed to consume alcohol at tables outside the front of the venue at any one time until 2100 hours. After which this outside area will be closed.

Yours Sincerely

Nick Pamboris  
Steve Harrington  
Pete Conisbee

Islington Licensing Officer

REP 4.

**Fitzsimons, Aiden**

---

**From:** Santis, Fanos  
**Sent:** 10 November 2015 11:50  
**To:** 'info@archpl.co.uk'  
**Cc:** Jones, Carol; alifsay@hotmail.co.uk  
**Subject:** 95 Junction Road N19 5QX, Premises licence application

Dear Mr Cemgil and Akdag,

Further to your application submitted in October 2015, the licensing officer has informed me that you now intend to have drinking outside the venue. I am therefore inclined to object to your licence subject to the suggested condition below:

**There shall be no outside drinking after 21:00 hours.**

If this is not acceptable to you please let me know by 5pm today. Otherwise I will have to make a representation to the council's licensing team, formally objecting to your application.

Regards,

Fanos Santis

Senior Environmental Health Officer,  
Public Protection, Pollution Team,  
Islington Council, 3rd Floor,  
222 Upper Street, London N1 1XR

Tel: 020 7527 3963, email: [fanos.santis@islington.gov.uk](mailto:fanos.santis@islington.gov.uk), [www.islington.gov.uk](http://www.islington.gov.uk)

The information contained in this E-Mail may be subject to public disclosure under the Freedom of Information Act 2000. Unless the information is legally exempt from disclosure, the confidentiality of this E-Mail and your reply cannot be guaranteed.

The information in this message is confidential and may be legally privileged. It is intended solely for the addressee. Access to this message by any other person is not permitted. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful.

RCR 5

**Fitzsimons, Aiden**

**From:** [REDACTED]  
**Sent:** 08 November 2015 18:30  
**To:** Licensing  
**Subject:** Licence for Junction Cafe, Basement And Ground, 95 Junction Road, Islington, London, N19 5QX

**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 \_\_\_\_\_ Junction cafe, 97 Junction Road London N19 5QX \_\_\_\_\_

Your Name: \_\_\_\_\_  
Interest: \_\_\_\_\_ Resident \_\_\_\_\_  
(E.g. resident, business, TRA Chair, Councillor, solicitor)  
Your Address: \_\_\_\_\_  
5XA \_\_\_\_\_

Email: \_\_\_\_\_  
Telephone \_\_\_\_\_

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:

.The Junction ward in Archway has one of the highest concentrations of off licences of any ward in the borough with an average of one off licence per 317 residents. It is widely recognised that as the density of licenced premises increases, so does the number of alcohol related ambulance call outs and incidents of alcohol related crime and disorder. Residents continue to report problems of street drinking and other alcohol related crime and nuisance in the area and they have actively been campaigning to control the number of off licences in the area. The Licensing Authority is of the opinion that the area has reached saturation point in terms of alcohol sales and believes that a cumulative impact policy for this area is appropriate to manage the sale of alcohol so as to avoid any further expansion in the area causing a negative effect on the licensing objectives .

In the same neighbourhood A licence application for a small Sainsbury's supermarket was recently refused for the above reasons. And this application should be denied for the same reasons


I wish my identity to be kept anonymous Yes/

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:

--

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 8 November 2015

**Please ensure name and address details completed above**

Return to: Licensing Service  
London Borough of Islington  
3<sup>rd</sup> Floor  
222 Upper Street  
London N1 1XR  
or send by email to: [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)

**Suggested conditions of approval consistent with the operating schedule**

1. Signs shall be prominently displayed on the exit doors advising customers that alcohol should not be taken off the premises and consumed in the street. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.
2. Emergency lighting and fire fighting equipment shall be installed and maintained at the premises.
3. No alcohol shall be allowed outside the boundary of the premises.
4. An incident book shall be used to record all instances of public disorder.
5. Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
6. Deliveries to the premises shall only be made between the hours of 08:00 and 18:00 daily.
7. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The licensee shall keep records of training and instruction given to staff.
8. The licensee shall adopt the Challenge 25 and the BII National Standards Proof of Age Scheme.
9. The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards e.g. Citizencard, a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.

**Suggested Police Conditions - Agreed**

10. CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a supervisor to this effect. The system will provide identifiable full frontal head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system will cover the full exterior of the premises and shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised officer or a police officer (subject to the Data protection Act 1998) within 24hrs of any request free of charge. There will always be a member of staff on duty who can operate the system, to allow officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge to assist in the immediate investigation of offences. If the system malfunctions and will not be operating for longer than one day of business then Police must be informed
11. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for the consumption by such a person as ancillary to their meal.
12. A challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

13. A maximum of 6 people to be allowed to consume alcohol at tables outside the front of the venue at any one time until 2100 hours. After which this outside area will be closed.

**Suggested Noise Service Conditions – Agreed**

14. There shall be no outside drinking after 21:00 hours.

**Suggested Local Authority Conditions – Not agreed at the time of writing the report**

15. The use of the rear garden and front external seating area should cease at 9pm
16. The capacity of the rear garden should be limited to seating for 20 customers
17. The internal seating capacity of the premises should not exceed 34.
18. No more than 6 customers permitted in the front external seating area

Title: 95 Juntion Road

MasterMap  
Colour  
Islington  
Borough  
Boundary



Printed By:  
RO RO

Printed At:  
30-11-2015



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	8 December 2015		Highbury East

<b>Delete as appropriate</b>		Non-exempt
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**Subject: PREMISES LICENCE NEW APPLICATION  
RE: RESTAURANT, 88 Highbury Park, London, N5 2XE**

### 1. Synopsis

- 1.1 This is an application for a new premises licence under the Licensing Act 2003.
- 1.2 The application is for a licence to allow:
  - The sale of alcohol for consumption on the premises: 12:00 to 23:00 on Mondays to Sundays.
  - The following opening hours: 10:00 to 23:30 on Mondays to Sundays.

