



Governance and Human Resources
Town Hall, Upper Street, London, N1 2UD

AGENDA FOR THE LICENSING SUB COMMITTEE A

Members of Licensing Sub Committee A are summoned to an additional meeting, which will be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on **5 February 2018 at 6.30 pm.**

Yinka Owa
Director of Law and Governance

Enquiries to : Jackie Tunstall
Tel : 020 7527 3068
E-mail : democracy@islington.gov.uk
Despatched : 26 January 2018

Membership

Councillor Gary Poole (Chair)
Councillor Michelline Safi Ngongo (Vice-Chair)
Councillor Rakhia Ismail

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
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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.

B. Items for Decision	Page
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- | | |
|---|---------|
| 1. The Winchester, 2 Essex Road, N1 8LN - Premises licence review | 1 - 164 |
|---|---------|

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 REVIEW 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) **The applicant (interested party of responsible authority)** 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 applicant (interested party or responsible authority) on matters arising from their submission.

- 6) **Other representatives (interested party or responsible authority)** 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 other representatives (interested party or responsible authority) on matters arising from their submission.

- 8) **The licensee** 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 licensee 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) **Applicant**
 - 13) **Other representatives**
 - 14) **Licensee**
- 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.



Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	5 February 2018		St Peter's

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE REVIEW APPLICATION
THE WINCHESTER, 2 ESSEX ROAD, LONDON, N1 8LN**

1. Synopsis

- 1.1 This is an application for a review of a premise licence under the Licensing Act 2003.
- 1.2 The premises currently holds a licence allowing
 - The provision of live music, recorded music on Sunday to Wednesday from 09:00 until 00:00, on Thursday from 09:00 until 02:00 the day following, and on Friday and Saturday from 09:00 until 04:00 the day following.
 - The provision of exhibition of films on Monday to Sunday from 09:00 until 23:00.
 - The provision of late night refreshment on Sunday to Wednesday from 23:00 until 00:30 the day following, on Thursday, Friday and Saturday from 23:00 until 02:30 the day following.
 - The provision of live music, recorded music on Sunday to Wednesday from 11:00 until 00:00, on Thursday from 11:00 until 02:00 the day following, and on Friday and Saturday from 11:00 until 04:00 the day following.
 - The sale of alcohol by retail on and off the premises on Sunday to Wednesday from 11:00 until 00:00, on Thursday from 11:00 until 02:00 the day following, and on Friday and Saturday from 11:00 until 03:30 the day following.

1.3 The grounds for the review are

- The prevention of crime and disorder.
- Public safety,
- Public nuisance
- Protection of children from harm.

2. Relevant Representations

Licensing Authority	Yes
Metropolitan Police	Yes
Noise	Yes
Health and Safety	No
Trading Standards	No
Public Health	Yes
Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes: 11
Other bodies	No:

3. Background

3.1 Papers are attached as follows: -

- Appendix 1: application form;
Appendix 2: current licence
Appendix 3: representations;
Appendix 4: correspondence from licence holder
Appendix 5 Map and suggested conditions

3.2 The current licensing hours were granted in September 2005 when the Licensing Act 2003 came into force. The current designated supervisor Mr Tofan has been a director of Beronmoor Limited the company holding licence throughout this period.

3.3 Mr Tofan was named as the designated premises supervisor from 5th June 2017.

3.4 The current licence was amended by way of minor variation on the 20 October 2015. This minor variation was submitted after consultation with the Police Licensing Team. This consultation was deemed necessary due to the significantly higher crime statistics linked to its operation than other similar licensed premises in the vicinity.

- 3.5 The Minor Variation led to the additional condition's numbered 18 to 25 which can be found at Annex 2 of the current licence.
- 3.6 This review application was submitted on 6th November 2017 by a local resident due to concerns about behaviour of customers of the premises in the early hours of the morning on residential streets. The review application is supported by representations from The Licensing Authority, the Police, the Council's Noise Team, Public Health and eleven local residents.

4. Planning Implications

- 4.1 There are no planning implications.

5 Recommendations

- 5.1 To determine the application for the review of the premises licence under Section 51 of the Licensing Act 2003.

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



Jan Hart
Service Director – Public Protection

Date 26/01/18

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

WK/170034902.

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

**Application for the review of a premises licence or club premises certificate 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

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club
premises certificate under section 87 of the Licensing Act 2003 for the premises described in
Part 1 below (delete as applicable)

Part 1 – Premises or club premises details**Postal address of premises or, if none, ordnance survey map reference or description**

THE WINCHESTER
2 ESSEX ROAD

Post town

LONDON

Post code (if known)

N1 8LN

Name of premises licence holder or club holding club premises certificate (if known)

BERONMOOR LTD

Number of premises licence or club premises certificate (if known)

LN/4608-050617

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible
authority (please read guidance note 1, and complete (A)
or (B) below)



2) a responsible authority (please complete (C) below)



3) a member of the club to which this application relates
(please complete (A) below)



(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr

☐

Mrs

☒

Miss

☐

Ms

☐

Other title

(for example, Rev)

Surname

First names

(B) DETAILS OF OTHER APPLICANT

Name

Telephone

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
N/A
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>

Please state the ground(s) for review (please read guidance note 2)

Over the last few years Friday and Saturday nights have become a nightmare. The extended licencing hours to 4am on those days at The Winchester have resulted in appalling noise from midnight through to 4am and beyond making sleeping impossible. This is caused by the clientele of that bar pouring out onto the street drinking there, sitting on the window cills (designed for this purpose), shouting, fighting and generally making a nuisance. They are all over the road, they urinate on doorsteps in Colebrooke Row (and worse), Uber cars pile up outside on St Peter's Street on the double yellow lines there causing more mayhem and this is all particularly bad in that part of St Peter's Street, and also from the part running from St Peter's Street to Essex Road via Colebrooke Row. They then overflow down past me at [REDACTED] still shouting, occasionally fighting and sometimes there are screams from frightened girls which make me feel I should dial 999. An accident is waiting to happen.

There has been no attempt by The Winchester to control this anti-social behaviour. Other pubs in this area have notices outside to ask their customers to keep the noise down after 10pm and one limits the amount of people allowed to drink outside.

It is unacceptable for a bar surrounded on all sides by residential flats and houses to have such long licencing hours.

One of my neighbours has given me a USB data stick with extensive video evidence of the disturbance and noise during the early hours of Saturdays and Sundays from September 2nd to October 29th 2017. This gives ample evidence of this escalating problem. I am attaching it to this application.

There are now several other residents of Colebrooke Row who now want the long licencing hours of The Winchester revoked.

Please provide as much information as possible to support the application (please read guidance note 3)

CCTV footage attached

Have you made an application for review relating to the premises before

Please tick ☒ yes

☒ NO

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to the premises please state what they were and when you made them

yes

Please tick ✓

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- 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 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). I 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 6)

Post town

Post Code

Telephone number (if any)

I you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.



Premises Licence Summary

Licensing Act 2003

Premises licence number	LN/4608-041115	Date of original grant*	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.*

Postal address of premises, or if none, ordnance survey map reference or description			
THE WINCHESTER 2 ESSEX ROAD			
Post town	London	Post code	N1 8LN
Telephone number	020 7704 8789		

Where the licence is time limited the dates
Not Applicable

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

The times the licence authorises the carrying out of licensable activities				
<ul style="list-style-type: none"> The provision of regulated entertainment for the performance of live music: 				
Monday	09:00	to	00:00	
Tuesday	09:00	to	00:00	
Wednesday	09:00	to	00:00	
Thursday	09:00	to	02:00	the following day
Friday	09:00	to	04:00	the following day
Saturday	09:00	to	04:00	the following day
Sunday	09:00	to	00:00	
<ul style="list-style-type: none"> The provision of regulated entertainment for the playing of recorded music: 				
Monday	09:00	to	00:00	
Tuesday	09:00	to	00:00	
Wednesday	09:00	to	00:00	
Thursday	09:00	to	02:00	the following day
Friday	09:00	to	04:00	the following day
Saturday	09:00	to	04:00	the following day
Sunday	09:00	to	00:00	

- The provision of regulated entertainment by way of the exhibition of films:

Monday	09:00	to	23:00
Tuesday	09:00	to	23:00
Wednesday	09:00	to	23:00
Thursday	09:00	to	23:00
Friday	09:00	to	23:00
Saturday	09:00	to	23:00
Sunday	09:00	to	23:00

- The provision of late night refreshment:

Monday	23:00	to	00:30	the following day
Tuesday	23:00	to	00:30	the following day
Wednesday	23:00	to	00:30	the following day
Thursday	23:00	to	02:30	the following day
Friday	23:00	to	02:30	the following day
Saturday	23:00	to	02:30	the following day
Sunday	23:00	to	00:30	the following day

- The sale by retail of alcohol:

Monday	11:00	to	00:00	
Tuesday	11:00	to	00:00	
Wednesday	11:00	to	00:00	
Thursday	11:00	to	02:00	the following day
Friday	11:00	to	03:30	the following day
Saturday	11:00	to	03:30	the following day
Sunday	11:00	to	00:00	

Except on:

New Year's Eve, until the time authorised on the following day

To extend the permitted hours for all activities on bank holiday Sunday's by two hours.

The opening hours of the premises:

Monday	11:00	to	00:00	
Tuesday	11:00	to	00:00	
Wednesday	11:00	to	00:00	
Thursday	11:00	to	02:00	the following day
Friday	11:00	to	04:00	the following day
Saturday	11:00	to	04:00	the following day
Sunday	11:00	to	00:00	

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

On supplies

Name, (registered) address of holder of premises licence

Beronmoor Limited
Alpha House
176a High Street
Barnet
Hertfordshire
EN5 5SZ

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

03587048

Annex 1 - Mandatory conditions

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

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. 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. The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
2. The licence shall be subject to the Council's standard conditions for Places of Entertainment
3. The licence shall be subject to the Council's technical standards for Places of Entertainment
4. The maximum number of persons accommodated at any one time in the premises shall not exceed the following:
 - a. Basement 100; and
 - b. Ground Floor 100.
5. The licence is subject to the following Additional Conditions referred to in the Standard Conditions for Places of Public Entertainment:
 - i. ADDITIONAL CONDITIONS D: APPLICABLE TO PREMISES USING DOOR SUPERVISORS.
 - ii. ADDITIONAL CONDITIONS SX: FOR PARTICULAR CONTROL OVER STRIPTEASE OR SIMILAR ENTERTAINMENT INVOLVING NUDITY.
 - iii. ADDITIONAL CONDITION GO: APPLICABLE TO THE KEEPING OF GOOD ORDER.
6. The inward opening final exit doors specified below shall be locked in the fully open position when the premises are occupied: entrance/exit door at the corner of Essex Road/St Peter's Street and the exit door fronting St Peter's Street.
7. The name and contact telephone number of the persons in charge of the premises shall be displayed on the premises in a prominent position so that it can be seen from the outside of the premises, so that residents have the opportunity to telephone the person in charge if patrons are causing a nuisance.
8. The Licensee shall ensure that at all times that this licence is in operation, all amplified sound and music is subject to the control of an entertainment noise control system set to music noise levels approved by and in conjunction with the Council's Noise team.

9. The entertainment noise control system is to be calibrated and maintained at settings that restrict all amplified sound played at the premises at or below the levels when measured at specified monitoring points as follows:
- a. Ground Floor
 - b. Measurements taken at a height of 1.5m, facing the DJ booth at 2m distance and 2m from the kitchen in the rear area of the bar.
 - c. 90 dB (Lin) Leq (1 min);
 - d. 84 dB (A) Leq (1 min);
 - e. 74 dB at the 63 Hz Octave Band (1 min); and
 - f. 88 dB at the 125 Hz Octave Band (1 min).
 - g. Basement
 - h. Measurements taken at a height of 1.5 m, facing the rear wall, with back to the DJ booth at 2m from the booth at equal distances from the pillar and the right hand side wall.
 - i. 99.5 (Lin) Leq (1 min);
 - j. 95 dB (A) Leq (1 min);
 - k. 87 dB at the 63 Hz Octave Band (1 min); and
 - l. 96 dB at the 125 Hz Octave Band (1 min)
10. If there are any changes in the distribution and type of loudspeakers or amplification equipment serving the sound system, then the noise control system shall be recalibrated so the music noise levels specified above are not exceeded. The calibration certificate shall be forwarded to the Council's Licensing Team.
11. The entertainment noise control system shall be regularly monitored, checked and its calibration adjusted as necessary so the music noise levels approved by the Council above are not exceeded. On receipt of a noise complaint, independently substantiated by an Islington Council noise officer, a calibration certificate from an acoustic consultant shall be submitted detailing the following:
- a. confirmation that the entertainment noise control system is operating correctly so that the music noise levels above are not being exceeded; and
 - b. the components and make-up of the sound system under the control of the entertainment noise control system.
12. On Thursday, Friday & Saturday SIA registered door staff are to be employed at the premises from 21:00hrs until 30 minutes after the premises closes at the ratio of, at least, 1 door supervisor to every 100 customers. At any other time when a DJ and/or live music is provided, door supervisors shall be employed 30 minutes before the beginning of the event until closing time at a ratio of, at least 1:100. The door supervisor/s shall also be responsible for ensuring the vicinity of the premises is clear of litter attributable to the premises.
13. Noise from the rooftop plant shall not cause an increase in existing background levels at the nearest noise sensitive façade.
14. An attendant shall be on duty in the vicinity of the cloakroom during the whole time it is in use.
15. The premises shall actively participate in the local Pubwatch
16. A digital CCTV system shall be installed, operated and maintained inside and outside the premises [subject to planning permission] in agreement with the Police. The system will enable a frontal head and shoulders image 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. A working copy shall be supplied free of charge to a Police Officer within 24 hours of any request to assist in the investigation of a crime or

apprehending or prosecuting an offender. It is the responsibility of the premise to download any recording requests.

17. Incident/Refusals book to be completed and checked weekly by the DPS.
18. Premises to adopt Bill Challenge 25 the National Proof of Age Standards Scheme.
19. 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 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.
20. An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record the following:
 - a. All crimes reported to the venue
 - b. Any complaints received
 - c. Any incidents of disorder
 - d. Any faults in the CCTV system
 - e. Any visit by a relevant authority or emergency service
 - f. All ejections of patrons
 - g. All seizures of drugs or offensive weapons
 - h. Any refusal of the sale of alcohol
21. 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.
22. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
23. After midnight all drinking vessels used in the venue shall be polycarbonate and all alcohol in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to being served.
24. No Under 21's allowed on the premises. Except for private pre-booked parties with a terminal hour of midnight and persons under the age of 18 dining with a responsible adult before 10pm
25. There shall be no entry to the premises after 02.00 am save for patrons returning from the smoking area.

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

1. No unaccompanied children shall be allowed in the premises . No children under 16 shall be allowed on the premises after 18:00 with the exception of private functions.
2. That the closing time for the premises will be half an hour after the terminal hour for the sale of alcohol.
3. That notices be displayed reminding people to leave quietly and to use the toilets before leaving.

Annex 4 – Plans

Reference Number: 89322

Licence

Name of designated premises supervisor where the premises licence authorises the supply of alcohol
Mr Constantin Tofan

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

No person under the age of 14 years shall be in the bar of the premises during the hours that the premises is authorised to sell alcohol subject to condition 2 of annex 2 of this licence.

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

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

Forde, Niall

From: Loizou, Petros
Sent: 10 November 2017 12:08
To: Licensing
Subject: FW: Premises Licence Review: The Winchester

From: Loizou, Petros **On Behalf Of** LicensingPolice
Sent: 10 November 2017 12:08
To: Licensing
Subject: RE: Premises Licence Review: The Winchester

Please consider this as an initial response from the police.

Police will be making representations. We have carried out research since Jan 2017, there have been a total of 8 incidents reported involving the premises they are as follows;

15/01/2017 – GBH report - The victim was called a “faggot” and was then punched in the face by the suspect.

21/01/2017 – Theft report

12/02/2017 – ABH report – Male headbutted door supervisor

23-24/06/2017 – Theft report

18/07/2017 – GBH - Altercation inside venue, parties removed a fight ensued outside and a male was assaulted

21/07/2017 – Criminal Damage – Male was ejected from venue and damaged a window

29/07/2017 – Theft report

16/09/2017 – Theft report

A more detailed report will be available in due course.

Regards

Pc Petros Loizou
Islington Police Licensing Team

Email Licensingpolice@islington.gov.uk

Mobile 07799133204

From: Williams, John
Sent: 07 November 2017 15:33
To: LicensingPolice <LicensingPolice@islington.gov.uk>; FSR-AdminSupport@london-fire.gov.uk; Brothers, Anne <Anne.Brothers@islington.gov.uk>; Standards, Trading <Trading.Standards@islington.gov.uk>; Control, Building

<Building.Control@islington.gov.uk>; Gibbons, Janice <Janice.Gibbons@islington.gov.uk>; CSPU Team <CSPUteam@islington.gov.uk>; S&QA <S&QA@islington.gov.uk>; Cheqrouni - Kettani, Salah <Salah.Cheqrouni-Kettani@islington.gov.uk>; CIPH licensing <CIPHlicensing@islington.gov.uk>; alcohol@homeoffice.gsi.gov.uk
Cc: Lane, Terrie <Teresa.Lane@islington.gov.uk>; [REDACTED]

Dear Sir/Madam,

We have received the attached application for a **Premises Licence (Review)**:

Licence Holder: Beronmoor Ltd, Alpha House, 176 High St, Barnet, Herts. EN5 5SZ

Premises Name: The Winchester

Address: 20 Essex Road. N1 8LN

Application received: 6/11/17

Last date for representations: 4/12/17

Worksheet Number: WK/170034902

This application to review relates to the following licensing objectives: the prevention of crime & disorder, public safety, prevention of public nuisance and the protection of children from harm.

Regards,

John Williams

Licensing Team
Public Protection Division
Environment & Regeneration
Islington Council
3rd Floor, 222 Upper Street, London, N1 1XR
Tel: 020 7527 3031

e-mail: licensing@islington.gov.uk

website: www.islington.gov.uk

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WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: PC 757 NI LOIZOU

Age if under 18: Over 18

(if over 18 insert 'over 18')

Occupation: Police Officer

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: Date: 05/01/18

This statement is in relation to my investigation into The Winchester, 2 Essex Road N1 8LN. I am PC 3757CN LOIZOU and a police officer based in the Islington police licensing team.