### 2. Relevant Representations

Licensing Authority	No
Metropolitan Police	Yes ( Conditions agreed)
Noise	No
Health and Safety	No
Trading Standards	No

Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes: 2
Other bodies	No

### **3. Background**

3.1 Papers are attached as follows:-

Appendix 1: application form; and copies of correspondence sent to representations.

Appendix 2: representations;

Appendix 3: suggested conditions and map of premises location.

3.2 Two local residents have submitted representations; in addition is a representation from the Police which has been agreed and comments from the Planning team.

3.3 The application was listed for the 25 August 2015 but the item was adjourned because no one turned up to present the case. The Licensing Officer has spoken to the applicant who has indicated they were not able to proceed with the purchase of lease. They have been contacted on three separate occasions to formally withdraw the application.

3.4 As they have failed withdraw the application, the item now needs to be formally listed again so that the Committee can consider the application in their absence.

### **4. Planning Implications**

4.1 The Planning & Development section have stated the current planning consent states that premises shall not operate except between the hours of 0800 and 1800 on any weekday and between 0800 and 1400 on Saturdays, and shall not operate at all on Sundays or Bank Holidays.

### **5 Recommendations**

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

5.2 To consider that this address is in the 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.

- 5.3 If the Committee grants the application it should be subject to:
- i. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (see appendix 3)
  - ii. any conditions deemed appropriate by the Committee to promote the four licensing objectives.(see appendix 3)

## 6 Conclusion and reasons for recommendations

- 6.1 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 as appropriate to promote the licensing objectives.

### Background papers:

The Council's Statement of Licensing Policy  
Licensing Act 2003  
Secretary of States Guidance

### Final Report Clearance

#### Signed by

Service Director – Public Protection

Date

#### Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)

wk/201589442



# ISLINGTON

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

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/we Asrat Abebe

(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			
<del>88</del> 88 HIGHBURY PARK, LONDON			
Post town	LONDON	Postcode	N5 2XE

Telephone number at premises (if any)	0207 359 7814
Non-domestic rateable value of premises	£ Band B. £9,100.00

### Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

190.00  
37  
227.00

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

YSE/73  
£190.00/PARIS  
18/06/15

- 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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname <b>ABEBE</b>			First names <b>ASRAT</b>		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address		<b>95 Gardner Court Kelvin Road London</b>			
Post town		Postcode	<b>NS 2PH</b>		
Daytime contact telephone number		<b>079 49 853 653</b>			
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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
06	07	2015

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)

THE PREMISES IS GOING TO BE USED AS A RESTAURANT. WE WILL BE SERVING ALCOHOL TO BE CONSUMED WITHIN THE RESTAURANT.

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

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

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

Provision of regulated entertainment

Please tick any that apply

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

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

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

**In all cases complete boxes K, L and M**

**A**

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

**B**

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

C

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

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors	<input type="checkbox"/>	
					Outdoors	<input type="checkbox"/>	
Day	Start	Finish	Both				<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)				
Tue							
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)				
Thur							
Fri			<b><u>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</u></b> (please read guidance note 5)				
Sat							
Sun							

**E**

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

**F**

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

**G**

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

**H**

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

**I**

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

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>	
				Off the premises	<input type="checkbox"/>	
				Both	<input type="checkbox"/>	
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)			
Mon	08:00	23:00				
Tue	08:00	23:00				
Wed	08:00	23:00				
Thur	08:00	23:00				<b>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</b> (please read guidance note 5)
Fri	09:00	23:00				
Sat	08:00	23:00				
Sun	08:00	23:00				

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

Name	MAHELET ALEMAYEHU
Address	
Postcode	
Personal licence number (if known)	APPLIED TO LBI
Issuing licensing authority (if known)	LBI

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).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	08:00	23:50	<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	09:00	23:30	
Wed	08:00	23:30	
Thur	08:00	23:30	
Fri	09:00	23:30	
Sat	09:00	23:30	
Sun	08:00	23:30	

**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)**

- STRONG MANAGEMENT CONTROLS AND EFFECTIVE STAFF TRAINING
- NO SELLING ALCOHOL TO UNDERAGE PEOPLE
- NO VIOLENT AND ANTI-SOCIAL BEHAVIOUR
- NO DRUNK AND DISORDERLY BEHAVIOUR ON THE PREMISES

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

- CCTV SYSTEM INSTALLED TO MONITOR ENTRANCES AND EXITS
- NOT SELLING OF ALCOHOL TO DRUNK OR INTOXICATED CUSTOMERS
- CLEAR AND CONSPICUOUS NOTICE WARNING OF POTENTIAL CRIMINAL ACTIVITY, SUCH AS THEFT
- PREVENTION AND VIGILANCE IN ILLEGAL DRUGS USE AT THE RETAIL UNIT AREA

**c) Public safety**

- INTERNAL AND EXTERNAL LIGHTING FIXED TO PROMOTE THE PUBLIC SAFETY OBJECTIVE
- TRAINING AND IMPLEMENTATION OF UNDERAGE ID CHECKS
- MAINTAINING AND KEEPING IN GOOD ORDER ALL FITTINGS AND APPARATUS THEREIN

**d) The prevention of public nuisance**

- NOISE REDUCTION MEASURES TO ADDRESS THE PUBLIC NUISANCE OBJECTIVE
- PROMINENT, CLEAR AND LEGIBLE NOTICES WILL BE DISPLAYED AT THE EXIT REQUESTING THE PUBLIC TO RESPECT THE NEEDS OF NEARBY RESIDENTS AND TO LEAVE THE PREMISES AND THE AREA QUIETLY.