On Friday 10th November 2017 I submitted an initial response to the council in relation to the above premises.

I carried out research from January 2017 and found there had been (5) Five incidents involving victims with injury, (1) One incident involving criminal damage and (4) Four reports of theft. Please see summary of reports which I have exhibited as PLL/01.

At least 3 of these reports occurred after 0200 hours. The first report **Cris 2701174/17** involved a victim who had been verbally abused. As the suspect was escorted off the premises by door staff he has assaulted the victim by punching him in the face.

The second report **Cris 2719206/17** refers to an altercation that occurred between two males. This occurred at 0345 hours the door supervisors one of the parties involved. Whilst the victim was outside the same suspect assaulted him.

The third report **Cris 2730922/17** relates to an incident where police were called to the venue at 0254 hours and found a male covered in blood which was coming from a very large open laceration, 10 cm approximately in length running from the left hand temple to his lower jaw.

The above summary demonstrates issues that occur after 0200 hours. These are serious assaults that involve victims receiving substantial injuries. In some

Witness Signature:

Signature Witnessed by Signature:

Continuation of Statement of:

of the crime it appears that door staff have not fulfilled their role to a acceptable standard.

On Wednesday 22nd November at 1500 hours I attended the WINCHESTER PUBLIC HOUSE 2 ESSEX ROAD N18LN. I was in the company of Pc 2533CN Peace and Nial FORDE from Islington Licensing team.

On that occasion the CCTV could not be viewed. The CCTV system kept freezing and would crash when trying to playback footage. This suggests the system being used is inadequate.

We also confirmed that on Saturday 18th November 2017 sales of alcohol had been made outside licensed hours. Some of those transactions had been made by Marco as each transactions made through the till is recorded with the staff members name. (47 transactions of sales of alcohol outside the permitted hours Please see till receipt Exhibit PLL/01).

I also spoke to Marco about an issue about the time stamp on the CCTV. The time shown on the cameras were an hour out. He informed he would address this.

On Sunday 26th November 2017 at around 0330 hours I visited the premises along with Nial FORDE and Dan WHITTON from the islington licensing team attended the premises.

The premises had a sign in the front window stating no admittance after 0200 hours. We spoke to the head door staff he confirmed there were a total a 5 door staff members. He was asked how many people were inside the venue he produced a clicker and stated there were around 20 people inside. We entered the location and observed around 10 people on the first floor Officers went downstairs to the lower floor where there was around 50 people. This demonstrates the door staff members were not performing their role to a satisfactory level and puts a doubt in how they are operating their admission system.

I requested to view the CCTV system in order to confirm that the time stamp on the CCTV had been rectified which it had been. However the system appeared to be operating slow and cumbersome.

On Sunday 16th December 2017 at 0332 hours parkguard officers made the following observation. "We began to liaise with door staff and as we did so a taxi has pulled up outside from which two males alighted. One of the males moved quickly and entered the premises without challenge from the door staff.

Witness Signature:

Signature Witnessed by Signature:.....

Page 2 of 3

Continuation of Statement of:

We monitored both males concerned by the suspicious circumstances. The male that had remained outside challenged PO226 stating "WHAT ARE YOU LOOKING AT MY LITTLE COUSIN FOR" to which she replied in a professional manner. The male continued to challenge PO226 but walked off once he was ignored due to his attitude. The male was wearing a red jacket with a white fur lining and had a large scar on his right cheek. The male that had entered THE WINCHESTER exited with a female who didn't appear to be in distress and the female left with the two males. The venue was now closing and approximately 40 patrons were ushered out by door staff and were dispersed without issue." (Please note the above is a summary a more detailed entry can be provided)

This again demonstrates the venue is not operating to a satisfactory standard and contradicts the signs that are displayed on its windows informing patrons about its admission policy.

It is for these reasons the recommendations have been made.

Witness Signature:

Signature Witnessed by Signature:

Page 3 of 3

Recommendations

1. The CCTV system needs to be upgraded to all HD cameras which will work in low light conditions and the full interior of the venue needs camera coverage, apart from inside the toilets, but including the entrances to all toilet
2. I would recommend a new door staff team. In order to eliminate any concerns over familiarity between staff and local persons that cause issues
3. Reduce trading hours (2am closing time including 20 minutes drinking up time)
4. Door staff to receive high level of training. Door staff and stewards should carry out roving patrols of the venue
5. Any persons barred from the venue details to be obtained and recorded on a log

Licensing Act 2003 - Licensing Authority Representation

Winchester, 2 Essex Road, London N1 8LN

Premises Licence Variation Application:

I am submitting a representation on behalf of the Licensing Authority with respect to the premises licence review application submitted by a local resident.

The grounds for the representation are:

- Public nuisance; and
- Crime and disorder.

Background

This is an application for a review submitted by a local resident. The concerns of the local residents are around standards of management at the premises, and the late operating hours.

Licensing Policy Considerations

<i>Licensing Policies 1 & 2</i>	<i>Location, cumulative impact and saturation</i>
<i>Licensing Polices 5</i>	<i>Outside areas</i>
<i>Licensing Policies 7 & 8</i>	<i>Licensing Hours</i>
<i>Licensing Policies 9 & 10</i>	<i>Standards of management</i>
<i>Licensing Policy 13</i>	<i>Alcohol induced crime</i>
<i>Licensing Policies 18 & 21</i>	<i>Noise and dispersal</i>
<i>Licensing Policy 30</i>	<i>Review</i>

Issues of Concern

1. The premises are situated within the Angel & Upper Street Cumulative Impact Area (CIA).
2. The licensing hours (LP 7 and 8) for this premises are in excess of the guide hours for a bar style premises, as laid out within the in Council's Licensing Policy. The probability of local residents being affected by crime and nuisance generally increases in line with later licensing hours.

Recommendation

The Licensing Authority (LA) has concerns that the business has not been operating under the terms of the current premises licence and that it has not been well managed and has been generating licensing related complaints over the last six months.

The LA is meeting with the operators of the premises on the 7th December 2017, the full representation of the authority with be expanded on after this meeting.

Terrie Lane

Licensing Manager

terrie.lane@islington.gov.uk

4 December 2017

020 7527 3233

Licensing Act 2003 - Licensing Authority Representation Additional

Winchester, 2 Essex Road, London N1 8LN

Premises Licence Review Application:

I am submitting a representation on behalf of the Licensing Authority with respect to the premises licence review application submitted by a local resident.

The grounds for the representation are:

- Public nuisance; and
- Crime and disorder.

This is an application for a review submitted by a local resident. The concerns of the resident are around standards of management at the premises, noise nuisance, customers causing anti-social behaviour outside the premises and the late operating hours.

The premises are licensed as follows:

- Regulated entertainment for the performance of live music and the playing of recorded music, Sundays to Wednesdays from 09:00 until 00:00, Thursdays from 09:00 until 02:00 the following day and Fridays & Saturdays from 09:00 until 04:00 the following day;
- Exhibition of films, Mondays to Sundays from 09:00 until 23:00;
- The provision of late night refreshment, Sundays to Thursdays from 23:00 until 00:30 the following day and Fridays & Saturdays from 23:00 until 02:30 the following day;
- The sale by retail of alcohol, on & off supplies, Sundays to Wednesdays from 11:00 until 00:00, Thursdays from 11:00 until 02:00 the following day and Fridays & Saturdays from 11:00 until 03:30 the following day;
- Open to the public, Sundays to Wednesdays from 11:00 until 00:00, Thursdays from 11:00 until 02:00 the following day and Fridays & Saturdays from 11:00 until 04:00 the following day; and

The following non-standard timings:

- To extend all authorised licensable activities on New Year's Eve, until the time authorised on the following day; and
- To extend the permitted hours for all activities on bank holiday Sunday's by two hours.

Background:

The premises are situated within the Angel & Upper Street Cumulative Impact Area (CIA).

The licensing hours (LP 7 and 8) for this premises are in excess of the guide hours for a bar style premises, as laid out within the in Council's Licensing Policy.

The probability of local residents being affected by crime and nuisance generally increases in line with later licensing hours.

The premises in question has one of the latest alcohol licenses in the location. Therefore, the Licensing Authority would expect that the standards of management for this premises should be of a very high standard.

The premises has been subject to a number of complaints over the last six months from local residents, the first received in June 2017 was about structural music noise and was referred to the Council Noise Team.

On the 25 September 2017 a complaint from a local resident was received, this complaint was about anti-social behaviour specifically related to the residential streets surrounding the premises.

The complaints were that “the extended licencing hours to 4am on those days at The Winchester have resulted in appalling noise from midnight through to 4am making sleeping impossible. This is caused by the clientele of that bar pouring out onto the street and seemingly drinking there, sitting on the window sills (designed for this purpose), shouting, fighting and generally making a nuisance.”

The resident alleged that the problems had got acutely more severe in the last couple of years.

The premises were subject to concerns about Crime and Disorder in 2015 by the police Licensing team, a meeting was held at the premises and subsequently, a minor variation was submitted on the 20th October 2015 to add a number of extra conditions around Crime and Disorder.

It is of significant concern to the Licensing Authority that these extra conditions, especially those relating to the CCTV, a dedicated smoking area, over 21's and re-entry policy are the conditions that the premises have been breaching.

The premises were invited into an Officer Panel on the 7th December 2017, following reports from Licensing Officers and Police that alcohol was being served before and after the permitted times on the premises licence, there had been assaults and lack of control at the premises.

Prior to the Officer Panel the licensing authority submitted an initial representation to support the review.

At the Officer Panel the licence holder's legal advisor refused to discuss the issues of concern, until full disclosure was given of all the Police and Park guard visits contained in a list that was presented to them.

The list of the most recent incidents included fighting and anti-social behaviour on the 30 September 2017 witness by Licensing officers and Park Guard after 01:00. There was no defined smoking area, and the licence holder and door supervisor had lost control of the premises.

Offices visited the premises again on 3rd October during the day to discuss these concerns.

On the 17th November 2017 the premises were forwarded an e-mail from a Police Superintendent about concerns regarding the Arsenal v Tottenham match day. The concerns were about early opening, not using glass and using door security.

Although staff read this e-mail, they not only failed to abide by the instructions, the premises actually sold alcohol in glasses to a group of risk football supporters from an hour and half before its permitted authorised hours. In addition, on investigation the premises were also serving after its permitted hours on the previous evening, with a number of sales made between 03:30 and 03:40.

The premises also failed to correct the time on the CCTV from end of October until the end of November. It should be noted that the this was only after multiple police and licensing visits.

The premises were visited on the 7 December 2017, a full 5 weeks after the review application was submitted and was still found breaching its licence.

Examples of these breaches included no challenge 25 signage, no contact details for the responsible person, glass was still being used on the premises after midnight and quite seriously the door security team appears to have never kept a refusal record in respect of the 21 and over conditions imposed by the minor variation.

When asked about training records or incident logs the duty manager was unable to show them to officers.

The designated premises supervisor and licence holder has never been witnessed on the premises during any late night visit, which is another very serious concern.

Licensing Policy Considerations

<i>Licensing Policies 1 & 2</i>	<i>Location, cumulative impact and saturation</i>
<i>Licensing Polices 5</i>	<i>Outside areas</i>
<i>Licensing Policies 7 & 8</i>	<i>Licensing Hours</i>
<i>Licensing Policies 9 & 10</i>	<i>Standards of management</i>
<i>Licensing Policy 13</i>	<i>Alcohol induced crime</i>
<i>Licensing Policies 18 & 21</i>	<i>Noise and dispersal</i>
<i>Licensing Policy 30</i>	<i>Review</i>

Issues of Concern

1. The premises are situated within the Angel & Upper Street Cumulative Impact Area (CIA).
2. The licensing hours (LP 7 and 8) for this premises are in excess of the guide hours for a bar style premises, as laid out within the in Council's Licensing Policy.

3. The Licensing Authority (LA) has concerns that the business has not been operating under the terms of the current premises licence and that it has not been well managed and has been generating licensing related complaints over the last six months.
4. The premises were advised prior to the review that we had received complaints and had concerns, yet they not only failed to address the issues, that actually appear to gotten worse.
5. The premises have been visited by Licensing Officers and the Police on a number of occasions. The management have failed to act on the advice or concerns.
6. Even though the premise is subject to a review application, they failed to improve the standards of management and have been found to have been seriously breaching the licence on a number of occasions.
7. When invited into the Council offices to discuss the concerns, they declined the opportunity to engage.

Recommendation

The Licensing Authority has serious concerns over the licensee's ability to effectively manage a late night premises of this type. The level of crime and disorder incidents linked to the venue over the last six months has been significant and there is little confidence that lessons have been learned. This is in spite of regular and detailed advice having been provided to the management.

The Licensing Committee is therefore asked to consider a reduction in the licensable hours authorised by this premises licence and the removal of the DPS, as an appropriate measure to promote the licensing objectives.

The proposed reduction in the licensable hours authorised by this premises licence are in line with Licensing Policy 8 and would be the hours for which public houses are licensed, with all licensable activities terminating at 11pm Sunday to Thursday and Friday and Saturday until midnight.

Licensing Manager

19 December 2017

terrie.lane@islington.gov.uk

020 7527 3233

Licensing notes

E-mail received 28/09/2017

Dear Lesley

I have lived in Islington for 43 years and 23 of those in Colebrooke Row and I think it is the most wonderful borough. However over the last few years Friday and Saturday nights have become a nightmare. The extended licencing hours to 4am on those days at The Winchester have resulted in appalling noise from midnight through to 4am making sleeping impossible. This is caused by the clientele of that bar pouring out onto the street and seemingly drinking there, sitting on the window cills (designed for this purpose), shouting, fighting and generally making a nuisance. They are all over the road, they urinate on doorsteps in Colebrooke Row (and worse), Uber cars pile up there causing more mayhem and this is all particularly bad in the part of Colebrooke Row leading from St Peter's Street to Essex Road. They then overflow down past me at [REDACTED], still shouting, occasionally fighting and sometimes screams from frightened girls which make me feel I should dial 999. There is an accident waiting to happen.

I have tried ringing the noise department at the Council but no reply and I am sure no one from the Council has been down there during these particular hours to witness this. One of my neighbours has given me a USB memory stick with extensive video evidence of this escalating problem. Should you wish to see this I will gladly bring it to the Town Hall for you.

There are several residents of Colebrooke Row who now want the licence of The Winchester revoked and we will be going to Martin Klute's surgery on October 4th to raise our concerns. But perhaps in the meantime you would be able to take the time to look at the video footage (dates and times given).

We would all be very grateful if you would take this matter seriously. We are not enjoying the quiet and peace to which we as residents are entitled to at night.

[REDACTED]

[REDACTED]

Reply Terrie Lane 28 – 09 -2017

Dear [REDACTED]

Thank you for your email which has been forwarded to the Licensing Team for response.

The premises will be visited by Licensing officers and we will speak to the management about the complaints from residents and monitor the premises for improvements. I will also task the Council's out of hours Nightsafe patrol team to visit the area at the times you indicate.

Anne Brothers has written to you regarding the Council's out of hours ASB teams' contact details.

If you or other residents wish to apply for a Review of the Premises Licence, the forms and guidance are available via the Islington Council website www.islington.gov.uk/business/licence-permits-registration/how-to-comment.

You would have to provide evidence to support the application which could include, photo's, video, noise diaries, calls and complaints to Council and Police.

The application must be made under one or some of the four licensing objectives, which are:

Preventing noise and nuisance, promoting public safety, preventing crime and disorder, and protecting children from harm.

Once the form is complete you can send the application by hand, post or email to this office and you must also give the licence holder, by hand or post, a copy of the review application within 24 hours of submitting the application to the Licensing team.

After Licensing receive the review application we will then advertise the review on the councils website, and place notices on lamp posts closest to the premises.

We notify all the responsible authorities – Police, Noise, Public Health, Trading Standards, Public Safety, Planning, Child Safeguarding team and Fire Brigade of the application. The local Ward Councillors are also notified. A period of 28 days is given for responses.

Any of the above can make a representation supporting the review application as well as other residents.

A Licensing Committee Hearing will be arranged approximately 2 months after the application is received, where you and all the other interested parties and the licence holders are invited to attend and speak.

The Committee could decide to revoke, suspend or add conditions to the licence, or remove activities, reduce operating hours or leave the licence as it is.

I hope this is helpful to you and please look at the website for further information, or call the licensing team on 0207 527 3031 between 1pm and 5pm Monday to Friday, or email licensing team on licensing@islington.gov.uk

Please contact me if you have any queries regarding this email.

Kind regards,

Terrie Lane

Licensing Manager

Visit – 01:23 - 30 September 2017

Simon Gallacher visit with Dan Whitton:

Large group congregated outside the venue on both elevations. Also 4 cars parked up and waiting, most likely UBER. Observed a group of males congregated in alleyway which serves as access to flats on the opposite side of the road (St Peter's Road). The males were moving freely from one side of the road to the other, mingling with people sat/stood outside the premises. A strong smell of cannabis was evident. We stood at the entrance to the venue and estimated that there were at least 30 people congregated outside. People were standing in the road at the junction of Peter's Street and Essex Road; the door supervisors were proactive in getting people off the road but did not appear to make attempts to clear people congregated on the pavement. We observed three people who were very intoxicated outside, including a male and female who were rolling on the pavement.

There were two door supervisors at the entrance. We spoke to one of the door supervisors, having introduced ourselves. We advised that they need to keep the pavement clear and there needs to be clearer demarcation between customers and non-customers. He said that they used to have barriers but the Council had told them that they had to be removed. We asked if the group of male congregated on Peter's Street were customers. He replied they were not but had been causing them problems. He said that they have definitely not been allowed in. We asked to speak to the manager.

We were joined by the GM who introduced himself as Marco. He appeared nervous and he explained that they had had a problem with the tills. He said that the tills had gone down, and as a consequence lots of people were now choosing to leave as they could not buy drinks. He said he had given himself an electric shock while trying to fix the problem and complained that his hand was sore. We advised that he should have it looked at. We explained our concerns regarding the outside of the premises and advised that they need to put some form of barriers in place. He reiterated what the door supervisor had told us about the group of males. He said there had been some form of fight the previous Friday. He said the police had driven past and the males had dispersed but then came back again. We said that he needs to do something to disperse them as the situation had the potential to escalate and it looked like more males were arriving. He said he was worried about reprisals if he called to police. We advised him to call Parkguard and suggested that if he did not take action he ran the risk of the group taking over the venue as they had done elsewhere previously. We informed him that we were in receipt of complaints from local residents and this was only likely to get worse unless he did something about the situation. He confirmed that the external CCTV cameras were all working. DW said he would speak to him again next Tuesday at Pubwatch. We repeated advice to call Parkguard and advised him to show his hand to their paramedic when they arrive. He agreed to do this.

Left vicinity at 01:50.

Meeting at premises – 14:30 - 3 October 2017

Dan Whitton notes

As arranged during my inspection on 30th September 2017 I attended the venue in association with Niall Forde to discuss with Marco, the General Manager, the issues in regards to customer management at the premises and recent resident complaints.

I reiterated what had been said to Marco during the inspection, that it was essential that his door team were effectively controlling their customers when using the external area to smoke. We suggested that a demarked designated area be used on the Essex Road side of the premises and customer numbers be limited after a certain hour, for instance 23:00. The area could be demarked by the use of a tape barrier, this would ensure that customers and non-customers were kept separated. Marco stated that a barrier had been arranged and would be used moving forward.

In regards to the specific issue concerning the problem group witnessed during my visit we advised that they should not hesitate in calling the Parkguard Team if a similar situation should arise and ensure that any such incidents are recorded with date, time and description.

We went on to discuss our concerns connected to what appeared to be a change in regards to a part of their customer base. We advised that when operating a late night venue in the area it is essential that the door team work with management and maintain a tight door policy and restrict entry accordingly, the door team must not work in isolation. We referenced recent disorder and compliance issues at other venues in the vicinity which culminated in enforcement action including a Review where hours and activities being restricted/removed. The core problems at these venues had developed as a result of door management failures and a refusal to accept that there was a problem. There are potential problem customers in the local area who move from venue to venue and take advantage where management and compliance issues exist.

We also reminded Marco of their responsibilities in relation to customer care and the high levels of intoxication that had been witnessed on the 30th Sep.

Visit: 00:31 - 11 November 2017

Notes Niall Forde

On licensing visits with Katie Tomashevski

Drove back past premises to look at St Peter Street and check the camera position as a result of review made by resident.

No customers on St Peter Street. We noticed the camera, the camera was positioned in the tree of a residential property. The camera did not appear to be covering any residential property but looked to be pointing directly the public highway and the Winchester licensed premises. Made a note in my note book, to advise resident that

it would be breach of data protection and to look at guidance themselves and to consider taking it down.

16 November 2017

Notes Niall Forde

Attended a pre match meeting at Arsenal in respect of the lunch time Tottenham match. Super independent Mike Hill requested that we e-mail all the pubs on the Borough and in the neighbouring Borough of Camden as Intelligence suggested that football supporter risk groups would look to visit pubs and bars in the Upper Street and Angel area to consume alcohol prior to the match.

16 November 2017

E-mail forwarded to premises by Angel Aim team

Dear licensing premises and representatives

Please see e-mail from Super Intendent Mike Hill the match commander in respect of this Saturday's Arsenal v Tottenham match at 12:30, after a meeting today at the stadium.

The Police and Islington Licensing Authority have concerns in relation to the supply of alcohol to football fans prior to the match, specifically the Tottenham away support. As a result we are requesting that any premises open for the sale of alcohol in the Kings Cross, Holborn and Angel area do not do so until 10am.

The Police have also requested that any pubs likely to have a significant number of football fans prior to and/or after the match use plastic only, see below message.

We have information to suggest that the below pubs will be likely used by Tottenham fans before and/or after the match:

- The Shakespeare in Holborn;
- O'Neills in King's Cross; and
- The Vineyard on Upper Street.

I have also copied Mark at Angel Aim to forward to all our premises in the Angel area, and representatives of Mitchell's and Butlers, Wetherspoons, and Stonegate pubs who have a number of premises that may be effected on this day.

This message has already been forwarded to the 55 pubs in the vicinity of the stadium.

Regards

Niall Forde

Licensing Officer

18 November 2018

Notes of Niall Forde

Arsenal v Tottenham match day.

Spoke to Pc Tony Delamo from the Central Football Unit he reports that Tottenham risk supporters had been drinking in the Winchester and had to be escorted up Upper Street causing disorder and disturbance at Highbury Corner roundabout.

22 November 2017

Notes of Niall Forde

Visited the premises with Pc Loizoi and Pc Peace from the Police licensing team.

We visited was to speak to venue in respect of CCTV requested by the Police.

We spoke to Marco Russo. I asked about what time the premises opened on the previous Saturday morning.

I had forwarded an e-mail to the Angel Pub Watch to request that premises didn't open before 10am, even if they were legally able to, and also to use plastic due to the likelihood of Angel being the destination of choice for Tottenham supporters before the match. Marco immediately said he hadn't received the e-mail. In the process of him checking the emails with us, PC Peace noticed that the e-mail was actually in the premises e-mail mail box and had been read on Friday afternoon.

As the Police Football team had advised us that the Tottenham risk group had drunk in the Winchester prior to match and had to be marched up Upper Street before being involved in disruption at Highbury corner roundabout. We asked Marco to show us the CCTV from the morning of the match. We noted that CCTV system was not showing the correct time, it was an hour slow.

Marco showed us the CCTV and the premises started to get customers at around 08:25, 09:25 given that the time was wrong, that morning. The footage showed males entering the premises. They appeared to be male football supporters. They then proceeded to order what looked to be alcoholic drinks.

Those initial fans that had gained entry looked to be advising others by mobile that they'd found a bar that was selling alcohol. This would make sense as all other premises in the local area had followed the advice given by the Police and remained closed until 10:00.

I asked Marco what his permitted hours for commencement of the sale alcohol were, he confirmed he was aware it was 11am.

We asked to see the till roll, PC Peace asked for a copy of the till roll. The only way they could print the till roll was to give us the full 24 hours, which was provided to us. The till roll ran from midnight on the 18th November 2017 straight through.

This till not only showed sales of alcohol from before 930am, it also showed sales after 0330 in the morning the previous evening. They were approximately 45 sales out of hours between 03:30 - 11:00

I expressed to Marco that this was another example of poor management at the premises.

24 November 2017

Notes of Niall Forde

Received an e-mail from Gail at the Winchester, she asked if they could come in for a meeting. Forwarded it to Terrie as they were being invited into panel. I briefly spoke to Gail on the telephone to say they would be contacted by Terrie directly.

26 November 2017

Notes of Niall Forde

Arrived at 03:37, with Dan Whitton and PC Loizou

Two door supervisors on the doors of the premises.

I asked how many people were inside I was advised there were 27 in premises.

I was told there were 5 D/S on duty.

Alex Birch and Mohammed Miah was on the duty manager, we asked to check CCTV as it was an hour out when we last visited on the 22nd November.

Alex had a cigarette in his hand and he made it quite clear he wasn't interested in helping us and wanted to leave to go and smoke.

We walked around premises there were at least 40 people in the basement, and 15 people on ground floor so clicker counting system wasn't working.

We asked the door team when they started using clickers one advised they started at 10pm, the other D/S said 8pm. So inconsistent management.

CCTV system now working correctly, and had correct time.

Drove past on way home 3 people waiting for a taxi.

4 December 2017

Notes of Niall Forde

Visited with Pc Loizou. The reason for the visit was because the CCTV requested by the Police wouldn't play. Anne Brothers from the Council's Noise team also attended. Costa the owner and DPS was on the premises, as was Gail and Marco.

I asked if they had plastic/poly carb drinking vessels as per their licence conditions, these were shown to me.

Anne wanted to check the speaker system.

I spoke briefly to Costa about the upcoming Licensing Officer Panel, I said the review was very serious and that he should get legal advice.

I said I couldn't discuss the panel, but that he should use it as an opportunity to bring staff training and procedures to show the panel how he runs the premises, especially improvements that may have been made since review.

7 December office panel notes attached separately

7 December 2017.

Notes of Carol Jones

On licensing visits with Niall Forde at 23:45 on We parked on residential street close to the premises, to monitor external area of the premises, and side of the premises. No actual issues were witnessed whilst monitoring was taking place.

We entered the premises just after midnight. There is a licence condition which requires a personal licence holder to be on the present on the premises. We asked Duty manager to show us his personal licence and a copy of any incident log / book for the site. The Duty Manger gave us his personal licence issued by Newham Council, licence number 15/01344/LAPER in the name of Mohammad Miah.

We witnessed that a member of staff behind the bar on the ground floor served one person with a shot glass at 00:05.

The incident log essentially comprised of two pieces of paper, one a record from 14.01.17. The Door Team then showed us two records from 28/10/2017 and the 10/11/2017. The second incident was for the time that the CCTV was requested from the Police.

There was no refusal log available at the premises. There were no challenge 25 signs on display at the premises. NF asked MM what records they have for people coming into the premises, they said they used clickers to control numbers, but no record was kept as to whether people were refused entry. Note: the premises have to operate a 21 and over 21 policies in the evening. MM could show us no record of refusals for 21 plus, which is a breach of the premises licence. MM confirmed that the premises was open until 2AM that night.

There was no contact information for the person in charge displayed at the premises, as per condition 7 of licence.

Persons were still consuming wine in a glass bottle after 12am, as the remains of the bottle had not been decanted, but should have been under the provisions of the premises licence conditions.

The premises licence conditions state that all polycarbonate will be used after 12am, on weekends they confirmed that they used polycarbonate after 11pm. I asked duty manager what staff training he had received, he said he had received some on induction, but none since. There were no staff training records available at the premises for officers to inspect.

Officers felt that the whole record keeping at the premises was very poor.

It surprised NF that a premises being reviewed, would be witnessed breaching any of its licence conditions. Ideally, all premises should comply with all of the premises licence conditions at all times, however, a premises in the process of a review should have been looking even more closely at the premises licence conditions and the reasons for review, especially knowing that the premises would be more closely monitored by the Licensing Team.

Notes of Niall Forde 11 January 2018

Visited with Pc Loizou. The licence holder requested a visit from the Police to discuss their representation in response to the Review application.

The licence holder said he was willing to agree to most of the conditions, he wouldn't agree to a restriction on hours, and didn't want to change the security company, as one of the members for staff had been with him for the twelve years.

Pc Loizou said the door supervisor familiarly with the customers could be the cause of lots of the issues, they were too familiar with the customers and this resulted in the wrong people being let in.

Costa said he thought there hadn't been any issues in December. I advised that i was aware of a couple of Park Guard reports over Christmas in relation to visits to the premises (see copied below).

Costa said he would then accept four of the proposed Police conditions.

I asked Costa what he had done in respect of the Review hearing scheduled for the 16th January. He said that he hadn't done anything and that his legal advisor was away on leave until 15th January.

I said it was highly unusual that he hadn't written a statement or even tried to approach the residents or addressed their concerns. I advised that if the solicitor asked for an adjournment on the 15th January it was likely to be rejected as they have had over two months to prepare for the review.

I asked if he had any written documents, training records or procedures, especially around management of the outside area and dispersal, he said he didn't.

I advised that was surprised that he didn't have an incident book on the door especially recording refusal around the over 21 condition. He said he would get one for Friday. I asked if he knew another operator that had been reviewed, as the lack of documentation was surprising given that it was very normal, in these circumstances, to have prepared and presented documentation to defend the licence by this stage. We left at 15:45

Other Officer observations. 16 January 2017

Fire Brigade

We received a copy of an enforcement notice from the Fire department to the notice gave the premises until April to remedy issues under the Fire Regulatory Reform Order.

EHO

I was also advised by the Environment Health Team that premises were voluntary closed for 11 days from the 9th March until the 20th March 2017 due a serious pest infestation.

Finance

We were informed by the premises had been issued with a suspension notice for non-payment of annual fees.

Licence fee were paid on the 17th January 2017

Park Guard Reports

The Winchester Public House 2 Essex Road N1

SUMMARY OF REPORTS

2701174/17 – GBH

CAD 1898/15JAN17

On Sunday 15th January 2017 at 0330 hours the victim went into the basement toilet and spoke to his friend. A male who was there interjected in the conversation and said to the friend "Why are you talking to him? Hes a faggot" (referring to the victim). The victim left the toilet and informed door staff. Five members of door staff approached the male who had called the victim a faggot. Door staff escorted the suspect from venue. Whilst the male was being escorted off the premises he walked passed the victim and lent towards him and punched him with his right fist on the lip.

Police attended the venue at 1015hrs 15/01/2017 were shown a written report made by door staff stating a male had be ejected from the venue for being aggressive and accidentally hitting another customer on the way out. The report appeared to have been altered with the word "accidentally" added.

There are 2 cameras covering the basement however they were obscured with people during the time of incident. There is one camera covering the front door of the venue showing the suspect being escorted out not dragged out.

Venue response: Ms BLACHUTA told police officer she wasn't present at the time of the incident but her head of security, Mr Muhammed HAUTI dealt with the suspect escorting him out of the venue and that he told her that the suspect was flinging his arms about as he was being escorted out and must have accidentally hit

CCTV viewed by police at 04:28:20 – Suspect can been seen inside the venue walking towards the entrance/exit. The suspect is being escorted by security and is forcibly ejected out of the venue.

Outcome suspect image circulated.

2703603/17 – ABH

CAD 587/12FEB17

On Sunday 12th February at 0100 hours the victim who is a doorman at the venue stated that he was at work on the door with his colleague when he was called inside to try and deal with an unruly customer, this male was part of a larger group of approximately 10-15 people.

The victim approached the male and tried to converse with him about what was going on but due to the noise asked the male to accompany him upstairs so that they could talk. When upstairs, in the front entrance area of the venue the victim said to the male that he would get the manager to speak with him and at that point the male just head butted him. The male's friends then came up and a large disturbance took place. The group ran off.

The victim sustained a large swollen bruise above his right eye.

On 21/02/17 A second member of door staff attended the police station and stated that he also had been assaulted that night by the same group of males.

Outcome: Suspect images circulated.

2719206/17 – GBH

CAD1791/16JUL17

On Sunday 16th July 2017 at 0345 hours was drinking inside the venue when he dropped a glass causing it to shatter on the floor. An unknown male was standing next to him and pushed him lightly on his forehead. The pair had a verbal altercation. The door supervisor witnessed the incident and removed the victim from the venue.

Whilst outside, the victim was punched by the male who he had argued with inside the venue. The victim sustained a swollen lip and small superficial cut to the inside of his lip and a gaze to his knuckles.

A door supervisor and the bar manager informed police the reason why they removed the victim from the venue was because he was seen to be spitting and fighting.

Outcome: CCTV was viewed which is too dark to distinguish identities of patrons in the pub and crime was closed.

2719883/17 Criminal Damage

CAD1164/22JUL17

On Saturday 22nd July 2017 at 0240hrs the suspect male was ejected from the public house by door supervisors after becoming drunk and abusive to staff. The male left the location but returned and is believed to have kicked the front window and cracked it.

Outcome: The claimant did not wish to pursue allegation.

2730922/17 GBH

CAD 992/11OCT17

CAD 992 call to police from the door staff at the WINCHESTER PUB at 02:54am.

Informant stating there was a fight at the location, that the suspect had run away and the victim was injured but outside with friends,

Police arrived and found a male covered in blood which was coming from a very large open laceration, 10 cm approximately in length running from the left hand temple to his lower jaw. This wound was a very clean cut, and was approximately 3-4cm deep in places, had separated cleanly and was approximately 2cm wide where the skin had been sliced.

The incident location was the basement club area of the WINCHESTER PUB. Door staff witnessed to males in heated conversation. This turned physical resulting in one of the males being assaulted. CCTV has been described as being of poor quality and possibly not suitable for identification purposes it is (black and white and grainy) The time on the CCTV is 1 hour fast. so 230am is shown as 330am on the CCTV.

2731741/17 GBH

S/Race GBH/Wound

CAD: 200/19NOV17

On Sunday 19th November 2017 parkguard officers received a call at approximately 0005 hours from THE WINCHESTER Public House. The call related to a male, who threatened the door supervisors at the location

The parkguard officers attended the location saw and heard the Suspect being abusive towards door staff. The door staff told the Patrol Officers that they refused entry to Suspect as he appeared to be intoxicated and violent. The Suspect then became abusive towards them and said to something along the lines of 'I will burn the place down and will stab you. Go back to Albania.'

The suspect started walking away and the officers followed the Suspect, who made his way to THE FOX ON THE GREEN Public House.

Suspect walked into THE FOX ON THE GREEN and at this point the parkguard officers made the Security Guards aware what suspect did at The Winchester. Staff at the venue requested the Suspect to leave. Suspect went outside the venue and spoke to the parkguard officers.

After a brief conversation the suspect lashed out at the officers and he was restrained and police arrived and arrested suspect.

Outcome: Suspect was charged for the offences of ABH and S4 Racial POA.

16 Dec 2017

The Winchester 03:32

Quantity of drugs found, irate male left after a while

We attended this location as tasked and upon our arrival we saw the premises to be quiet with only a few customers outside at this time. We completed a mobile patrol of the surrounding environs with nothing untoward noted and door staff acknowledged our presence. We parked up to monitor the premises and went to liaise with door staff. As we approached the premises PO226 has found a deal bag, containing a quantity of cannabis approximately 5 metres from the smoking area of the premises. Another smaller empty deal bag was also found directly outside the main entrance to the premises. We began to liaise with door staff and as we did so a taxi has pulled up outside from which two males alighted. One of the males moved quickly and entered the premises without challenge from the door staff. We monitored both males concerned by the suspicious circumstances. The male that had remained outside challenged PO226 stating "WHAT ARE YOU LOOKING AT MY LITTLE COUSIN FOR" to which she replied in a professional manner. The male continued to challenge PO226 but walked off once he was ignored due to his attitude. The male was wearing a red jacket with a white fur lining and had a large scar on his right cheek. The male that had entered THE WINCHESTER exited with a female who didn't appear to be in distress and the female left with the two males. The venue was now closing and approximately 40 patrons were ushered out by door staff and were dispersed without issue.

29 Dec 2017 (21:00 - 07:00)

The Winchester

02:19 Venue not very busy. Liaised with door staff, who reported no issues. Male refused entry but remained outside talking. No further issues.

This location is tasked by the Council for recent noise complaints. On our arrival the venue was not overly busy. There were a few people in the smoking area, who were talking but not making excessive noise. We liaised with the door staff, who had no issues to report. We monitored the venue and did not see anyone enter. We saw people leaving, who did not appear to be overly intoxicated. We noticed a male trying to gain entry to the venue. He got inside the front door and then was walked out with a doorman. They were looking at our van and the male did not leave the area; he stood inside the smoking area talking with females. The male arrived in vehicle, I1. The male remained in the smoking area for a while; wearing only a white t-shirt and jeans. 02:39

The Winchester 29 Dec 2017 02:50

Carried out welfare check on female, who was seen vomiting. She was with friends and we waiting until their taxi arrived. No further issues.