**e) The protection of children from harm**

- "CHALLENGE 25" SIGN WHICH IS A RETAINING STRATEGY THAT ENCOURAGES ANYONE WHO IS OVER 18 BUT LOOKS UNDER 25 TO CARRY ACCEPTABLE ID IF THEY WISH TO BUY ALCOHOL
- WELL TRAINED STAFF ABOUT REQUIREMENT FOR PERSONS IDENTIFICATION, AGE ESTABLISHMENT ETC.
- LOG BOOK WILL BE KEPT UPON THE PREMISES ALL THE TIME
- ALCOHOL WILL ONLY BE SUPPLIED TO PERSONS ~~PARTIAL~~ TAKING A TABLE MEAL

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**Checklist:**

**Please tick to indicate agreement**

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

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

**Part 4 – Signatures** (please read guidance note 10)

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

Signature	<i>Araf</i>
Date	<i>18/6/2015</i>
Capacity	

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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)

95 GARDNER COURT, KELVIN ROAD,

Post town	LONDON	Postcode	NS 2PH
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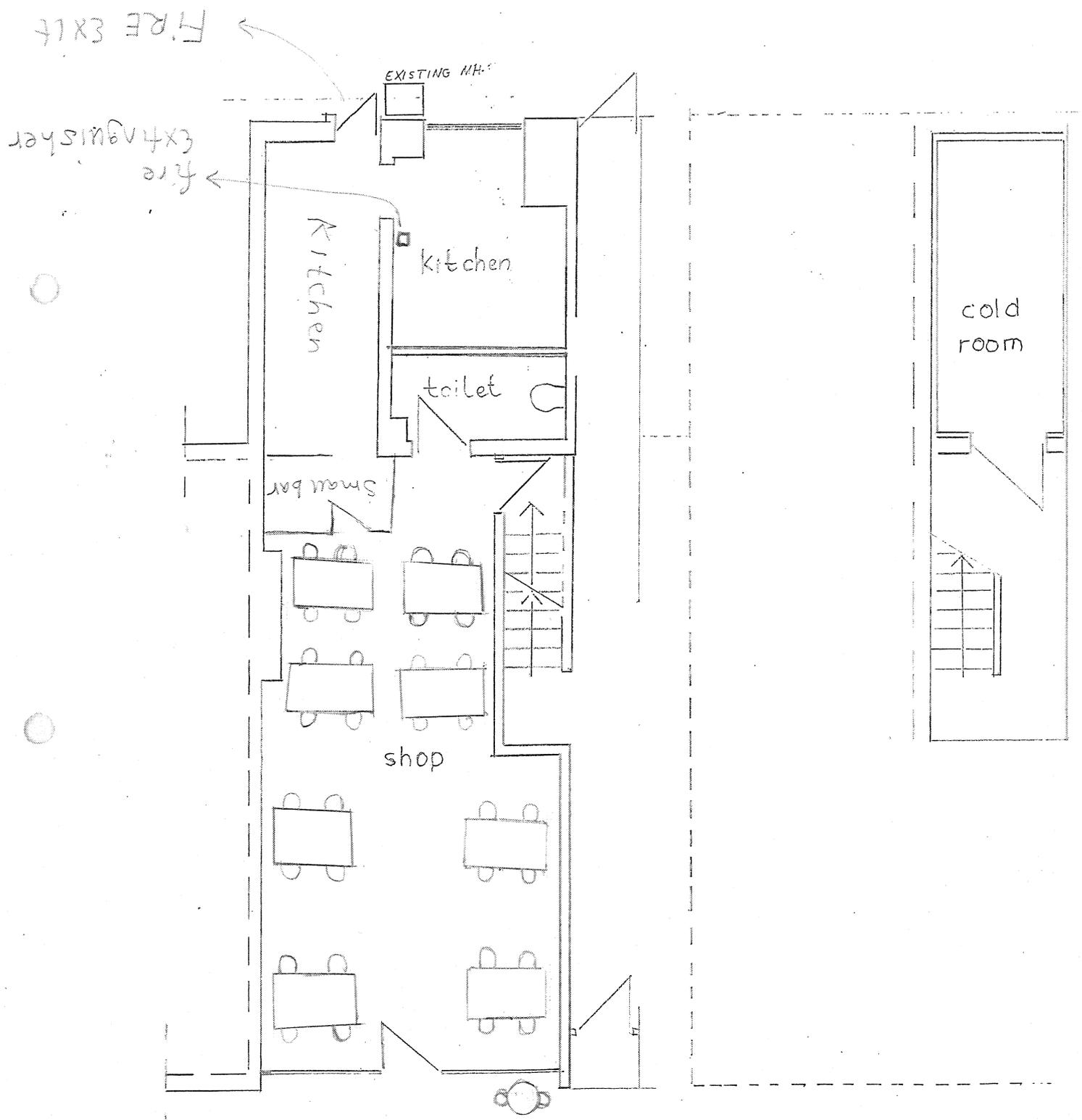
Telephone number (if any)	07949 853 653
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

PA

### Notes for Guidance

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



EXISTING GROUND FLOOR

BASEMENT FLOOR

SCALE 1:72

PART A

Consent of individual to being specified as premises supervisor

I MARICET ALEMAYEHU  
[full name of prospective premises supervisor]

Of FLAT 7, DICKSON HOUSE, BRUMMOND WAY  
LONDON N1 1NR  
[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

NEW PREMISES LICENCE  
[type of application]

by ASRAT ABEBE  
[name of applicant]

Relating to a premises licence

[number of existing licence, if any]

for 88 HIGHBURY PARK, LONDON N5 2XE  
[name and address of premises to which the application relates]



and any premises licence to be granted or varied in respect of this application made by

ASRAT ABEBE  
[name of applicant]

concerning the supply of alcohol at

88 HIGHBURY PARK NS 2XE  
[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

APPLICATION WITH UBI  
[insert personal licence number if any]

Personal licence issuing authority

~~LASER LEARNING AWARDS~~ UBI  
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed M. Kenja

Name (Please Print) MAHELET ALEMAYEHU

Date 18/06/2015

Dear Niall Forde

Your ref: WK/201589442

I am writing with regard to the proposed licence for a new restaurant at

88 Highbury Park, which will allow the sale and consumption of alcohol on the premises between 8.00 and 23.00 for 7 days a week.

My worries about this relate to noise, especially in the evenings. For over 45 years I have lived at \_\_\_\_\_. An alley runs alongside the flank wall of my end-of-terrace house, which the commercial properties in Highbury Park also back on to. My bedroom is immediately and directly opposite the back yard of the existing Cafe N5, at 88 Highbury Park, and I hear everything that is done and said in that small space - it is only a few metres away. I hear the Cafe opening up at 7am, and the waiters and chef chatting outside - I can hear every word. But I am generally awake then anyway, and morning noise does not affect me in the way that night noise does. And it is a cafe, not a restaurant, so it closes at 5pm every day and does not open on Sunday.

There is no alcohol served, and the cafe users are not a problem.

But the new proposal offers an entirely different scenario - not only the sale of alcohol, but the exceptionally long opening hours every day of the week. I am less bothered by what happens during the day, but would need assurances that the restaurant will not allow customers or staff to use the outside area later in the evening, and that the back door would remain closed.

This relates to my second concern: the disposal of rubbish and putting out of bins, which at the moment, with the cafe, occurs during the day rather than late at night. With a restaurant, the noise of bottles being chucked into bins and the clatter of bins being wheeled down the alley and out on to the road after midnight, will be unbearable.

My third worry concerns the possible use of music in the restaurant.

This is not mentioned, so may not be planned anyway - but if it is used I will hear it, as has happened on the rare occasions when anyone in the flats in Highbury Park has a party - it feels as if it is actually in my room, even with my window closed. So while I appreciate, as you state in your notes, that music both live and amplified is permitted within restaurants, it will be intolerable for me unless the back door to the restaurant is always kept shut - I would still hear the music, but the sound would be fainter.

The other bedroom in the house, where my young grandsons sleep sometimes, is immediately above mine, so subject to exactly the same problems.

I have enjoyed the relative quiet of my house for many decades, and dread what may result from this new proposal.

I would be happy for anyone from the council to come and visit my property, to appreciate what these proposed changes may mean to me.

Yours sincerely

## Forde, Niall

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**From:** Pamboris, Nick  
**Sent:** 08 July 2015 10:27  
**To:** Fitzsimons, Aiden  
**Subject:** 88 Highbury Park

Hi Aiden,

Re the new application for Highbury Park the following conditions have been agreed with the DPS and licensee.

- 1) CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a supervisor to this effect. The system will provide identifiable full frontal head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system will cover the full exterior of the premises and shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised officer or a police officer (subject to the Data protection Act 1998) within 24hrs of any request free of charge. There will always be a member of staff on duty who can operate the system, to allow officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge to assist in the immediate investigation of offences. If the system malfunctions and will not be operating for longer than one day of business then Police must be informed
- 2) The premises shall only operate as a restaurant (i) in which customers are shown to their to their table (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption,(v) which do not provide any take away service of food or drink after 2300 and, (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
- 3) In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that (a) The Police (and, where appropriate, the London Ambulance Service) are called without delay; (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police; (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
- 4) On days when Arsenal FC are playing home matches the start time for the sale of alcohol shall be 11:00 on Monday to Saturday, and midday on Sunday unless otherwise agreed with the Police.

We have also agreed the times for sales of alcohol as follows:

Sunday – Thursday 1000 - 2300 hours

Friday & Saturday 1000 – Midnight

Opening hours will be from 8am

Thanks

Nick

Police Licensing Team  
Islington Police Station, 2 Tolpuddle Street  
Islington  
N1 0YY  
07799 133204  
[licensingpolice@islington.gov.uk](mailto:licensingpolice@islington.gov.uk)

## Forde, Niall

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**From:** Stuart, Andrew  
**Sent:** 09 July 2015 11:33  
**To:** Licensing  
**Subject:** 88 Highbury Park L001-499

The Planning & Development section have the following comments to make in relation to the above application:

The property is within Highbury New Park Conservation Area

### Relevant Planning History

Planning permission 911067 dated 27/01/92

Change of use from shop to a restaurant with single storey rear extension and erection of ventilation flue.

### Restrictive conditions

The use shall not operate except between the hours of 0800 and 1800 on any weekday and between 0800 and 1400 on Saturdays, and shall not operate at all on Sundays or Bank Holidays.

These hours conflict with application, but the permission is 23 years old we have no enforcement history on reported breaches. If the condition has been breached for the last 10 years the condition is not enforceable.

### Enforcement

There are no enforcement cases open in relation to the property.

Please note that these comments are based solely on the information provided on the licensing application form and do not constitute a guarantee that planning permission is not required. If the applicant requires formal confirmation that no planning permission is needed for the activities described in the licence application, they are recommended to submit an application for a certificate of lawfulness under Sections 191-2 of the Town and Country Planning Act 1990 (as amended)

Andrew J Stuart  
Planning Enforcement Officer

Planning Service  
Planning & Development  
Environment & Regeneration  
Islington Council  
Municipal Offices, 222 Upper Street, London, N1 1YA  
Tel: 020 7527 2342  
Fax: 020 7527 2731  
[www.islington.gov.uk](http://www.islington.gov.uk)

Any advice is without prejudice and subject to the formal decision-making process of the Local Planning Authority.

Please also be advised that from week commencing 23 March 2015 we are moving the Duty Planning Service to an appointment-only service for informal planning queries. The Duty Planning Service is suitable for general, informal procedural advice from an experienced officer. During the appointment they can discuss whether your application form has been completed correctly, offer advice on the planning processes, check application validation, check whether planning permission or listed building consent is required and more. The cost is £66 for a 20-minute appointment which includes a follow up summary email. For more information and to book visit [www.islington.gov.uk/planningadvice](http://www.islington.gov.uk/planningadvice)

**Licensing Act 2003 representation pro-forma**

Should you wish to comment on the licence application please use 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:

Restaurant, 88 Highbury Park, Islington, London, N5 2XE

Your

Inter

(E.g.