We saw a female being sick on ESSEX ROAD, outside number 11. We conducted a welfare check and offered her some water and tissue. She had two friends with her, who were both intoxicated. We asked where they had been drinking and they said THE WINCHESTER. We asked how they were getting home and they said they had ordered an UBER. We waited until the UBER was nearby and they thanked us for our assistance. 03:11

Mr Constantin Tofan
Beronmoor Limited
Alpha House
176a High Street
Barnet
Hertfordshire
EN5 5SZ

This matter is being dealt with by:

Terrie Lane

15 December 2017

Licensing Team
Public Protection Division
222 Upper Street
London
N1 1XR

T 020 7527 3031
F 020 7527 3430
E licensing@islington.gov.uk
W www.islington.gov.uk

Our ref: PPD/LIC/PANEL
Your ref:

Dear Sir,

LICENSING OFFICER PANEL 7 December 2017

RE: THE WINCHESTER 2 ESSEX ROAD LONDON N1 8LN

Thank you for attending the Officer Panel meeting on 7 December 2017. You attended with your legal representative Mr David Dadds and met with Janice Gibbons Service Manager, PC's Petros Loizou and Adam Peace and Terrie Lane Licensing Manager.

The meeting was organised on an informal basis to discuss incidents and assaults at the premises and operating outside of licensing hours.

Your legal advisor requested that the discussion be deferred to a later date to enable him to provide you with legal advice. You confirmed that you agreed with your legal advisor's request and declined the informal discussion with the Licensing Officer Panel on 7 December 2017.

The Police provided you with a schedule listing their issues of concerns and suggested recommendations which they intended to discuss with you at the Licensing Officer Panel meeting

The notes of the meeting taken by PA Tia Sotiriou are attached.

The Licensing Officer has already spoke to you and your manager regarding the Licensing Authority's issues of concern.

The Licence Review application that has been called by a local resident, will be determined by the Licensing Committee on 16 January 2018.

You will receive copies of all the representations with the letter notifying you of the Review hearing in due course.

Yours faithfully,

Terrie Lane
Licensing Manager

Notes of Licensing Panel

7th December 2017
Room 1A, 222 Upper Street

Present

LBi: Janice Gibbons for Jan Hart
Terrie Lane
Tia Sotiriou (note-taker)

Met Police: PC Adam Peace
PC Petros Loizou
Sgt Eddie Joseph (part)

The Winchester, 2 Essex Road, David Dadds (DD), Legal Advisor, Constantin Tofan (CC) (DPS)

The LBi officers introduced themselves.

DD: Do you agree we should have a fair opportunity to be heard today and have the right to have the information to prepare ourselves.

JG: This is an informal meeting

DD: Is it being recorded?

JG: Yes.

DD: Then it is not informal as you are recording information today and can that be used against the premises at any possible future hearing.

JG: If there is an outcome as a result of today then that will be recorded today.

DD: We want to work with the police and the council. I have acted for this group for a number of years and I want to make sure I can give them some advice and if we're following the police directive route map then there should be a sharing format and I haven't been afforded enough opportunity to discuss with the client thoroughly or his staff as these are matters relating back to almost a year. Then we can develop an action plan. The next position is that because there is an ongoing review, I have asked for the representations twice and still not received the information. In my email I had conversations with Monty and made it quite clear that because it only just happened this week that we delay this meeting. Obviously if you are recording today that could feed into a review. If you are saying, we are having an informal meeting we can try and make some headway. My client is very keen to work with you but we have to make sure that if this is informal with a route map then we need more time. I visited the premises this morning and I am trying to prepare but I don't have the reps or the review. TL you seem very fair and reasonable and I want to be positive.

JG: Your review is regarding issues from a local resident that we are not going to discuss today.

DD: Has anyone else joined that?

TL: Yes, other people have joined.

DD: I haven't had site of the information and can I suggest we reconvene.

JG: What confidence do we have that there won't be any further incidents between now and the next session.

DD: The matter on the 19th related to us refusing entry and was dealt with correctly. Any steps you want to take formally now you can issue a closure, which you aren't going to do (bangs the table). If you want to have a fair meeting, then my view is that I have asked for this to be adjourned. We have put steps in place but I want to hear what the licensing officers have said and what the police have said. This is not a fair hearing. It is unfair to be ambushed this way.

AP: That is a very negative word and we have some very basic requests and recommendations on the back of the sheet you have been provided with and we are not looking to ambush anybody.

DD: I understand that and I want to work with the police but I only received this document yesterday. There is someone typing away and taking notes and I would like this adjourned for another week.

AP: The review is a separate matter from this. We just want to have an informal meeting on what steps the premises wants to take.

DD: Ok it can be recorded and I am asking for this meeting to be rescheduled so I can read the documents and give a full response. We are being dripped information. I have only just had your recommendations on substantial reductions now, we haven't received the other documents from you. We want to promote the licensing objective. The last matter on the 19th was a refusal of entry.

AP: You are even refusing to discuss this as a two-way meeting, why don't you address the ladies.

DD: I, as your legal advisor, am asking for an adjournment for a week. Is that possible?

PL: I attended the premises in question two weeks ago on a Saturday night and the door staff couldn't tell me how many people they allowed in and I found that quite alarming.

JG: You are being very defensive and the disappointment is that you have asked for information and this session is where we can give you that.

DD: If it's off the record I am happy to discuss.

JG: It is an informal record.

DD: We have human rights; we need the documents disclosed to give us enough time to prepare.

JG: We are not forcing you at this meeting to adopt the solutions that the police have been clear about in the documentation prepared. We advise you to take the information away and absorb it and make your decisions.

DD: We just want to defer so we can go away and look at these suggestions. The police directive route map says we will meet, we will talk and agree a way forward.

AP: You are upset that there is a woman sitting taking notes and we have invited you in to have a two-way discussion but you are upset about the laptop.

DD: We are here voluntarily and a two-way conversation means we have to be afforded the opportunity to know what we are coming for, for what we are going to discuss. I have asked for an adjournment of a week which has been denied.

JG: No it hasn't.

DD: Please can we follow those good practices to afford us the time to come back to discuss properly.

AP: CC, do you want to speak to us or take his advice?

CC: I want to be able to listen to what you have to say.

DD: CC, do you want to close at 2am?

CC: I just want to listen what you are advising me.

DD: Can I have a minute with my client?

AP: Yes of course.

DD: If the police or council give you advice you have not received before, then they need to give you appropriate time to absorb the information. This is not a fair hearing and I advise the company to adjourn for a week.

AP: We are not here to hold anything against you.

JG: If you, CC, don't feel you are ready to have the conversation with us today then that is your decision.

DD: Lets have this conversation outside so they don't record it.

AP: We will have a two-way discussion with our views on what we would like to see happen to stop any further incidents occurring.

DD: Do we have a rough idea of when we can meet again. Would it be next week?

JG: We cannot comment on that.

AP: We could come to your site and give advice.

DD: CC, if the police, as a public authority, want to go directly to you without your legal representative been there it is entirely up to you. It won't be recorded, maybe in their notebook, but they know I have advised today that you should be properly informed of all the information beforehand.

JG: It isn't that we are not willing to confirm a date, but more that we don't know what our commitments are.

DD: I will write to you formally. CC wants to work with the police.

TL: Are you the sole director?

CC: Yes.

DD: That information will be on Companies House.

DD: Do you have the representations?

TL: No. There are a lot of them.

JG: We won't be dealing with the representations at the panel hearing.

DD: My advice is that we want to engage with you in accordance with the local government association and the police directive route map. Unfortunately, because you haven't disclosed the information in time this meeting is not fair and we will come back at a later date.

JG ended the Licensing Panel meeting as requested by DD, on behalf of CC.

**Islington Licensing Authority
Licensing Act 2003**

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority Environmental Protection

Your Name	Anne Brothers	
Job Title	Noise Liaison Officer	
Postal and email address	222 Upper Street, London N1 1XR anne.brothers@islington.gov.uk	
Contact telephone number	020 7527 3047	
Name of the premises you are making a representation about	The Winchester	
Address of the premises you are making a representation about	2 Essex Road, London N1 8LN	
Which of the four licensing Objectives does your representation relate to?	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
To prevent public nuisance	Yes	Pollution team has had previous contact with the Winchester as a result of proactive interventions in relation to customer noise outside and the volume of music inside. See attached documents.
Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	See attached sheet in relation to past correspondence, details of call outs, recent findings and recommended conditions in relation to the control of amplified sound and recommended conditions in relation to the control of customers outside the premises and dispersal.	

Signed: Anne Brothers

Date: 30 November 2017

Please return this form along with any additional sheets to: Licensing Support Team, Public Protection, 222 Upper Street, London N1 1XR or email to licensing@islington.gov.uk

This form must be returned within the Statutory Period. For more details please check with the Licensing Support Team on 020 7527 3031

Noise issues at the Winchester, 2 Essex Road

Someone from the premises contacted me week commencing 6 November (2017) to inform me they had an issue with their noise limiter, they wanted details of anyone who could attend to recalibrate the limiter. I suggested a couple of acoustic consultants that work locally for them to contact to carry out the works. I told them it was an absolute requirement by condition on the premises licence that sound levels should be controlled by a noise limiter and they should get the limiter fixed by the weekend.

I visited the premises on Friday 10 November in the evening and measured sound levels as follows:

Winchester GF

Ref	Linear	"A"	125 Hz	63 Hz
1 (20:53)	90.9	87.3	80.5	82.2
2 (20:54)	94.0	90.0	87.4	82.2
Agreed max	90	84	88	74

- These measurements exceeded on the Linear, "A" weighted value and at 63 Hz frequency. I did not elevate sound levels any further to measure the maximums achievable as customers were present.

Winchester BF

Ref	Linear	"A"	125 Hz	63 Hz
4 (20:59)	93.4	88.6	83.2	81.1
Agreed max	99.5	95	96	87

- Bass output not present on BF for some reason. DJ monitor speakers not connected, therefore the measurements on the basement level do not represent the maximum achievable.

The limiter had not been recalibrated by the weekend as instructed.

I left a card at the premises and asked for the licensee to contact me to discuss sound levels and the requirement for adequate limitation of the volume of amplified sound at the premises.

The relevant noise conditions on the premises licence in relation to sound output are as follows:

- The Licensee shall ensure that at all times that this licence is in operation, all amplified sound and music is subject to the control of an entertainment noise control system set to music noise levels approved by and in conjunction with the Council's Noise team.
- The entertainment noise control system is to be calibrated and maintained at settings that restrict all amplified sound played at the premises at or below the levels when measured at specified monitoring points as follows:
 - a. Ground Floor
 - b. Measurements taken at a height of 1.5m, facing the DJ booth at 2m distance and 2m from the kitchen in the rear area of the bar.
 - c. 90 dB (Lin) Leq (1 min);
 - d. 84 dB (A) Leq (1 min);
 - e. 74 dB at the 63 Hz Octave Band (1 min); and
 - f. 88 dB at the 125 Hz Octave Band (1 min).
 - g. Basement

- h. Measurements taken at a height of 1.5 m, facing the rear wall, with back to the DJ booth at 2m from the booth at equal distances from the pillar and the right hand side wall.
 - i. 99.5 (Lin) Leq (1 min);
 - j. 95 dB (A) Leq (1 min);
 - k. 87 dB at the 63 Hz Octave Band (1 min); and
 - l. 96 dB at the 125 Hz Octave Band (1 min)
- If there are any changes in the distribution and type of loudspeakers or amplification equipment serving the sound system, then the noise control system shall be recalibrated so the music noise levels specified above are not exceeded. The calibration certificate shall be forwarded to the Council's Licensing Team.
 - The entertainment noise control system shall be regularly monitored, checked and its calibration adjusted as necessary so the music noise levels approved by the Council above are not exceeded. On receipt of a noise complaint, independently substantiated by an Islington Council noise off, a calibration certificate from an acoustic consultant shall be submitted detailing the following:
 - a. confirmation that the entertainment noise control system is operating correctly so that the music noise levels above are not being exceeded; and
 - b. the components and make-up of the sound system under the control of the entertainment noise control system.

Note: There was a requirement to recalibrate the sound systems annually. This was changed as part of a minor variation application in January 2013. The most recent calibration certificate we have is dated December 2011 (copy attached).

I visited the premises again in the afternoon on 23 November and took the following noise measurements:

GF

Ref	Linear	"A"	125 Hz	63 Hz
1	95.6	88.1	88.7	85.1
2	94.3	86.2	87.8	86.0
3	94.9	88.0	88.2	85.7
5 (after reduction in volume)	89.1	81.3	80.5	83.3
Agreed max	90	84	88	74

- This time I elevated levels to a higher volume, the Linear and the 63 Hz frequency was exceeded. The measurements on the ground floor still exceeded the agreed maximum sound levels on the 63 Hz measurement, even when the volume was reduced to the maximum levels that the staff said they would play the music at.

BF

Ref	Linear	"A"	125 Hz	63 Hz
10	88.7	83.1	72.9	70.7
11	88.0	81.8	77.1	67.2
Agreed max	99.5	95	96	87

- Again, the DJ monitor speakers were not in use, so these measurements do not represent the maximum levels achievable.

The limiter had still not been recalibrated as instructed.

While I was at the premises on 23 November, the staff called the licensee to inform him I was there. While still at the premises a call was received for me on their landline from an acoustic consultant known to me who told me he would visit that night to replace the limiter as the old one was damaged beyond repair. He had visited recently in response to my visit earlier in November. I left cards for both the licensee and the acoustic consultant to contact me the following day.

I was contacted again in the office on 24 November and the acoustic consultant informed me he had installed a new limiter. I sent him our required information for a calibration certificate and other information.

At time of writing the new calibration certificate is now pending.

The licensee Mr Tofan also contacted me to inform me that works to restore a working limiter at the premises had now been carried out.

Relevant conditions in relation to the supervision of customers outside.

The original premises licence granted in 2007 stated:

- The licensee shall provide two Registered Door Supervisors to patrol outside the premises to minimise the impact of patrons arriving and departing and to collect litter attributable to the premises.

This condition was changed by way of a minor variation application in January 2013 in agreement with the Police and was replaced with the following condition in relation to door supervisors:

- On Thursday, Friday & Saturday SIA registered door staff are to be employed at the premises from 21:00hrs until 30 minutes after the premises closes at the ratio of, at least, 1 door supervisor to every 100 customers. At any other time when a DJ and/or live music is provided, door supervisors shall be employed 30 minutes before the beginning of the event until closing time at a ratio of, at least 1:100. The door supervisor/s shall also be responsible for ensuring the vicinity of the premises is clear of litter attributable to the premises.

As part of the minor variation consultation Eryka Bancroft in Noise Team agreed to relax the requirement for an annual calibration of the noise limiter and also put forward the following suggestion for a new condition in relation to door supervisors but this must have been rejected as it did not appear on the amended premises licence.

'In addition, the Licensee shall provide two SIA Registered Door Supervisors to patrol the outside of the premises from 30 minutes before until 30 minutes after the premises closes to minimise the impact of customers and to collect litter attributable to the premises at times when specially advertised events are scheduled or a Temporary Event Notice is applied for.'

I attach a copy of the e mail sent by Eryka Bancroft to licensing regarding this.:

Correspondence

I attach a copy of correspondence in relation to the likelihood of public nuisance from customers leaving at closing time dated 1 November 2013. Enclosed as attachments to that letter were some notes I used at a pubwatch meeting (that a representative from the Winchester did not attend) and a copy of a previous noise warning letter dated February 2012 in relation to customer noise outside and sound levels inside. In that letter I requested a new calibration certificate as the sound system was operating at levels above the maximums quoted on the premises licence.

Complaints

Calls to the noise service about the Winchester have been few and far between The table below lists all calls received since July 2016.

Date/Time	Details	Outcome
9/7/16, 02:53 Anon caller	Patrons of the Winchester (2 Essex road). Being loud and rowdy outside	VstE 0331hrs no patrons outside making noise. The music was however audible on street. I requested to speak to the manager. Whilst I waited the music was lowered. I told the door supervisor that as the music was now down I didn't need to see the manager.
30/3/17. Daytime enquiry	Enquiry from an independent acoustic consultant appointed by a local resident in connection with sound testing and remedying an issue that has not been reported to us.	Extract from e mail received: "Please note we are looking to satisfy all parties without making a complaint or formally involving the council at this stage." 30/3/17 E mail sent to the acoustic consultant, attached a copy of the premises licence summary and all conditions as requested.
28/8/17, 17:46	theres is a pub in the corner called Winchester that become a club during the weekends. It closes at 4 a.m. and it's impossible to sleep because of the noise. Every Friday and Saturday there are groups of people drinking, screaming, having fights on the street without any control from the security from the club.	Telem at 17:50 - aplm - vste at 19:11 - made assessment from outside the given location. The premises was open no noise witnessed or any one seen outside. Referred to Licensing
26/9/17 Daytime referral	Main issue is noise from people outside - Licensing matter but resident states she has tried calling Noise Service but got no reply.	Advisory e mail sent to the resident, cc'd to TLA and LNO. Details of out of hours service including on line reporting facility

Pollution Team recommends the following additional conditions should be placed on the premises licence for the Winchester P.H.

- The controls for the entertainment noise control system shall be located in a secure, lockable cupboard or similar location. The entertainment noise control system is to be independent of control by persons other than the licensee. Access to the entertainment noise control system is to be restricted to the Licensee or a designated manager.
- The entertainment noise control system shall be monitored, checked and calibrated annually when the annual fees are due, so that the levels approved by the Council, are not exceeded. The calibration certificate shall be forwarded to the Licensing team
- In the event of a noise complaint in relation to amplified sound that is substantiated by authorised officers, the licensee shall reduce all levels of amplified sound until such works are carried out to contain sound and re-assess sound levels at the premises to the satisfaction of the Pollution Team.
- The seating to the flank elevation recessed windows in St Peters Street shall be removed and the window ledges shall be rendered so they are not useable as seating.