Your Address:

COMMERCIAL/LICENS

30 JUN 2015

LIC PROTECTIVE DIV  
UPPER ST LIND

C/O

Telephone:

C/O

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** There is already a problem with noise and nuisance with people leaving Pubs late at night and I have been woken from a sleep many a time and do not need additional disturbance from yet another late night drinking establishments and late night drinkers.

**Crime and Disorder**

**Protection of Children from Harm**

**Public Safety**

I wish my identity to be kept anonymous: Yes / ~~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:

Fear of reprisal as I live quite close to this establishment.

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: 27/06/15

**Please ensure name and address details completed above**

Return to:

Licensing Service  
London Borough of Islington  
3<sup>rd</sup> Floor  
222 Upper Street  
London N1 1XR

or send by email to:

[licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)

### Appendix 3

1. Clear and conscious advised customers of potential criminal activity at the premises.
2. Internal and external lighting shall be installed and maintained at the premises.
3. There shall be staff training and implementation of a proof scheme for challenge 25 in respect of the sale of alcohol. This scheme whereby anyone who looks over 18 but looks under the age of 25 to carry acceptable photo ID if they wish to buy alcohol.
4. The premises shall record a record of all refused sales in a log book that shall be made available to authorised officers on request.
5. There shall be clear and legible notices displayed at the exit of the premises requesting the public to respect the needs of nearby residents and to leave the premises and area quietly.

### **Suggested conditions as recommended in representation from Police**

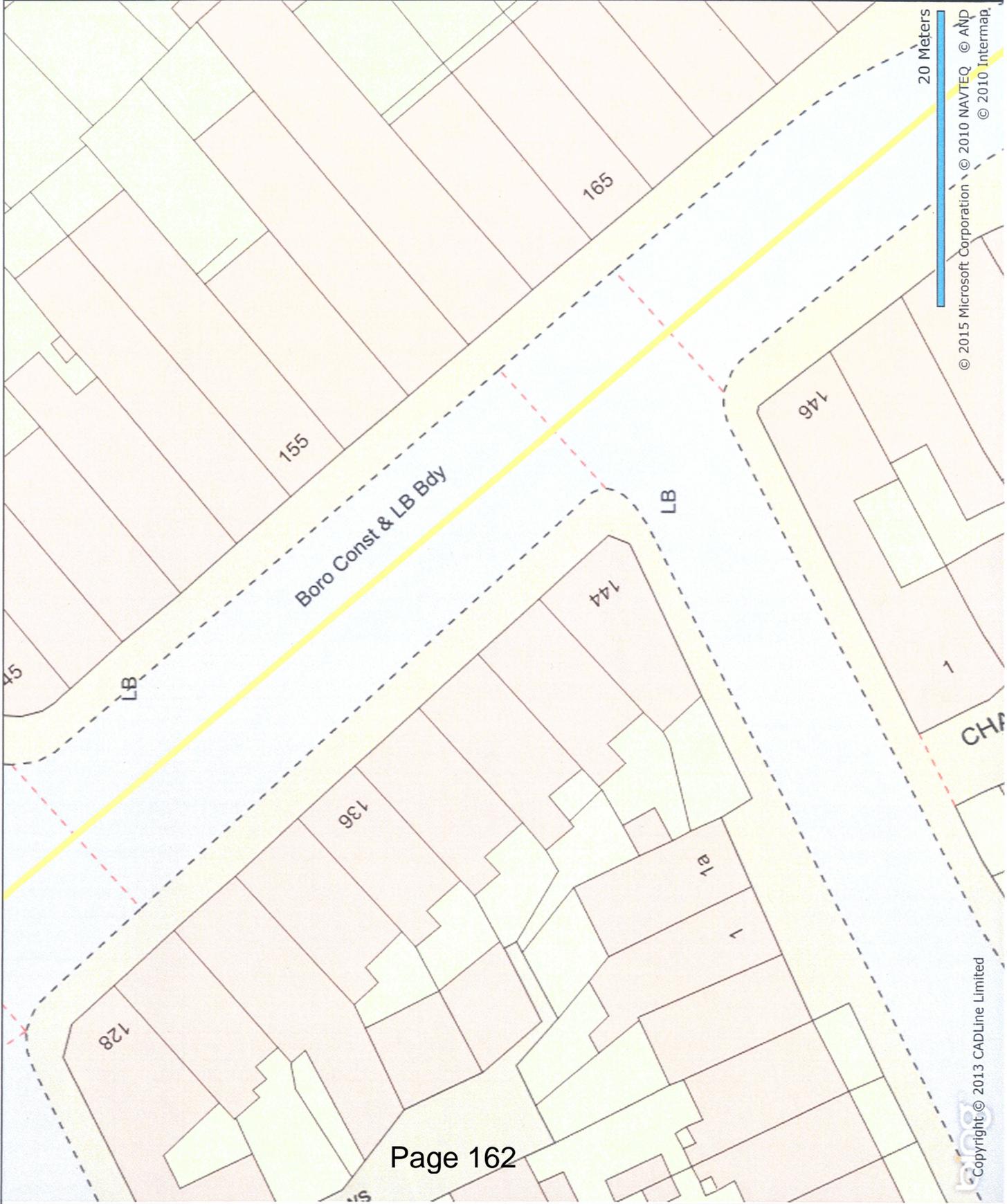
6. CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a supervisor to this effect. The system will provide identifiable full frontal head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system will cover the full exterior of the premises and shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised officer or a police officer (subject to the Data protection Act 1998) within 24hrs of any request free of charge. There will always be a member of staff on duty who can operate the system, to allow officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge to assist in the immediate investigation of offences. If the system malfunctions and will not be operating for longer than one day of business then Police must be informed
7. The premises shall only operate as a restaurant (i) in which customers are shown to their table (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption,(v) which do not provide any take away service of food or drink after 2300 and, (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
8. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that (a) The Police (and, where appropriate, the London Ambulance Service) are called without delay; (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police; (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
9. On days when Arsenal FC are playing home matches the start time for the sale of alcohol shall be 11:00 on Monday to Saturday, and midday on Sunday unless otherwise agreed with the Police.