- There shall be a designated smoking area at the front of the premises on Essex Road. No customers who wish to smoke shall be directed to St Peters Street.
- On Thursday, Friday and Saturday, SIA registered door staff are to be employed at the premises from 21:00 hrs until 30 minutes after the premises closes or until all customers have left the vicinity at a ratio of at least one door supervisor to every 50 customers.
- At any other time when a DJ and/or live music is provided, SIA registered door supervisors shall be employed 30 minutes before the beginning of the event until 30 minutes past closing time or until all customers have left the vicinity at a ratio of 1:50 customers.
- At least two door supervisors shall be stationed outside the premises during peak periods of trade (as above) to supervise any customers using the designated smoking area and to ensure customers do not gather in St Peters Street, Colebrook Row or other surrounding streets.
- The door supervisors shall also be responsible for ensuring the premises is clear of any litter attributable to the premises including smoking litter.
- The licensee shall adopt a closing down plan as recommended by the Pollution Team.

Notes (for information only)

Calibration certificate requirements

Date of calibration.
 Make and model of the limiter installed.
 Make and model of amplifier/sound distribution system.
 Serial number of the limiter.
 Location of the limiter and floor plan showing location of speakers.
 Specified maximum sound levels with one minute Leqs at the Linear, "A" weighted, 63 and 125 Hz frequencies.
 Details of the measurement point.
 Details of the security arrangements for the limiter and other components.
 Details of the sound level meter used during recalibration.
 Calibration details for the sound level meter used.
 Name and contact details of acoustician.

Closing Down Procedure

1. Reduce the volume of music for the last half hour prior to the bar closing; this can be done gradually so that by the time the bar closes, the music volume is reduced to background levels.
2. Slow the tempo of the music played out during the last half hour.
3. From the time the bar closes for sales and drinking-up time ends, the lighting should be gradually increased so that by the time the drinking-up is over, the lighting has been brought up to full beam. You can continue playing out music at background levels while people are drinking-up.
DO NOT keep the music going at loud levels and then just put the lights up to full beam. This is not conducive to a quiet and calm dispersal of customers from the premises as required.
4. As people begin to leave, door supervisors should be outside, encouraging people to disperse from the area and not allowing them to loiter in the vicinity.

5. Management should be actively involved with seeing customers off the premises, your manager could stand by the door as people are leaving and wish them goodnight and ask them to be considerate to neighbours as they leave. Managers should supervise the Door Supervisors during dispersal. Door supervisors should remain outside and engage with customers until they have all left the immediate vicinity of the premises.

6. We would advise that customers should be more proactively monitored for rowdiness outside generally and a "three strike" rule could perhaps be implemented where if rowdy customers outside (and inside) will not quieten down, they are warned about their behaviour. If rowdy behaviour continues they should be warned a further one time and then if there is still no improvement they should be barred from the premises.

CROSSOVER

COMMERCIAL AUDIOVISUAL INTEGRATION

THIS IS TO CERTIFY THAT

CROSSOVER

HAVE SET AND CALIBRATED AUDIO LIMITING EQUIPMENT AT

THE WINCHESTER

2 ESSEX ROAD, ISLINGTON, N1 8LN

SUCH THAT ACCORDING TO CROSSOVER'S MEASURING DEVICES,
AUDIO WILL NOT BE ABLE TO EXCEED THE FOLLOWING RATINGS
WHEN MEASURED AT THE SPECIFIED MONITORING POINTS

GROUND FLOOR

MEASUREMENTS TAKEN AT A HEIGHT OF 1.5M, FACING THE DJ BOOTH AT A
2M DISTANCE AND 2M FROM THE KITCHEN IN THE REAR OF THE BAR.

90 dB (Lin) Leq (1 min) and

84 dB (A) Leq (1 min) and

74 dB at the 63 Hz Octave Band (1 min) and

88 dB at the 125 Hz Octave Band (1 min)

BASEMENT

MEASUREMENTS TAKEN AT A HEIGHT OF 1.5M, FACING THE REAR WALL,
WITH BACK TO THE DJ BOOTH AT 2M FROM THE BOOTH AT EQUAL DISTANCES
FROM THE PILLAR AND THE RIGHT HAND SIDE WALL.

99.5 dB (Lin) Leq (1 min) and

95 dB (A) Leq (1 min) and

87 dB at the 63 Hz Octave Band (1 min) and

96 dB at the 125 Hz Octave Band (1 min)

TESTING AND CALIBRATION WERE CARRIED OUT ON 8TH DECEMBER 2011 BY CROSSOVER.

SIGNED

DATE


9.12.11.

(CROSSOVER)

CROSSOVER, 105A OFFORD ROAD, LONDON, N1 1PG

Brothers, Anne

From: Bancroft, Eryka
Sent: 24 January 2013 08:41
To: Licensing
Subject: WK201301180 Premises Licence Minor Variation - The Winchester, 2 Essex Road

Tracking:	Recipient	Delivery
	Licensing	Delivered: 24/01/2013 08:41

Dear Licensing Team,

Noise Team has considered the above Application.

Condition 20. We are content to agree to the proposed amendment to the music noise limiter condition.

Condition 21. We are not content to agree the proposed amendment to this condition and would seek it's amendment to include the following wording:

'In addition, the Licensee shall provide two SIA Registered Door Supervisors to patrol the outside of the premises from 30 minutes before until 30 minutes after the premises closes to minimise the impact of customers and to collect litter attributable to the premises at times when specially advertised events are scheduled or a Temporary Event Notice is applied for.'

If this matter should raise any questions please do not hesitate to contact the Noise Team.

Kind regards

Eryka Bancroft

Senior Environmental Health Officer (Noise) Noise Team Public Protection Division Islington Council Zone A 3rd Floor
222 Upper Street N1 1XR Tel 020 7527 3846 Fax 020 7527 3057 email eryka.bancroft@islington.gov.uk
www.islington.gov.uk Alternative Contact Aled Griffiths Noise Team Manager 020 7527 3228
<http://www.islington.gov.uk/contact/visitingoffices/municipaloffices.asp>
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-----Original Message-----

From: Fitzsimons, Aiden
Sent: 16 January 2013 12:20
To: 'ni_licensing@met.police.uk' (ni_licensing@met.police.uk); Issues, Noise
Cc: Lane, Terrie
Subject: RE: Premises Licence Minor Variation - The Winchester, 2 Essex Road

Proposed amended conditions and licence now attached.

Many thanks

Aiden

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

From: Fitzsimons, Aiden

Sent: 16 January 2013 11:55

To: 'ni_licensing@met.police.uk' (ni_licensing@met.police.uk); Issues, Noise

Cc: Lane, Terrie; Baptiste, Anthony

Subject: Premises Licence Minor Variation - The Winchester, 2 Essex Road

Dear Sir/Madam,

We have received the following application for a Premises Licence (Minor Variation):

Premises Name: The Winchester

Premises Address: 2 Essex Road, London, N1 8LN

Received by the licensing team: 16 January 2013

Last date for representations: 30 January 2013

Please confirm to us within this time if you accept/reject the proposed variation.

Regards,

Aiden Fitzsimons

Licensing Team

Public Protection Division

Environment & Regeneration

Islington Council

3rd Floor, 222 Upper Street, London, N1 1XR

Tel: 020 7527 3031

e-mail: licensing@islington.gov.uk

website: www.islington.gov.uk

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ISLINGTON

Noise Team
222 Upper Street
London N1 1XR

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

Our ref: abr/201324397

Beronmoor Limited
% The Winchester P.H.
2 Essex Road
London N1 8LN

This matter is being dealt with by:
Anne Brothers

Your ref:

Date: 1 November 2013

Dear Sir

**LIKELIHOOD OF PUBLIC NUISANCE FROM CUSTOMERS LEAVING AT CLOSING TIME.
THE WINCHESTER P.H. 2 ESSEX ROAD, LONDON N1. LICENSING OBJECTIVE OF THE
PREVENTION OF PUBLIC NUISANCE, LICENSING ACT 2003**

I recently had cause to visit the Winchester at just before 04:00 on 8 September. The reason for my visit was the noise outside the premises caused by customers leaving the bar. I was in the area visiting another premises at the time but the noise from the customers outside drew me to the Winchester. I spoke to the DPS Ingrid Wihed at the time of my visit.

I told Ms Wihed that we have received calls from local residents in the past about noise from customers outside the Winchester at closing time. I noted a customer leaving the premises with a drink and Ms Wihed said you were allowed to let customers leave with their drinks as you serve in plastic containers for the last hour of service. I explained to her that permitting customers to leave with drinks was not conducive to the quiet dispersal of customers and not supportive of the licensing objective of the prevention of public nuisance. I also query where customers would dispose of their used drinks containers and have to state they are likely to add to the littering problems currently being reported in the area.

I was in the vicinity again at just before 02:00 on 3 November and noticed a lot of noise from a group of women customers seated outside on a ledge on the St Peters Street flank wall. I noted the door supervisor was standing just inside the front door. I indicated to him that the women outside were being very noisy and he came outside and spoke to them. I noted the music noise from the ground floor was very apparent from outside the premises. There are agreed sound levels for the premises and I would consider it likely that the maximum levels agreed for the ground floor could be exceeded from the outbreak of sound through the closed windows by the flank.

I have checked our files here and have found a letter I sent in February 2012 in relation to noise from the premises and noise outside. I enclose a copy of that letter for your ease of reference. In that letter I requested a recalibration of the sound system in accordance with old noise conditions on the premises licence. To date the requested new calibration certificate has not been received.

I discussed a closing down plan with Ms Wihed at the time of my first visit, she stated such a plan is in operation at the premises but unfortunately it appeared to be ineffective on the first night I visited. I am pasting below a sample closing down plan that can be adapted for your use. I strongly urge you adopt this as procedure when closing the premises in order to minimise as much as possible noise from your customers as they leave.

Closing Down Procedure

1. Reduce the volume of music for the last half hour prior to the bar closing; this can be done gradually so that by the time the bar closes, the music volume is reduced to background levels.

2. Slow the tempo of the music played out during the last half hour.

3. From the time the bar closes for sales and drinking-up time ends, the lighting should be gradually increased so that by the time the drinking-up is over, the lighting has been brought up to full beam. You can continue playing out music at background levels while people are drinking-up.

DO NOT keep the music going at loud levels and then just put the lights up to full beam. This is not conducive to a quiet and calm dispersal of customers from the premises as required.

4. As people begin to leave, door supervisors should be outside, encouraging people to disperse from the area and not allowing them to loiter on the frontage.

5. Management should be actively involved with seeing customers off the premises, your manager could stand by the door as people are leaving and wish them goodnight and ask them to be considerate to neighbours as they leave. Managers should supervise the Door Supervisors during dispersal. Door supervisors should remain outside and engage with customers until they have all left the immediate vicinity of the premises.

6. We would advise that customers should be more proactively monitored for rowdiness outside generally and a "three strike" rule could perhaps be implemented where if rowdy customers outside (and inside) will not quieten down, they are warned about their behaviour. If rowdy behaviour continues they should be warned a further one time and then if there is still no improvement they should be barred from the premises.

In addition there is a condition on the premises licence as follows:

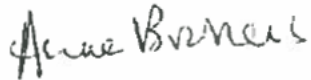
- The premises shall actively participate in the local Pubwatch

I understand from Licensing that you attend the Angel pubwatch but I attended the Angel Pubwatch meeting last week to discuss noise issues in the vicinity of the Angel and Islington Green but I am informed you were not represented at the meeting.

I gave a handout to all those present detailing some passages from the Licensing Policy for 2013-17 which I enclose for your information. You will note from the extracts reproduced below that the Licensing Authority expects licensees to operate to the highest standards of management. I have to state the last couple of visits I have made to the vicinity of the Winchester are raising some concerns.

I may visit the premises in the near future when I am working an out of hours shift to check sound levels. If sound levels are found to be in excess of the agreed maximums, a recalibration of the sound systems and new calibration certificate will be necessary.

Yours faithfully,



Anne Brothers

Principal Technical Officer

cc. Dan Whitton, Licensing Officer

Anthony Baptiste, Licensing Officer

Ms Ingrid M E Wihed, DPS, 2 Essex Road, London N1 8LN

Encl: Previous letter dated February 2012

Relevant extracts from Licensing Policy document 2013-17.

EXTRACTS FROM THE LICENSING POLICY DOCUMENT 2013-2017

ALCOHOL INDUCED CRIME AND DISORDER AND ANTISOCIAL BEHAVIOUR

Licensing Policy 13

The Licensing Authority expects licensees to operate to the highest standards of management, and to cooperate with responsible authorities, to prevent:

- the sale of alcohol to underage children;
- drunkenness on premises;
- irresponsible drinks promotions.

Where the Licensing Authority receives representations from responsible authorities that the management of a premise is supporting such activities, or that there is strong evidence linking patrons with alcohol related crime, disorder or antisocial behaviour the Licensing Authority will consider reviewing the licence to impose additional restrictions and controls to prevent or minimise the impact.

79. Licensing enforcement is a strong, multi-agency activity and it is important that work is coordinated between agencies to deliver solutions. The need for intervention will be risk-based and take full account of data, intelligence and information available to both the Council and partners.

80. Where appropriate the Licensing Authority will consider imposing controls on products sold where representations indicate localised problems. This provision could include banning the sale of super strength beer, larger and cider in premises as part of a package of measures to deal with problems associated with street drinking.

NOISE

Licensing Policy 18

The Licensing Authority is committed to protecting the amenity of residents and businesses in the vicinity of licensed premises, particularly when late hours have been sought. Where relevant representations are received, the Licensing Authority will impose appropriate restrictions or controls on the licence to support the prevention of undue noise disturbance from licensed premises.

90. Complaints about noise in Islington have risen substantially over the last ten years and the considerable expansion of the night-time economy has increased noise within urban settings above the national average. It is in the context of these trends that noise disturbance from licensed premises will be considered by the Licensing Authority. The Licensing Authority will seek to balance the protection of residents from undue disturbance against noise and the activity that is the natural by-product of people going about their business, entertainment or leisure.

91. The Licensing Authority expects that premises intended for the provision of noise-generating licensable activities are acoustically controlled and engineered to a degree whereby the noise from the premises when compared to the ambient noise level will not cause undue disturbance. The Licensing Authority recognises specific difficulties associated with other premises structurally linked to would-be licensed premises and the limit of sound insulation performance that can be achieved. In some circumstances licensed premises with amplified music above the volume level of acoustic musical instruments adjoining residential properties may not be appropriate.

92. The Live Music Act now exempts live music from being a licensable activity in some circumstances. These activities may still give rise to nuisance and it is expected that licensees will act promptly if this happens to avoid the need for action by the Licensing Authority.

NOISE AND DELIVERIES & COLLECTIONS

Licensing Policy 19

Licence holders and applicants are encouraged to consider whether early morning deliveries and collections to their premises could potentially result in a public nuisance and to introduce measures to minimise the impact where appropriate. The Licensing Authority recognises that refuse collection times can sometimes be outside the control of the premises licence holder. When representations have been received from residents in the vicinity of licensed premises stating that they are being disturbed by early morning

collections and deliveries, the applicant or premises licence holder is encouraged, whenever possible, to renegotiate different times with the relevant contractor and to liaise with local residents where appropriate to seek agreement on acceptable hours.

SMOKING, DRINKING AND EATING OUTSIDE

Licensing Policy 20

The Licensing Authority recognises that where gardens and tables and chairs are provided for smoking, drinking or eating outside, users can cause nuisance.

Where smoking, eating and drinking takes place outside the Licensing Authority expects applicants to provide comprehensive details in their operating schedule on:

- the location of outside areas to be available for use
- how the outside areas will be managed to prevent
 - noise
 - smell
 - pavement obstructions

Where the Licensing Authority receives representations or a review application regarding the use of an outside area it will impose restrictions or conditions that are appropriate for preventing a public nuisance.

93. The provision of tables and chairs outside the premises, either on the highway or on private land, and the provision of beer gardens, can enhance the attractiveness of the venue. It can have the benefit of encouraging a continental style café culture and family friendly venues. However, late at night, tables and chairs and beer gardens can cause significant public nuisance to residents whose homes overlook these areas. In some premises these facilities can encourage patrons and passers-by to loiter rather than disperse and in many cases, noise control measures are not feasible.

94. The use of such areas, especially pavements, should take account of potential access issues for people with disabilities and the safe use of wheelchairs and other access equipment.

95. The placing of items such as tables, chairs and barriers on or adjacent to the highway needs to be licensed by the Council's Street Management Division and applicants will usually be expected to hold that licence when their application is made.

96. Applicants who wish to provide drinking facilities on or adjacent to the pavement will need include this in their operating schedule along with the proposed management controls to minimise the risk of public nuisance and be mindful of the borough wide Controlled Drinking Zone.

DISPERSAL POLICIES

Licensing Policy 21

The Licensing Authority will normally require all licensed premises to be cleared of patrons within a reasonable period, usually 30 minute, after the end of the time permitted for licensable activities. An application for a new late night premises licence or variation application will not normally be granted unless a proposed dispersal policy is included in the operating schedule.

97. The general principle will be that the carrying on of licensable activities at premises should cease some time before the end of the operational hours granted by planning consent to allow for the premises to be cleared of patrons in a gradual and orderly manner. The Licensing Authority recognises that the time required for clearing premises of patrons will differ from business to business depending on the type of licensable activities provided and the nature of the clientele. It is for applicants themselves to judge what time scale is reasonable however, the Licensing Authority recommends that between 30 minutes and one hour would be sufficient for the majority of businesses. Operating schedules should detail the applicant's proposals for clearing the premises or their dispersal policy which could include arrangements such as:
the provision of food;

issuing customers leaving the premises with lollipops and boiled sweets;

the management of the lighting as well as the nature and tone of the music;

the balance between the continued sale of alcoholic drinks and the availability of non-alcoholic beverages;

arrangements for accessing transport for customers.

NOISE TEAM RECOMMENDED CLOSING DOWN PLAN

1. Reduce the volume of music for the last half hour prior to the bar closing; this can be done gradually so that by the time the bar closes, the music volume is reduced to background levels.
2. Slow the tempo of the music played out during the last half hour.
3. From the time the bar closes for sales and drinking-up time ends, the lighting should be gradually increased so that by the time the drinking-up is over, the lighting has been brought up to full beam. You can continue playing out music at background levels while people are drinking-up. DO NOT keep the music going at loud levels and then just put the lights up to full beam. This is not conducive to a quiet and calm dispersal of customers from the premises as required.
4. As people begin to leave, door supervisors should be outside, encouraging people to disperse from the area and not allowing them to loiter on the frontage.
5. Management should be actively involved with seeing customers off the premises, your manager could stand by the door as people are leaving and wish them goodnight and ask them to be considerate to neighbours as they leave. Managers should supervise the Door Supervisors during dispersal. Door supervisors should remain outside and engage with customers until they have all left the immediate vicinity of the premises.
6. We would advise that customers should be more proactively monitored for rowdiness outside generally and a "three strike" rule could perhaps be implemented where if rowdy customers outside (and inside) will not quieten down, they are warned about their behaviour. If rowdy behaviour continues they should be warned a further one time and then if there is still no improvement they should be barred from the premises.