Title : Zing Zing, 142  
Blacksotck Road, N4  
2DX

Islington Borough  
Boundary

Printed by :  
RO RO

Printed at :  
13-08-2015





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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	8 <sup>th</sup> December 2015		Clerkenwell

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE NEW APPLICATION**  
**City News, 4 Exmouth Market, London EC1R 4PX**

**1. Synopsis**

- 1.1 This is an application for a new premise licence under the Licensing Act 2003.
- 1.2 The application is to allow:
  - a) The sale of alcohol, for consumption off the premises, between: 09:00 and 21:00, Monday to Sunday. The applicants have subsequently agreed with the Metropolitan Police to amend the proposed start time on Sundays to 10:00am.
  - b) Opening hours between: 07:00 and 21:00, Monday to Sunday.

**2. Relevant Representations**

Licensing Authority	Yes
Metropolitan Police	No
Noise	No
Health and Safety	No
Trading Standards	No

Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	No
Other bodies	No

### 3. Background

3.1 Papers are attached as follows:-

Appendix 1: application form and applicant's response to representations;

Appendix 2: representations;

Appendix 3: suggested conditions and map of premises location.

3.2 Representations from the Metropolitan Police, Trading Standards and Noise Service have been withdrawn on the basis that licence conditions have been agreed.

### 4. Planning Implications

4.1 The application is for a premises licence for a shop, falling under use class A1. This is the lawful use of the site and there are no ongoing enforcement investigations concerning the land. As such, the planning department has no objections to the application.

### 5 Recommendations

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

5.2 To consider that this address is in the 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.

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

- i. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (see appendix 3)
- ii. any conditions deemed appropriate by the Committee to promote the four licensing objectives.(see appendix 3)

**6 Conclusion and reasons for recommendations**

- 6.1 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 as appropriate to promote the licensing objectives.

**Background papers:**

The Council's Statement of Licensig Policy  
Licensing Act 2003  
Secretary of States Guidance

**Final Report Clearance**

**Signed by**

  
Service Director – Public Protection

25.11.15  
Date

**Received by**

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)

\* required information

**Section 1 of 19**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes       No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

### Address

* Building number or name	<input type="text"/>
* Street	<input type="text"/>
District	<input type="text"/>
* City or town	<input type="text"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text"/>
* Country	<input type="text" value="United Kingdom"/>

### Agent Details

* First name	<input type="text" value="ROBERT"/>
* Family name	<input type="text" value="JORDAN"/>
* E-mail	<input type="text" value="robertjordan01@btinternet.com"/>
Main telephone number	<input type="text" value="01279 850753"/>
Other telephone number	<input type="text"/>

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader  
 A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

### Agent Business

* Is your business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes <input type="radio"/> No
* Registration number	<input type="text" value="5449933"/>
* Business name	<input type="text" value="PR RETAIL CONSULTANTS"/>
* VAT number	<input type="text" value="-"/> <input type="text" value="NONE"/>
* Legal status	<input type="text" value="Private Limited Company"/>
* Your position in the business	<input type="text" value="DIRECTOR"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.

Continued from previous page...

**Agent Registered Address**

Address registered with Companies House.

* Building number or name	PUMP HOUSE
* Street	OLD MEAD ROAD
District	HENHAM
* City or town	BISHOP'S STORTFORD
County or administrative area	HERTS
* Postcode	CM22 6JG
* Country	United Kingdom

**Section 2 of 19**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name	CITY NEWS, 4
Street	EXMOUTH MARKET
District	
City or town	LONDON
County or administrative area	
Postcode	EC1R 4PX
Country	United Kingdom

**Further Details**

Telephone number	
Non-domestic rateable value of premises (£)	15,250

**Section 3 of 19****APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

**Confirm The Following**

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

**Section 4 of 19****INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes                       No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

HARSHA

Family name

RAJA

Is the applicant 18 years of age or older?

- Yes                       No

Continued from previous page...

### Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

### Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>

Add another applicant

## Section 5 of 19

### OPERATING SCHEDULE

When do you want the premises licence to start?

<input type="text" value="19"/>	/	<input type="text" value="11"/>	/	<input type="text" value="2015"/>
dd		mm		yyyy

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

<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>
dd		mm		yyyy

Provide a general description of 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.

CONVENIENCE STORE

Continued from previous page...

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

**Section 6 of 19**

**PROVISION OF PLAYS**

Will you be providing plays?

- Yes  No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

- Yes  No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

- Yes  No

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

- Yes  No

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

- Yes  No

**Section 13 of 19**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes  No

Continued from previous page...

**Section 14 of 19**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Section 15 of 19**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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.

Continued from previous page...

Will the sale of alcohol be for consumption:

- On the premises       Off the premises       Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

**Name**

First name

Family name

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

Continued from previous page...

### PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

### Section 16 of 19

#### ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

NONE

### Section 17 of 19

#### HOURS PREMISES ARE OPEN TO THE PUBLIC

##### Standard Days And Timings

##### MONDAY

Start

End

Start

End

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.

##### TUESDAY

Start

End

Start

End

##### WEDNESDAY

Start

End

Start

End

##### THURSDAY

Start

End

Start

End

##### FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 18 of 19**

**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Adhere to Clerkenwell Licensees Charter.

Adhere to Islington's trading standards illicit alcohol and Tobacco-Business Guide

Full stock control so as any purchases can be traced back to original purchase in accordance with recommendations of Islington's Trading standards.

No beer, lager or Cider to be sold above 6.0%ABV

Staff training to be updated every four months and recorded.

b) The prevention of crime and disorder

No alcoholic goods will ever be purchased or taken from persons calling to the shop.

• No spirits shall be purchased in a resealed box, without thorough checks being made to ensure it is legal to sell.

• The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol.

• Only alcoholic drinks which are detailed on invoices will be purchased or accepted as part of a 'free' offer. Invoices (or copies) for all alcoholic goods on the premises will be made available to officers from the council, police or HMRC upon

Continued from previous page...

request.

- A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.
- An ultra-violet light will be available at the premises for the purpose of checking the UK Duty Stamp on spirits as soon as practical after they have been purchased.
- If any spirits bought by the business have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to Islington Trading Standards as soon as possible.
- The licensee shall adopt 'Challenge 25', the Retail of Alcohol Standards Group's advice for off-licences, and promote it through the prominent display of posters.
- The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The training shall include the assessment of age; making a challenge; acceptable proof of age; and recording refusals. The licensee shall keep records of training and instructions given to staff, detailing the areas covered, and make them available for inspection upon request by the licensing team, police or trading standards.
- The licensee shall put arrangements in place to ensure that before serving alcohol to persons they believe to be less than 25, staff ask to see accredited proof of age: that is, proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.

The licensee shall require staff to note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection upon request by the licensing team, police or trading standards.

- CCTV shall be installed, and operated and in agreement with the Police. Maintained means that the system will be re checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system shall record in minimum of 12 frames per second, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately.

c) Public safety

As above

d) The prevention of public nuisance

DAILY LITTER PATROL OF OUTSIDE THE PREMISES.

As above

e) The protection of children from harm

As above

Continued from previous page...

**Section 19 of 19**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

\* Fee amount (£)

**DECLARATION**

I/we understand 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Continued from previous page...

\* Full name

ROBERT JORDAN PR RETAIL CONSULTANTS LTD

\* Capacity

AGENT

\* Date

21 / 10 / 2015  
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/islington/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**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**

**OFFICE USE ONLY**

Applicant reference number

islington-city news

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 Next >



**Licensing Authority Representation: Licensing Act 2003**

**Application: City News, 4 Exmouth Market, London EC1R 4PX**

I am submitting a representation on behalf of the Licensing Authority with respect to the variation application for the above premises.

The grounds for the representation are:

- Public nuisance
- Crime and disorder

**Licensing Policy Considerations**

*Licensing Policies 1 & 2*  
*Licensing Policies 4 & 5*  
*Licensing Policies 9*

*Location, cumulative impact and saturation*  
*Off sales*  
*Operating Schedules*

**Issues of Concern**

1. The premises are located within the Clerkenwell Cumulative Impact policy area. The onus is on the applicant to demonstrate that these premises will not add to the cumulative impact. It is my opinion that the proposed application will add to the cumulative impact.
2. The licensing authority receives regular complaints from local residents and businesses about the impact of licensed businesses in Exmouth Market. Licensing officers regularly visit the area and have worked with local licensed operators to minimise the impact their businesses have on the local environment. There are two specific areas of concern:
  - i) The impact of street drinkers in the area, who typically arrive in the area early and consume alcohol on the street, in Exmouth Market and Spa Field Park. These street drinkers are associated with crime and disorder and public nuisance, such as littering, public urination and fighting.
  - ii) The impact of street drinking by persons arriving later in the day. These persons typically congregate in Exmouth Market in the vicinity of "on-licensed" premises. They are associated with issues of public nuisance, such as littering, noise nuisance and obstructing the public highway.
3. This application will undermine the licensing objectives and added to the cumulative impact principally because the proposed off sale hours will be attractive to both sets of street drinkers referred to above.

**Recommendation**

If the Licensing Committee is minded to grant the licence, I recommend that the licence be granted to allow off-sales between the following hours only: 11:00 to 20:00, Mondays to Sundays. I also recommend that the following additional conditions apply:

1. Outside of permitted hours for the sale of alcohol, all alcohol on display is to be secured behind locked shutters/screens/grills or secured behind locked cabinet doors.
2. There shall be no sales of spirits in vessels of 30cl or less.
3. Customers shall not be permitted to open or consume alcoholic products on the premises.

Janice Gibbons  
Service Manager (Commercial and Licensing)  
[Janice.gibbons@islington.gov.uk](mailto:Janice.gibbons@islington.gov.uk)  
02 7527 3212

18 November 2015

### **Appendix 3**

1. The licensee shall adhere to the Clerkenwell's Licensee Charter.
2. Staff training shall be updated every 4 months and recorded.

#### **Additional Conditions proposed by Trading Standards and agreed by applicant**

3. No alcoholic goods will ever be purchased or taken from persons calling to the shop.
4. No spirits shall be purchased in a resealed box, without thorough checks being made to ensure it is legal to sell.
5. The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol.
6. Only alcoholic drinks which are detailed on invoices will be purchased or accepted as part of a 'free' offer. Invoices (or copies) for all alcoholic goods on the premises will be made available to officers from the council, police or HMRC upon request.
7. A stock control system will be introduced, so that the licensee can quickly identify where and when alcoholic goods have been purchased.
8. An ultra-violet light will be available at the premises for the purpose of checking the UK Duty Stamp on spirits as soon as practical after they have been purchased.
9. If any spirits bought by the business have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee shall identify the supplier to Islington Trading Standards as soon as possible.
10. The licensee shall adopt 'Challenge 25', the Retail of Alcohol Standards Group's advice for off-licences, and promote it through the prominent display of posters.
11. The licensee shall ensure that staff are trained on relevant matters including the conditions on the premises licence; age restricted products; and (if they are ever left in charge of the shop) the operation of the cctv system and how to deal with visits from authorised officers. The licensee shall keep records of training and instructions given to staff, detailing the areas covered, and make them available for inspection upon request by authorised officers. Staff shall sign to confirm that they have received and understood the training.
12. Age-restricted products training shall cover the following steps: the assessment of age; how and when to challenge for proof of age; acceptable proof of age and how to check it; and recording refusals.
13. The licensee shall put arrangements in place to ensure that before serving alcohol to persons they believe to be less than 25, staff ask to see accredited proof of age: that is, proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
14. The licensee shall require staff to note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection upon request by the licensing team, police or trading standards.