Anne Brothers
Noise Liaison Officer
020 7527 3047
anne.brothers@islington.gov.uk



ISLINGTON

 **COPY**

Noise Patrol
Public Protection Division
222 Upper Street
London N1 1XR

Beronmoor Limited
% The Winchester P.H.
2 Essex Road
London
N1 8LN

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

This matter is being dealt with by:
Anne Brothers

Our ref: abr/111241103
Your ref:

Date: 23 February, 2012

Dear Sirs

**ALLEGED NOISE NUISANCE, THE WINCHESTER P.H. 2 ESSEX ROAD, LONDON N1 8LN.
ENVIRONMENTAL PROTECTION ACT 1990, LICENSING ACT 2003.**

I visited the Winchester P.H. in the early hours of 12 February to check sound levels and discuss a recent complaint received by the Council in relation to alleged noise nuisance. I spoke to your duty manager and the door supervisor but did not note their names. The complaint received was anonymous but vaguely threatening, alleging that "Staff are rude and on weekends there is too much disturbance in this residential area. Please monitor and visit and make it known that residents are fed up and will take matters into their own hands soon"

I was sufficiently concerned about this to visit the premises to inform and remind staff and your door supervisor to ensure that customer noise outside is kept to a minimum. I took the opportunity to measure sound levels being played out at the time of my visit and can report that sound levels were measured as follows:

Ref BF	Linear	"A"	125 Hz	63 Hz
1	99.6	93.2	91.8	96.4
2	98.9	91.5	92.0	95.9
Licence levels	99.5	95	96	87

Ref GF	Linear	"A"	125 Hz	63 Hz
4	96.8	90.4	90.7	93.0
5	95.0	90.9	87.4	89.1
Licence levels	90	84	88	74

You will note there is significant excess measured on the 63 Hz frequency on both floors. I am discounting the other measurements as there was a lot of customer noise in the premises as I took the measurements that could have affected them.

There is a noise condition on the premises licence as follows:

- The entertainment noise control system shall be regularly monitored, checked and its calibration adjusted as necessary so the music noise levels approved by the Council above are not exceeded. A calibration certificate from an acoustic consultant shall be submitted annually confirming the following:
 1. that the entertainment noise control system is operating correctly so that the music noise levels above are not being exceeded.
 2. detailing the components and make-up of the sound system under the control of the entertainment noise control system.

We have not received a calibration certificate from you for some considerable time, therefore, please arrange to have the sound system recalibrated and send a copy of the certificate to me at the office above for our file.

In addition there is another condition in relation to door supervisors:

- The licensee shall provide two Registered Door Supervisors to patrol outside the premises to minimise the impact of patrons arriving and departing and to collect litter attributable to the premises.

Although there were two door supervisors seen at the premises, one of them was inside counting the numbers of people going down to the basement. You need this in order to ensure the basement does not become overcrowded and exceed the permitted numbers of 100 persons per floor.

Please ensure that two door supervisors are available for outside duty in order to keep any noise outside to a minimum. This may reduce the likelihood of further allegations regarding noise nuisance being received here.

Yours faithfully

Anne Brothers

Principal Technical Officer

cc. Michaela Reysenn, DPS, The Winchester P.H. Flat 1, 2 Essex Road, London N1 8LN

Louise Norris, Noise Patrol Manager

Licensing

**Islington Licensing Authority
Licensing Act 2003**

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority Environmental Protection

Your Name	Anne Brothers	
Job Title	Noise Liaison Officer	
Postal and email address	222 Upper Street, London N1 1XR anne.brothers@islington.gov.uk	
Contact telephone number	020 7527 3047	
Name of the premises you are making a representation about	The Winchester	
Address of the premises you are making a representation about	2 Essex Road, London N1 8LN	
Which of the four licensing Objectives does your representation relate to?	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
To prevent public nuisance	Yes	This is an addendum to the previous representation dated 30 November 2017. This should be read alongside the original representation. This details actions and occurrences since 30 November last year.
Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	See attached sheets	

Signed: Anne Brothers Date: 18 January 2018

Please return this form along with any additional sheets to: Licensing Support Team, Public Protection, 222 Upper Street, London N1 1XR or email to licensing@islington.gov.uk

This form must be returned within the Statutory Period. For more details please check with the Licensing Support Team on 020 7527 3031

I attach a report from LIGWA who attended the premises on 29 November to reset the limiters at the premises.

The sound levels were re-set so as not to exceed the maximum sound levels specified on the premises licence.

This report does not conform to our requirements for a calibration certificate which are as follows:

Date of calibration.

Make and model of the limiter installed. *(not included)*

Make and model of amplifier/sound distribution system. *(not included)*

Serial number of the limiter. *(not included)*

Location of the limiter and floor plan showing location of speakers. *(not included)*

Specified maximum sound levels with one minute Leqs at the Linear, "A" weighted, 63 and 125 Hz frequencies.

Details of the measurement point.

Details of the security arrangements for the limiter and other components. *(not included)*

Details of the sound level meter used during recalibration. *(not included)*

Calibration details for the sound level meter used. *(not included)*

Name and contact details of acoustician.

I attach for information a table listing all calls received to update the previous table submitted.

Calls were received on 2 and 9 December and 6 January.

The out of hours team witnessed some noise from the premises all very late at night.

The calls demonstrate that the agreed levels of sound at the premises need review as after recalibration of the sound systems, music noise can be heard in neighbouring residential through the night during their hours of trading.

On 5 December, after some noise had been witnessed I sent a "Minded To" letter to the licensee. I discussed findings during recent visits I had made to the premises in relation to the possible routes of the transmission of sound. I recommended they appoint an acoustic consultant accredited by the Institute of Acoustics to survey the premises and assess for possible works to contain sound and a reassessment of sound levels for the premises.

1. Introduction

The Winchester Bar and Restaurant at 2 Essex Road, Islington, N1 8LN has had some noise restrictions placed upon it as a result of 'Conditions consistent with the Operating Schedule' in its Premise Licence Summary, namely:

The entertainment noise control system is to be calibrated and maintained at settings that restrict all amplified sound played at the premises at or below the levels when measured at specified monitoring points as follows:

- a. Ground Floor
- b. Measurements taken at a height of 1.5m, facing the DJ booth at 2m distance and 2m from the kitchen in the rear area of the bar.
- c. 90 dB (Lin) Leq (1 min);
- d. 84 dB (A) Leq (1 min);
- e. 74 dB at the 63 Hz Octave Band (1 min); and
- f. 88 dB at the 125 Hz Octave Band (1 min).
- g. Basement
- h. Measurements taken at a height of 1.5 m, facing the rear wall, with back to the DJ booth at 2m from the booth at equal distances from the pillar and the right hand side wall.
- i. 99.5 (Lin) Leq (1 min);
- j. 95 dB (A) Leq (1 min);
- k. 87 dB at the 63 Hz Octave Band (1 min); and
- l. 96 dB at the 125 Hz Octave Band (1 min)

Following on from visits by the Licensing Noise Liaison Officer of the London Borough of Islington on 11 and 23 November 2017 Ligwa Ltd was retained by the owners of The Winchester Bar and Restaurant to 'set up' and 'lock' the entertainment noise control system so that it conformed with the noise conditions set out in its Premise Licence Summary.

2. Measurements

On 29 November 2017 Ligwa Ltd personnel in conjunction with Dakat set up the sound systems in the Basement and Ground Floor of The Winchester Bar and Restaurant. The technique used consisted of a number of sound checks at the

(The recommendations made in this report are based upon the readings taken during the visit to the client's premises and on discussions with the client's personnel. Dakat has made its best efforts to carry out the work to the highest standards but cannot be responsible for any recommendations that are based upon erroneous information supplied by the client.)

prescribed measurement locations so that the noise levels conformed with the conditions listed in the 'Conditions consistent with the Operating Schedule' in its Premise Licence Summary. Once the sound checks were complete the entertainment noise control system was 'locked' and the noise measurements in the following table were taken:

Measurements taken after volume reduced and set to below the Licence 'Limit Values'

Ground Floor	Linear Leq 1 min	LAeq 1 min	63Hz 1 min	125Hz 1 min
'Limit Values' from Licence	90dB	84dB	74dB	88dB
Measured Values 1448 30/11/17	78.8dB	72.4dB	73.0dB	72.1dB

Basement	Linear Leq 1 min	LAeq 1 min	63Hz 1 min	125Hz 1 min
'Limit Values' from Licence	99.5dB	95dB	87dB	96dB
Measured Values 1317 30/11/17	95.3dB	89.7dB	83.7dB	87.9dB

The following photographs show the measurement locations of the sound level meter in the Basement and on the Ground Floor.

(The recommendations made in this report are based upon the readings taken during the visit to the client's premises and on discussions with the client's personnel. Dakat has made its best efforts to carry out the work to the highest standards but cannot be responsible for any recommendations that are based upon erroneous information supplied by the client.)



Basement sound level meter location



Ground Floor sound level meter location

(The recommendations made in this report are based upon the readings taken during the visit to the client's premises and on discussions with the client's personnel. Dakat has made its best efforts to carry out the work to the highest standards but cannot be responsible for any recommendations that are based upon erroneous information supplied by the client.)

3. Conclusion

Based upon adjustments to the entertainment noise control system which was then 'locked' and subsequent noise measurements on 29 November 2017 The Winchester Bar and Restaurant at 2 Essex Road, Islington, N1 8LN now conforms to the noise restrictions placed upon it as a result of 'Conditions consistent with the Operating Schedule' in its Premise Licence Summary.

(The recommendations made in this report are based upon the readings taken during the visit to the client's premises and on discussions with the client's personnel. Dakat has made its best efforts to carry out the work to the highest standards but cannot be responsible for any recommendations that are based upon erroneous information supplied by the client.)

Noise calls re: The Winchester, 2012 to date.

Date/Time	Details	Outcome
31/1/12. Daytime enquiry (e mail)	We are fed up with noise levels and bad behaviour coming from The Winchester Bar, 2 Essex Road N1 8LN (owner Costa Tofan) we have complained to the council before and now will get the police involved soon . It is a residential area and a group of residents are rallying to have a noise order against the pub. Staff are rude and on weekends there is too much disturbance in this residential area. Please monitor and vist and make it known that residents are fed up and will take matters into their own hands soon, Regards REDACTED	Not possible to contact resident, unknown e mail address given. No other details given. Visit carried out 12/2/12 Letter sent 23/2/12
17/6/12, 04:13	the winchester bar people outside making a lot of noise as they leave	Advice given to call out of hours service during their duty times – call received out of time.
8/9/13. Proactive visit 03:55	Was in the vicinity dealing with another premises, noticed a lot of noise from customers as they left.	1/11/13. Warning letter sent with enclosures.
28/8/17, 17:46	theres is a pub in the corner called Winchester that become a club during the weekends. It closes at 4 a.m. and it's impossible to sleep because of the noise. Every Friday and Saturday there are groups of people drinking, screaming, having fights on the s	Telem at 17:50 - aplm - vste at 19:11 - made assessment from outside the given location. The premises was open no noise witnessed or any one seen outside. CM12. Left location at 19:25 .
26/9/17, daytime referral	Main issue is noise from people outside - Licensing matter but resident states she has tried calling Noise Service but got no reply.	Advisory EMS to the resident, cc'd to TLA and LNO.
2/12/17, 00:13	loud music./ dj night every thur, fri and sat. noise coming from the Winchester pub (2 Essex road)	Called comp at 00:19. No reply. Message left. Called back.at 00:23. Arranged visit. Vst. 00:25. We listened from the bedroom area. We could hear low level bass music from the Winchester. It was not oppressively loud but from a licensing point of view it is likely to be an issue. Comp said that the matter is being dealt with by Terry Lane. We agreed to speak to the manager. We spoke to Alex and Marco. They said that they had recently had a limiter installed and that it was checked during the week. We explained that as we witnessed the bass from a bedroom they needed to turn it down. They

		said that they would. We advised that our report would be copied to Licensing for info and / or action. CM07 departed 00:49
2/12/17, 01:38	loud music on going	Called comp at 02:00. Arranged visit. Vst 02:16. We listened from the bedroom. We could hear the beat from the music. Again it was not oppressively loud but we concluded that no music should be audible in the bedroom from the club at this time. We approached the club again. Spoke to Alex. He said that he had turned the bass down. He agreed turn the bass right down. He reiterate the fact that the club had been visited by licensing and that the noise limiter had been recalibrated and felt that because of this our visit was somewhat unfair. I suggest that perhaps a visit needs to be made by Licensing to the complainant so that music can be witnessed from his premises with a view to perhaps further advising the club owner. CM07. Departed 02:37.
5/12/17	Minded to LSEN and also e mailed	
9/12/17, 23:46	loud music disturbing comp from the Winchester pub	Ttc 0000hrs noise ongoing arranged a visit. Vst 0002hrs listened from bedroom with bathroom doors open. Very very slight barely audible beat witnessed. This became even less intrusive with doors shut. Cars going past making much more noise. Went to bar anyway to check they were using their sound limiter. Spoke to Marco who took us to the office to see the limiter. It was on and working. I did notice however that it wasn't in a locked cabinet therefore anybody could tamper with it. He also took us to the basement where we saw another 2 boxes showing that the music was being played through the limiter. No noise nuisance was witnessed on this occasion. CM12.

6/1/17, 01:01	<p data-bbox="177 902 209 1653">There is very loud music coming from the Winchester pub</p> <p data-bbox="177 100 952 772"> Called @ 01:11 arranged a visit. Arrived @ 01:14 We entered the comps property that backs onto the pub we was taken into the living room area at the rear of the property and we could hear low level bass from music. We then assessed in the 1st floor bedroom at the front of the property and we could still hear a low level of bass music but not as clear. We decided to approach the Winchester pub and identified ourselves to the door supervisors and asked for the manager we waited till the manager came out and we identified ourselves again and advised him that we have had a complaint regarding the music and bass he said that they have 2 sound limiters 1 for the ground floor and a second for the basement the manager. Took us and showed us both pictures taken. While being taken around both the ground floor and basement was empty approx 20 customers in the basement no none on the ground floor we think due to this the bass is travelling and not getting absorbed by people. When finished we advised the manager to just turn the level down and he agreed to do so. CM07 left @ 01:48 </p>
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CM07. Noise witnessed, potential statutory nuisance – lowered.

CM12. Investigation – no action required.

Beronmoor Limited
Alpha House
176A High Street
Barnet
Hertfordshire
EN5 5SZ

Pollution Team
222 Upper Street
London N1 1XR

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

Our ref: abr/170036604
Your ref:

This matter is being dealt with by:
Anne Brothers

Date: 5 December 2017

Dear Sir

**NOISE NUISANCE ARISING FROM THE PLAYING OF AMPLIFIED MUSIC. THE
WINCHESTER, 2 ESSEX ROAD, LONDON N1 8LN. ENVIRONMENTAL PROTECTION ACT
1990 "MINDED TO". LICENSING ACT 2003**

As you are aware we were called twice on the night of 2 December by a local resident in connection with noise nuisance from amplified sound affecting the resident at home. The visiting officers have reported that the noise heard in the resident's home at 00:25 and 02:15 were both a potential statutory nuisance. They noted that sound levels were reduced on request however but it is worrying that they were called twice on one night and that sound levels were not reduced (or increased again after officers left the area) after the first visit.

I acknowledge that sound systems have now been recalibrated at the Winchester and I have a calibration certificate from your sound engineer Mr Garnett Alexander. I visited yesterday and measured sound inside from the house sound system as follows:

Ref: Ground	Linear	"A"	125 Hz	63 Hz
1	83.3	79.1	73.0	69.6
2	83.4	79.4	73.2	69.3
Agreed max	90	84	88	74

Ref: Basement	Linear	"A"	125 Hz	63 Hz
4	94.9	88.3	82.9	73.4
5	94.6	88.6	83.2	74.9
Agreed max	99.5	95	96	87

I noted the DJ monitor speaker on the basement floor has been removed from the bar area. The measurements above are all well within the maximum levels specified on the premises licence. I am aware the recalibration was carried out last week, therefore I am very concerned that we witnessed noise nuisance last weekend, after the recalibration had been carried out. I am also aware that I am measuring sound produced by your house system and not when a DJ is performing. You must ensure that DJ's do not bring in or use any extra monitors or amplifiers with

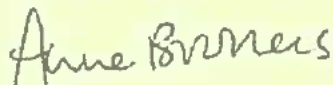
them and that any equipment they use runs through the limiter. I recommend that any monitors that have been in use are removed from the premises

I noted yesterday that all the speakers in the basement and ground floor are screwed directly onto the walls and ceiling without any flexible mountings. This could lead to the transmission of sound through the structure to neighbouring properties. I am also concerned at speakers that are set into the ceiling and the air conditioning outlets that are also set into the ceiling in the basement and wonder whether they could be a possible route of the transmission of sound out of the building. I was also informed of a single leaf glazed window to the WC's in the ground floor that may benefit from being boarded-up with acoustic boarding. I recommend you get advice from an acoustic consultant accredited by the Institute of Acoustics to inspect the premises and advise you regarding any possible works to contain sound.

I have to inform you that if sound continues to be reported and witnessed as a nuisance by visiting officers we may require a new survey to be undertaken by an acoustic consultant who is accredited by the Institute of Acoustics in order to assess new lower sound levels for the premises.