#### **Additional conditions proposed by Metropolitan Police and agreed by applicant**

15. No super-strength beer, lagers, ciders or spirit mixtures of 6.0% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers or ciders supplied in glass bottles.
16. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
17. Signage to be prominently displayed of times alcohol available.
18. CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a supervisor to this effect. The system will provide identifiable full frontal head and shoulder image of everyone entering the premises and will

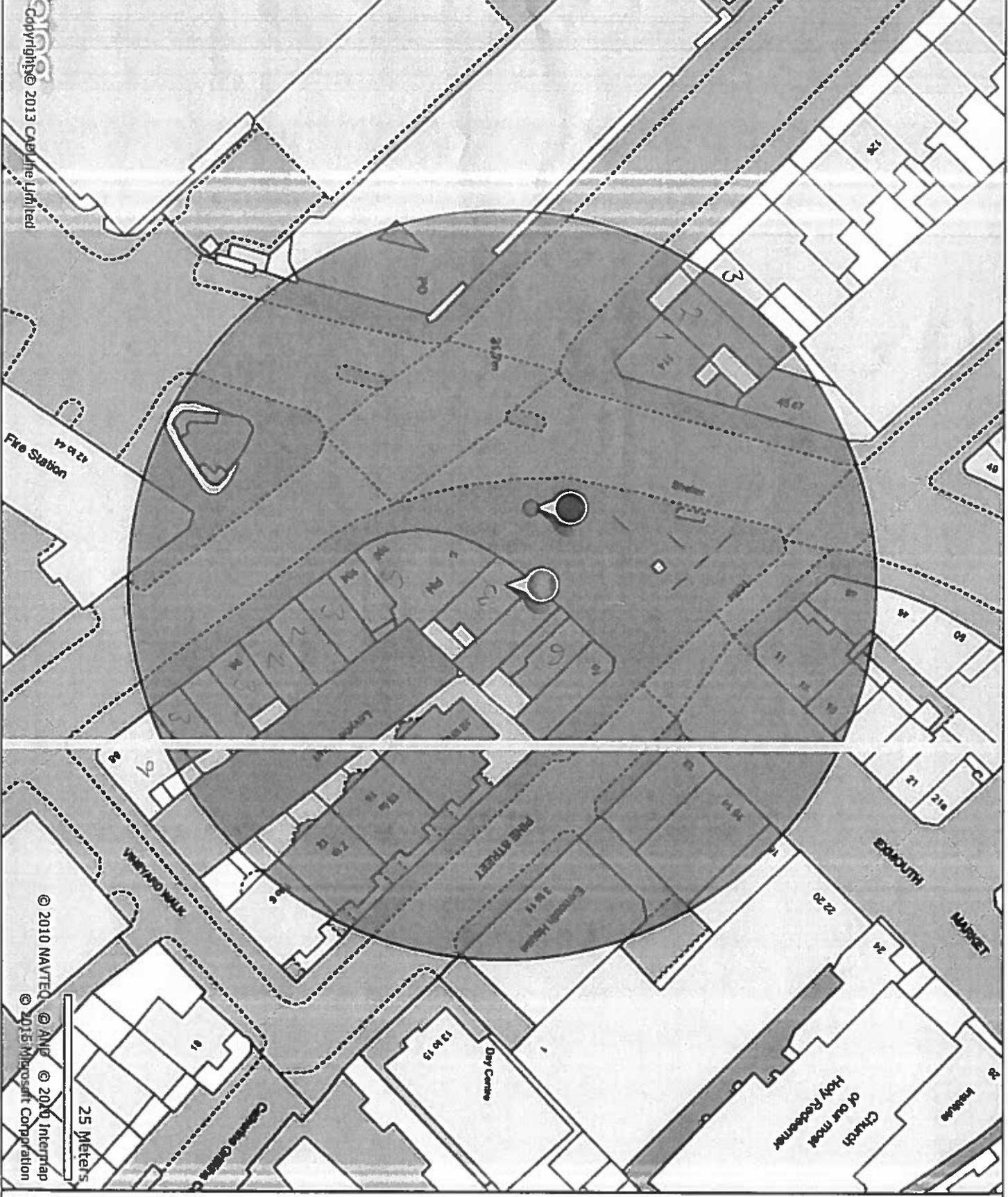
operate in any light conditions within the premises. The system will cover the full exterior of the premises and shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised officer or a police officer (subject to the Data protection Act 1998) within 24hrs of any request free of charge. There will always be a member of staff on duty who can operate the system, to allow officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge to assist in the immediate investigation of offences. If the system malfunctions and will not be operating for longer than one day of business then Police must be informed.

**Additional conditions proposed by Noise Service and agreed by applicant**

19. No noise or vibration shall emanate from the premises so as to cause a nuisance to nearby properties. All mechanical installations associated with the business shall be regularly maintained and serviced to prevent public nuisance.

**Additional conditions proposed by Licensing Service**

20. Outside of permitted hours for the sale of alcohol, all alcohol on display is to be secured behind locked shutters/screens/grills or secured behind locked cabinet doors.
21. There shall be no sales of spirits in vessels of 30cl or less.
22. Customers shall not be permitted to open or consume alcoholic products on the premises.



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Islington Borough Boundary

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