We look forward to your co-operation in this matter but must warn that in the event of noise being witnessed and if the Council is satisfied it is a legal nuisance, we have a duty to take steps to ensure the nuisance does not recur. This is likely to require the service of a legal notice, under the provisions of the Environmental Protection Act 1990. Failure to comply with a legal notice is a criminal offence. The maximum penalty for an offence that happens on commercial premises is a potential unlimited fine. **I have to inform you that in the event of further noise nuisance being witnessed, Notice may be served without further warning.**

Yours faithfully,



Anne Brothers
Principal Technical Officer
cc. info@thewinchesterbar.com
Mr Constantin Tofan, [REDACTED]

Licensing Act 2003**Representation from Islington Public Health****THE WINCHESTER, 2 ESSEX ROAD, LONDON N1 8LN**

We are submitting a representation in support of the licence review for the above premises, which has been called by a resident in the London Borough of Islington. This representation is on behalf of Islington's Public Health Department, which is a responsible authority. The grounds for the representation are:

- Prevention of crime and disorder
- Public safety

Public Health are concerned that the evidence provided by the resident and evidence shared by the Metropolitan Police with Public Health shows that the Winchester has not upheld its responsibility for preventing crime and disorder and maintaining public safety.

In particular, Public Health are concerned about the late closing hours of the premises. There have been four counts of grievous bodily harm, one actual bodily harm, and one altercation since 15 January 2017, and all of these have taken place after 1.00am.

The premises is located on Essex Road in St Peter's ward, within the Angel and Upper Street Cumulative Impact Area described in Islington's Licensing Policy 2013-2017. The area experiences significant alcohol-related harms.

Alcohol and violence

Evidence indicates that an increase in alcohol consumption is linked to increased aggression¹. In 2015/16, the Crime Survey for England and Wales reported that victims of violent incidents believed the perpetrator(s) to be under the influence of alcohol in 40% of all violent incidents². National evidence shows alcohol-related violent incidents are disproportionately high late at night, with 84% occurring between 00.00 and 6.00, compared to 23% between 12.00 and 18.00³.

Ambulance callouts

The London Ambulance Service records all incidents that it is called to. Where the ambulance crew suspect alcohol is a factor in the incident, this is "flagged" on the system independently of illness or incident type. The callout location recorded is that to which the ambulance attended, and therefore gives a good indication of alcohol-related activity in a geographical area. Alcohol-related ambulance callouts highlight the immediate harms of alcohol on health and thus the risk to physical safety that alcohol causes. The callouts are recorded at Lower Super Output Area (LSOA) level, a geographical area in which an average 1,500 residents live.

The LSOA in which The Winchester is located experienced a significantly higher proportion of ambulance callouts that were alcohol related (10.4% of all ambulance callouts) compared to the borough average (5.4% of all ambulance callouts) between April 2016-March 2017. Of the alcohol-related ambulance callouts occurring within this LSOA, 50% occurred between 23.00 and 5.00, compared to 35% in Islington as a whole.

In the area within a 250m radius of The Winchester, there were 17 alcohol-related ambulance callouts between April 2016 and March 2017.

Recommendation

The area around The Winchester experiences disproportionate harms compared to the rest of the borough, particularly late at night, which places a high burden on frontline services.

Islington Public Health therefore fully supports:

- the review of this licence; and
- the London Metropolitan Police's recommended changes to the premises licence, and in particular the change the closing hours to 2.00am.

¹ Public Health England (2017). *The Public Health Burden of Alcohol and the Effectiveness and Cost-Effectiveness of Alcohol Control Policies: An evidence review*. Public Health England.

Available at: <https://www.gov.uk/government/publications/the-public-health-burden-of-alcohol-evidence-review> [Accessed 22 Nov. 2017].

² Office for National Statistics (2017). *Findings from the 2015/16 Crime Survey for England and Wales*. Office for National Statistics. Available at:

<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/compendium/focusonviolentcrimeandsexualoffences/yearendingmarch2016/overviewofviolentcrimeandsexualoffences> [Accessed 20 Nov. 2017].

³ Office for National Statistics (2015). *Findings from the 2013/14 Crime Survey for England and Wales and police recorded crime over the same period on violent crime and sexual offences*. Office for National Statistics.

Available at: <http://www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/focus-on-violent-crime-and-sexual-offences--2013-14/index.html> [Accessed 20 Nov. 2017].

Residential Rep 1

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

_____ Winchester _____

Your Name: _____

James _____

Interest: _____ resident _____

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

Your Address: _____

Row _____

Email:

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

Our main objection to the long opening hours of the Winchester is the public nuisance it causes every weekend. The noise and disturbance has increased over the last years, so that almost every weekend we wake up around 4 am to shouting, screaming, and cars hooting. It is particularly bad in the summer, as customers of the Winchester stand and sit outside in St Peters Street, smoking, sitting comfortably in the window sills, which have been converted into benches. We did approach the manager of the Winchester and ask them to stop their customers sitting outside, in the middle of the night, as they are incredibly noise, but it has not changed anything.

At closing time the whole street turns into a commuters station: with guests outside the pub, waiting for their taxis to arrive, it is very noisy, as drunk folk tend to be incredibly loud.

Our visitors on 10th September, who were also woken up at 4am by the noise, took the attached pictures between 4 am and 4:15. With people waiting for their lifts on the street and some walking towards the residential area where we live. The Winchester does nothing to control the crowd, their noise or where they hang out, either before or after closing time.

Crime and Disorder

Over the last years the crime related to the late opening hours has increased. We have - just like our neighbours, witnessed crime linked to late opening hours (always happening around 4am) men chasing women, the latter screaming as if in danger.

One attached picture shows a group of people fighting in the early hours of the 30th December, waking us up from screaming and shouting, to witness two groups arguing, slapping each other in the face, until one small group disappeared (after I shouted out of the window).

Protection of Children from Harm

Public Safety

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___3 December 2017_____

Please ensure name and address details completed above

Return to: Licensing Service

London Borough of Islington

3rd Floor

[222 Upper Street](#)

[London N1 1XR](#)

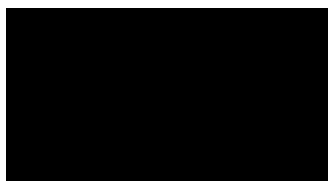
or send by email to: licensing@islington.gov.uk



Rep 2

I support this application for a licence review. I live at [REDACTED] and am regularly woken up from midnight onwards on Friday and Saturday as drunken revellers wander along Colebrooke Row many of them in the middle of the road laughing, singing, shouting and, in many cases, screaming. It was particularly bad in September and October when I was woken at about 4:15 am on several occasions and on two of those I nearly called the police the screaming of the girls was so loud and couples were shouting, arguing and swearing. Those in a good mood took the opportunity to play football with the cones placed round Thames water's site and to kick down the barriers. As this took place after 4am the drinkers must have come from the Winchester.

The closing time should be much earlier, the staff at the Winchester should not serve people who are intoxicated, the security staff should ensure there is a quiet orderly exit and should direct their patrons to Upper Street i.e. away from the residential areas.



Rep 3

Dear Sirs

Response to licence review, The Winchester, Worksheet Number: WK/170034902

I write in support of complaints about anti social behaviour and public nuisance caused by the long hours of operation of The Winchester.

This has become increasingly worse over the last two or three years and this summer was the worst time of all. Barely a weekend goes by without vomit being deposited outside my house and at times on my doorstep. The wall - and my front door - seem to be a substitute urinal - I have come home to find 4 guys lined up urinating on it (see attached); I have been left presents of human excrement, including attached toilet tissue, on my doorstep too (see photo attached). Whilst extremely unpleasant, by and large, these problems do not disturb my sleep unlike the shouting, fighting, foul language, drug dealing and car horns at 4am when the bar closes. There have also been some even more extreme and scary disturbances of women screaming as if being attacked and, on one occasion, I witnessed a man 'beating up' a car with a baseball bat outside my house - by the time I had found my phone, the car had gone.... I have a couple of iphone videos of such events.

I have been reluctant to come forward about these more serious occurrences for fear of recriminations as they have all the appearance of being gang related. In the past I have been verbally threatened when I have asked people from the bar not to make noise outside the bedroom windows of my house and move on, but the problem has become so bad that I now dread the weekend, particularly when there is fine weather and more people are on the street. These incidents appear to have 'minders' both on foot and in cars that follow the perpetrators but do not intervene and, on the occasion of the loud screaming, the bouncers from The Winchester simply stood by and watched....

It now seems that these issues do not just affect me; generally the neighbourhood is extremely worried both about the nuisance and the affect on our families. Many of us have teenage or young adult children who may be coming home when such behaviour is taking place on the street and we worry that they might unwittingly get caught up in the fray.

By all accounts, Islington has become a destination for clubbers and, with the dance floor, the Winchester is a particular magnet. Their staff are clearly unable to manage their clientele adequately and therefore it is time for their licence to be reviewed as currently they are not in accordance with the specific terms as follows:

Annex 2 - Conditions consistent with the Operating Schedule

7. The name and contact telephone number of the persons in charge of the premises shall be displayed on the premises in a prominent position so that it can be seen from the outside of the premises, so that residents have the opportunity to telephone the person in charge if patrons are causing a nuisance - **please see attached photographs taken on 28 November 2017 of the windows of the Winchester - no such notice is displayed on the exterior of the building; however there is an advertisement inside the lobby of the bar which does give a telephone number for the bar and a website but no details of the person in charge.**

8. The Licensee shall ensure that at all times that this licence is in operation, all amplified sound and music is subject to the control of an entertainment noise control system set to music noise levels approved by and in conjunction with the Council's Noise team. **This is not the case; a neighbour took an independent sound expert into the bar premises and it was discovered that one of the limiters was not in operation and the second was well outside the allowed limits.**

9. The entertainment noise control system is to be calibrated and maintained at settings that restrict all amplified sound played at the premises at or below the levels when measured at specified monitoring points as follows:

- a. Ground Floor
- b. Measurements taken at a height of 1.5m, facing the DJ booth at 2m distance and 2m from the kitchen in the rear area of the bar.
- c. 90 dB (Lin) Leq (1 min);

- d. 84 dB (A) Leq (1 min);
- e. 74 dB at the 63 Hz Octave Band (1 min); and
- f. 88 dB at the 125 Hz Octave Band (1 min).
- g. Basement
- h. Measurements taken at a height of 1.5 m, facing the rear wall, with back to the DJ booth at 2m from the booth at equal distances from the pillar and the right hand side wall.
- i. 99.5 (Lin) Leq (1 min);
- j. 95 dB (A) Leq (1 min);
- k. 87 dB at the 63 Hz Octave Band (1 min); and
- l. 96 dB at the 125 Hz Octave Band (1 min)

This is not the case; a neighbour took an independent sound expert into the bar premises and it was discovered that one of the limiters was not in operation and the second was well outside the allowed limits.

23. After midnight all drinking vessels used in the venue shall be polycarbonate and all alcohol in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to being served. This is not the case; glasses and glass bottles are regularly left all around the outside of the premises, on my window cills and over the pavement outside the bar and my house.

24. There shall be no entry to the premises after 02.00 am save for patrons returning from the smoking area. This is very evidently not the case and there is plenty of dated photographic evidence that will be supplied by others. In addition, my son's girlfriend has confirmed to me that she was recently admitted after 3am (having moved on from another establishment) as a first time entry.

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

3. That notices be displayed reminding people to leave quietly and to use the toilets before leaving. As will be seen from the attached photos, no such notice is displayed anywhere on the exterior where many people congregate at or around closing time and from the photographic evidence attached, it will be noted that the clientele do not use the bar's facilities prior to leaving!

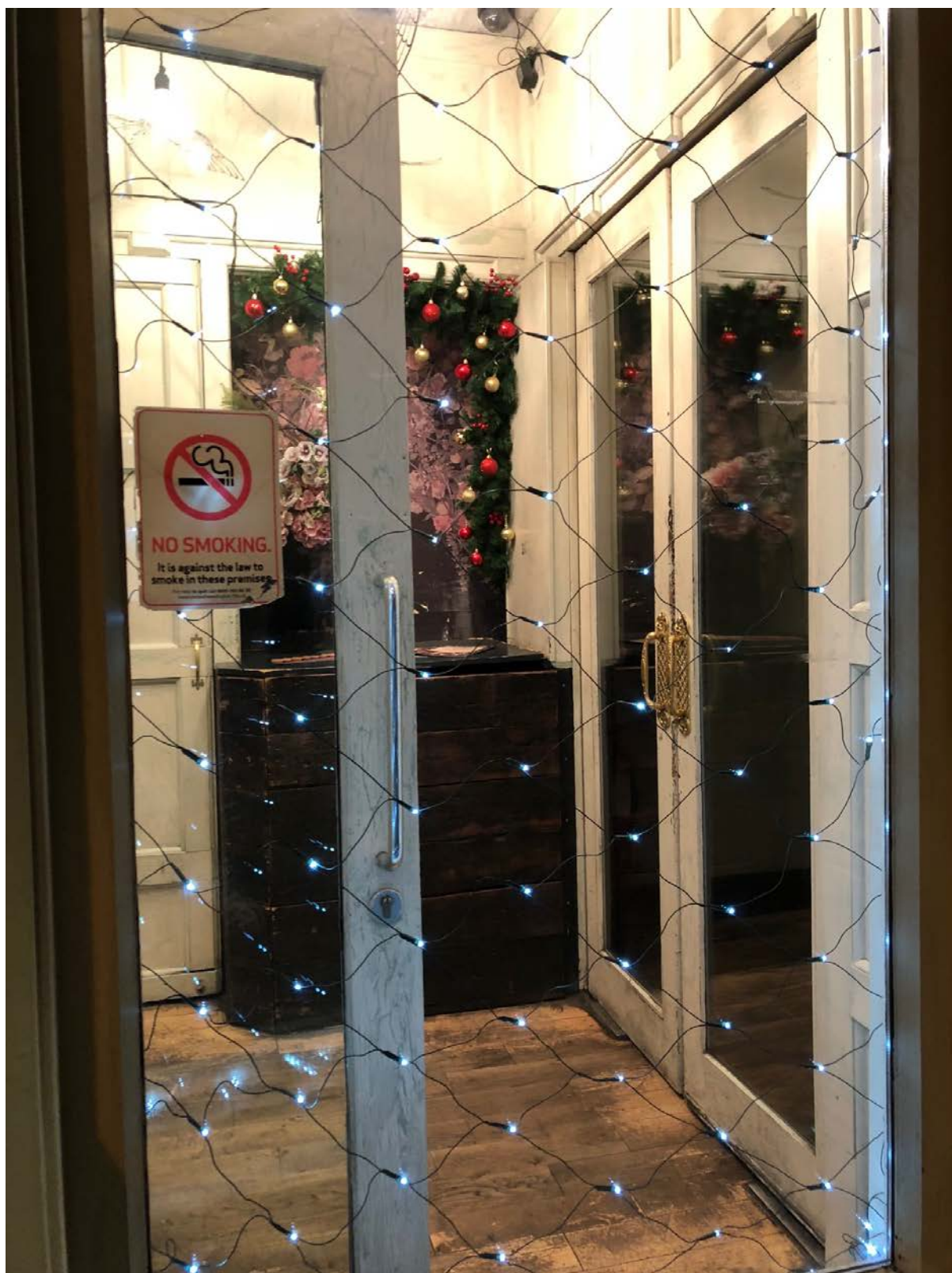
In light of falling foul of the above conditions and the major public nuisance caused by the very late hours of the bar, I request that the licence be withdrawn. Please let me know when and where the review will take place as I would like to attend and make further representation.

Yours faithfully













Rep 3

To whom it may concern.

Response to licence review, The Winchester, Worksheet Number: WK/170034902

I write in support of complaints regarding anti social behaviour and nuisance caused by the extended hours of operation of The Winchester.

The problem has become increasingly worse over the last 2 years, my wife and I are now regularly being woken by the loud anti-social noise & general disruption emanating from The Winchester & its surrounding streets in the early hours of Saturday & Sunday mornings.

The bar has become well known to late night revellers in Islington, and they flock there in large numbers when the other bars in the area close at the earlier hour of 2am. They are being allowed entrance to the Winchester after 2am! despite their licence prohibiting this. I can see no fixed / permanent signage outside the bar pointing out that admission to the bar is strictly not allowed after 2am.

The Winchester is surrounded by residential property on all sides, and the owners appear to be indifferent to the fact that large numbers of their customers are encouraged to congregate outside on St Peters street, often up to & after the 4am closing time. It seems this area is designated 'The Smoking area' to encourage this. The owners of the Winchester have converted the window sills along St Peters street into seating in support of this area. Consequently there are large numbers of customers regularly outside on the street.

Mini cabs & Uber drivers congregate outside the bar on double yellow lines & on surrounding streets waiting to ferry home customers leaving the premises, thus adding to the general cacophony. No one involved in the running of this bar seems to appreciate the disruption being caused to many local residents lives in the early hours of the morning on the two days this licence extension is in force.

The noise levels have become increasingly worse this year, and they are almost certainly in breach of the terms & conditions set out in their Premises Licence.

I thereby strongly object to the continuation of the Winchesters 4am licence, on the grounds of unacceptable noise & disruption nuisance being caused to myself & my wife, and request that the Licence be withdrawn immediately.

I submit attached... a log of the Noise related disturbance during the month of September / October & of which i have photographic evidence to support, & which i will deliver to your offices on Monday 4th December by hand..one example attached.(Oct 29th 3.40am)

and also a PDF of objections that specifically relate to this Licence.





[Redacted]

[Redacted]

[Redacted] to licence

Noise diary Sep/ October 2017

September 2nd

Woken at **1.30 am** by crowd of approx 12 people outside the Winchester,
very noisy. Woken again at **2.26 am**, crowd still there very noisy,
3.37am Woken again crowd still outside sitting on windowsills making lots of noise.
Not managed to get back to sleep **3.59 am** large noisy crowd still outside.

September 3rd

Woken at **2.59am** large crowd approx 15 people outside the Winchester very noisy. **3.35am** Crowd still there, not managed to get back to sleep.
3.54am large crowd outside extremely noisy

September 17th

Woken at **3.18 am** by crowd of approx. 20 people outside the Winchester,
very noisy. Woken again at **3.52 am**, large crowd very noisy,
4.02am still large crowd still outside making lots of noise.

October 7th

Woken **at 3.25 am** by crowd of 20 people outside the Winchester.
3.54am crowd still there leaving premises, did not manage to get back to sleep

October 8th

Woken **at 3.20am** by noise from Winchester, **4.01am** Crowd still there not managed to get back to sleep. **4.06am** several cars & crowd making excessive noise.

October 14th

Woken at **2.10 am** by large, very noisy crowd of approx 20 people sitting outside the Winchester along St Peters Street.

October 15th

Woken at **2.37 am** by crowd of approx 12 people outside the Winchester.
2.52 am crowd still there, noisy, impossible to sleep. **3.35am** Woken again crowd still outside, several cars parked engines running.

October 28th

Woken at **3.55 am** by crowd of approx 25 people outside the Winchester very noisy.

October 29th

Woken at **3.35 am** by crowd of approx 30 people outside the Winchester, Arguments, screaming, very noisy.
3.45 am crowd now approx 40 people outside the Winchester, fight broken out, loud shouting, very noisy, cant sleep.

Rep 4

Dear Sirs,

We are writing to urge that you withdraw the licence from The Winchester. This year, from May to September, we have been subjected to a weekly ordeal of loud music from cars, shouting and fighting at 2 am in the morning. Urinating against our house has become so commonplace that we routinely wash down our walls.

[REDACTED] [REDACTED]
[REDACTED] It was a nightmare; from May onwards she was woken nearly every Friday and Saturday by the noise and fights.

It is evident that this anti-social behavior is a direct consequence of The Winchester and its opening hours. Indeed, we have spoken to the bouncers at the Winchester who confirmed that the problem is due to the fact that they are the only establishment in quite a large area that is open late, so people congregate there once the other places close. Even if they are denied access, they linger in the area. Patrons leaving The Winchester also contribute to the noise and disruption, showing a complete disregard for residents. It has become a magnet for anti-social behavior.

The manager at the Winchester also asked us to raise this with the council as he felt he could not make headway with the license-holders even though they had received many complaints. We have raised this with the council repeatedly over the past months. Please act on our concerns.

Best regards,

Rep 5

Dear Islington License Reviewers,

It has come to our attention that you are reviewing the licensing arrangements for the Winchester (Worksheet Number: WK/170034902).

We wish for our concerns and experiences to be considered in your review.

As you are hopefully aware, the Winchester is surrounded on all sides by residential properties. These properties include Lambs Mews where we live with our young children, whose bedroom window opens towards the Winchester and the entrance to the Mews.

Objections relating to The Winchesters Licence

Annex 2 - Conditions consistent with the Operating Schedule

1. 7. The name and contact telephone number of the persons in charge of the premises shall be displayed on the premises in a prominent position so that it can be seen from the outside of the premises, so that residents have the opportunity to telephone the person in charge if patrons are causing a nuisance. **Not displayed!**
2. 8. The Licensee shall ensure that at all times that this licence is in operation, all amplified sound and music is subject to the control of an entertainment noise control system set to music noise levels approved by and in conjunction with the Council's Noise team. **a neighbour took an independent sound expert into the bar premises and it was discovered that one of the limiters was not in operation and the second was well outside the allowed limits.**
3. 12. On Thursday, Friday & Saturday SIA registered door staff are to be employed at the premises from 21:00hrs until 30 minutes after the premises closes at the ratio of, at least, 1 door supervisor to every 100 customers. At any other time when a DJ and/or live music is provided, door supervisors shall be employed 30 minutes before the beginning of the event until closing time at a ratio of, at least 1:100. The door supervisor/s shall also be responsible for ensuring the vicinity of the premises is clear of litter attributable to the premises. **Litter not being cleared from vicinity**
4. 15. The premises shall actively participate in the local Pubwatch **Not participating.**
5. 23. After midnight all drinking vessels used in the venue shall be polycarbonate and all alcohol in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to being served. **Not complying with this. Alcohol being served in glasses after 12am. & being left on the street outside.**
6. 24. No Under 21's allowed on the premises. Except for private pre-booked parties with a terminal hour of midnight and persons under the age of 18 dining with a responsible adult before 10pm **Under 21's clearly being admitted.**
7. 25. There shall be no entry to the premises after 02.00 am save for patrons returning from the smoking area. **New customers regularly being admitted after 2am. No permanent notices in place pointing this out.**

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

1. 1. That notices be displayed reminding people to leave quietly and to use the toilets before leaving. **No notices being displayed**

The noise, screaming, foul language and traffic caused by visitors to this pub, especially during summer nights and particularly at 4am-5am, frequently disturb us and our sleeping children.

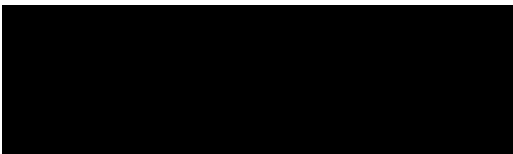
The streets surrounding the pub, particularly our otherwise quiet mews, are used by pub visitors to congregate, drink, argue, and urinate. We have been woken by countless altercations in the early hours over the year. I recall an incident one 3am last summer where, while awake with our newborn, I witnessed a young woman from this pub squat in front of our front door and urinate on our doormat. I have since installed a security light.

In the mornings the surrounding streets are often littered with broken glasses and bottles from revellers in the area, which has led to frequent puncture repairs of our pushchair and toddler's bicycle.

I understand that the Winchester is one of only a few venues in the area currently holding a 4am license. I understand also that the council has a policy of issuing no new 4am licenses. Without bringing the Winchester in line with this policy it will continue to attract late night revellers from other pubs.

In summary: we strongly encourage you to revoke the Winchester's 4am license.



Kind regards,

A large black rectangular box redacting the signature of the sender.

Rep 6

Dear Madam or Sir,

I write as a near-neighbour of The Winchester, to support the representations to you that the licence to The Winchester should be reviewed and particularly that the extension to 4am should be rescinded.

 and I live at  and we are frequently woken and disturbed in the early hours by noise, fights, singing, arguments, traffic noise etc.

This is not reasonable, so close to our highly residential area.

We look to you to take steps to rescind this unreasonable licence, and I thank you in advance for bringing your full efforts to bear to resolve this situation.

Yours sincerely



Rep 7

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

_____Winchester_____

Your Name: _____

Interest: _____resident_____

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

Your Address: _____

Row_____

[REDACTED]

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

Public Nuisance

Our main objection to the long opening hours of the Winchester is the public nuisance it causes every weekend. The noise and disturbance has increased over the last years, so that almost every weekend we wake up around 4 am to shouting, screaming, and cars hooting. It is particularly bad in the summer, as customers of the Winchester stand and sit outside in St Peters Street, smoking, sitting comfortably in the window sills, which have been converted into benches. We did approach the manager of the Winchester and ask them to stop their customers sitting outside, in the middle of the night, as they are incredibly noisy, but it has not changed anything.

At closing time the whole street turns into a commuters station: with guests outside the pub, waiting for their taxis to arrive, it is very noisy, as drunk folk tend to be incredibly loud.

Our visitors on 10th September, who were also woken up at 4am by the noise, took the attached pictures between 4 am and 4:15. With people waiting for their lifts on the street and some walking towards the residential area where we live. The Winchester does nothing to control the crowd, their noise or where they hang out, either before or after closing time.

Crime and Disorder

Over the last years the crime related to the late opening hours has increased. We have - just like our neighbours, witnessed crime linked to late opening hours (always happening around 4am) men chasing women, the latter screaming as if in danger.

One attached picture shows a group of people fighting in the early hours of the 30th December, waking us up from screaming and shouting, to witness two groups arguing, slapping each other in the face, until one small group disappeared (after I shouted out of the window).

Protection of Children from Harm

Public Safety

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____3 December 2017_____

Please ensure name and address details completed above

Return to: Licensing Service

London Borough of Islington

3rd Floor

[222 Upper Street](#)

[London N1 1XR](#)

or send by email to: licensing@islington.gov.uk





Rep 8

Please see below representation in the review of The Winchester's license as well as attached acoustic consultant's report.

Response to licence review, The Winchester, Worksheet Number: WK/170034902

Premises: The Winchester, 2 Essex Road N1 8LN

Name: [REDACTED]

Interest: resident

Address: [REDACTED]

I am writing to make a representation in favor of a review of the Winchester pub's license for the prevention of a public nuisance. In particular I request: 1) A recalibration of the license's sound level conditions for the music playing in the premises, and 2) A requirement for the addition of increased sound insulation to decrease the noise escaping the pub's DJ areas into my home. I have already tried to mitigate the noise disturbance by working directly with the pub, per the council's noise disturbance guidance, but the noise disturbance continues.

The pub's music is affecting my quality of life in my home. I can hear the pub's music in several floors of my home, including my bedroom. The music starts at 10 PM when the dance area begins and continues on until their closing time on Thursdays, Fridays, Saturdays and bank holiday Sundays. Closing time is 4AM on weekend nights, making it 6 hours of music every weekend evening and 5 hours during normal sleeping times. The music is loud enough such that I can often recognize the song being played. I can at times hear people screaming and what I believe is the stomping of heels through my wall. In addition as per my neighbours' complaints, I can confirm nuisance on the street that wakes me from sleep outside the pub on numerous occasions, and in particular several times when there seemed to be extended periods of shouting in what sounded like fights on the street corner by the pub.

I worked with an independent acoustic consultant to do a survey of the sound levels inside the pub on one of their weekend DJ nights (report is attached). In section 4.1 the survey shows the music was in violation of the council-set sound levels as stated on their license in condition 9.


The consultant's results were communicated to the pub. The pub has noise limiters, but they were unable to set the limiters themselves so they allowed the acoustic consultants to come in and try to set them to the license condition levels. The acoustic consultant found that the downstairs limiter was turned off and the upstairs limiter was entirely unplugged. This is in violation of license conditions 8 and 11 and shows a disregard for the importance of controlling the noise in the premises in consideration of the neighbours.

Following recent complaints from neighbours, I understand that a council noise team visited the pub's premises to verify the sound limits and discovered that they were in fact being violated. Subsequently, I believe the pub set the limiters although I am unsure whether this has been independently verified.

In order to log official noise disturbance even when the pub is in compliance with license condition 9, I called the Islington noise team to come to my property twice on the night of Friday December 1st, 2017 and early morning of December 2nd. Both times the noise team came and verified the noise disturbance in my bedroom. The second time was after the team had asked the pub to quiet it down. The existing sound level conditions aren't sufficient to prevent a noise disturbance in my bedroom.

Given the pub's previous disregard for the license conditions 8 and 11, leaving the limiters completely off for what I would guess is an extended period of time, it is unclear to me that more stringent license conditions alone would be enough to prevent further disturbance. Hence my desire for increased sound insulation from their dance areas to prevent music and screaming / stomping sounds from entering my home. More stringent sound level conditions wouldn't prevent the latter. As stated in Section 3.2 of the acoustic consultant's report "it should be noted that this level of sound insulation performance [from the separating wall] would not typically be viewed as suitable for providing effective resistance to the passage of elevated noise levels as is expected from a pub or nightclub dance floor."

To summarize, I request that the council recalibrate the sound level conditions on the license to levels that prevent the noise disturbance in my home and that the pub be required to improve the sound insulation performance of the separating walls of the dance floors such that they are "suitable for providing effective resistance to the passage of elevated noise levels as is expected from a pub or nightclub dance floor." Specific methods for improving the sound insulation performance are included in the acoustic consultant's report in section 5.2.


2017-12-04

Relevant conditions from existing license:

8. The Licensee shall ensure that at all times that this licence is in operation, all amplified sound and music is subject to the control of an entertainment noise control system set to music noise levels approved by and in conjunction with the Council's Noise team.

9. The entertainment noise control system is to be calibrated and maintained at settings that restrict all amplified sound played at the premises at or below the levels when measured at specified monitoring points as follows:

- a. Ground Floor
- b. Measurements taken at a height of 1.5m, facing the DJ booth at 2m distance and 2m from the kitchen in the rear area of the bar.
- c. 90 dB (Lin) Leq (1 min);
- d. 84 dB (A) Leq (1 min);
- e. 74 dB at the 63 Hz Octave Band (1 min); and
- f. 88 dB at the 125 Hz Octave Band (1 min).
- g. Basement
- h. Measurements taken at a height of 1.5 m, facing the rear wall, with back to the DJ booth at 2m from the booth at equal distances from the pillar and the right hand side wall.
- i. 99.5 (Lin) Leq (1 min);
- j. 95 dB (A) Leq (1 min);
- k. 87 dB at the 63 Hz Octave Band (1 min); and
- l. 96 dB at the 125 Hz Octave Band (1 min)

10. If there are any changes in the distribution and type of loudspeakers or amplification equipment serving the sound system, then the noise control system shall be recalibrated so the music noise levels specified above are not exceeded. The calibration certificate shall be forwarded to the Council's Licensing Team.

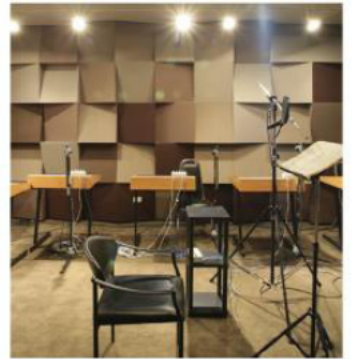
11. The entertainment noise control system shall be regularly monitored, checked and its calibration adjusted as necessary so the music noise levels approved by the Council above are not exceeded. On receipt of a noise complaint, independently substantiated by an Islington Council noise officer, a calibration certificate from an acoustic consultant shall be submitted detailing the following:

- a. confirmation that the entertainment noise control system is operating correctly so that the music noise levels above are not being exceeded; and
- b. the components and make-up of the sound system under the control of the entertainment noise control system.

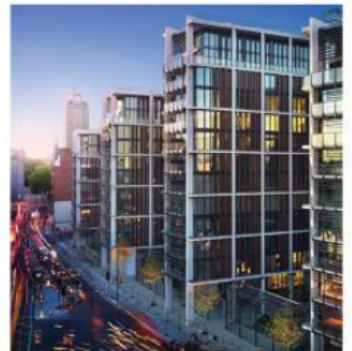
Insert noise report



REPORT AS9537.170627.R1.docx



SOUND INSULATION TESTING AND MUSIC NOISE NUISANCE INVESTIGATION



Prepared: 01 December 2017



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AS9537/AB1-AB6	Sound Insulation Test Results
LN/4608-041115	Islington Council License Conditions: The Winchester, 2 Essex Road
Appendix A	Acoustic Terminology

1.0 INTRODUCTION

Clarke Saunders Associates (CSA) has been commissioned by [REDACTED] to investigate music noise intrusion to [REDACTED] London associated with the adjoining public house, The Winchester, Essex Road, London.

The Winchester is a lively pub with DJs that play loud music on their ground floor and basement dancefloors until 4am on Friday and Saturday nights. [REDACTED] shares a party wall with The Winchester and music noise is audible in several rooms in the house including bedrooms, causing sleep disturbance.

CSA has been commissioned to carry out sound insulation testing between each dancefloor area and a number of locations in [REDACTED] to determine the current sound insulation performance of the party wall. This will inform outline mitigation advice.

CSA has also been commissioned to carry out a music noise survey to determine the music levels both inside The Winchester on the dancefloors and in the bedrooms in 74 Colebrook Row, for comparison against the relevant noise limits and guidance.

2.0 BASIS OF ASSESSMENT

2.1 World Health Organisation (WHO) Guidelines for Community Noise (1999)

These guidelines provide a summary of research into the effect of noise on communities for a number of scenarios and provide guideline values for specific health effects of noise. The findings relevant to sleep disturbance have been reproduced below.

2.1.1 Sleep Disturbance

Measurable effects of noise on sleep begin at L_{Aeq} levels of about 30 dB. However, the more intense the background noise, the more disturbing is its effect on sleep. Sensitive groups mainly include the elderly, shift workers, people with physical or mental disorders and other individuals who have difficulty sleeping.

Sleep disturbance from intermittent noise events increases with the maximum noise level. Even if the total equivalent noise level is fairly low, a small number of noise events with a high maximum sound pressure level will affect sleep. Therefore, to avoid sleep disturbance, guidelines for community noise should be expressed in terms of the equivalent sound level of the noise, as well as in terms of maximum noise levels and the number of noise events. It should be noted that low-frequency noise, for example, from ventilation systems, can disturb rest and sleep even at low sound pressure levels.

When noise is continuous, the equivalent sound pressure level should not exceed 30 dB(A) indoors, if negative effects on sleep are to be avoided. For noise with a large proportion of low-frequency sound a still lower guideline value is recommended. When the background noise is low, noise exceeding 45 dB L_{Amax} should be limited, if possible, and for sensitive persons an even lower limit is preferred. Noise mitigation targeted to the first part of the night is believed to be an effective means for helping people fall asleep.

2.2 BS8233:2014 *Guidance on sound insulation and noise reduction for buildings*

The guidance in this document indicates acceptable noise levels for various activities within residential dwellings.

The relevant section of this standard is shown in the following table:

Activity	Location	07:00 to 23:00	23:00 to 07:00
Resting	Living Room	35 dB L_{Aeq} , 16 hour	-
Dining	Dining Room	40 dB L_{Aeq} , 16 hour	-
Sleeping (daytime resting)	Bedroom	35 dB L_{Aeq} , 16 hour	30 dB L_{Aeq} , 8 hour

Table 2.1 - Excerpt from BS8233: 2014

[dB ref. 20μPa]

2.3 Islington Council Premises License for The Winchester, 2 Essex Road, London

London Borough of Islington (LBI) has provided a copy of The Winchester's premises licence summary; premises license number LN/4608-041115. This is available as an appendix to this report.

This license authorises the provision of regulated entertainment for the performance of live music, and the playing of recorded music at the following times:

Monday	0900	to	0000	
Tuesday	0900	to	0000	
Wednesday	0900	to	0000	
Thursday	0900	to	0200	the following day
Friday	0900	to	0400	the following day
Saturday	0900	to	0400	the following day
Sunday	0900	to	0000	

The provision of regulated entertainment for the performance of live music, and the playing of recorded music is subject to the following noise-specific license conditions:

8. *The Licensee shall ensure that at all times that this licence is in operation, all amplified sound and music is subject to the control of an entertainment noise control system set to music noise levels approved by and in conjunction with the Council's Noise team.*

9. *The entertainment noise control system is to be calibrated and maintained at settings that restrict all amplified sound played at the premises at or below the levels when measured at specified monitoring points as follows:*
 - a. Ground Floor
 - b. *Measurements taken at a height of 1.5m, facing the DJ booth at 2m distance and 2m from the kitchen in the rear area of the bar.*
 - c. *90 dB (Lin) Leq (1 min);*
 - d. *84 dB (A) Leq (1 min);*
 - e. *74 dB at the 63 Hz Octave Band (1 min); and*
 - f. *88 dB at the 125 Hz Octave Band (1 min).*
 - g. Basement
 - h. *Measurements taken at a height of 1.5 m, facing the rear wall, with back to the DJ booth at 2m from the booth at equal distances from the pillar and the right hand side wall.*
 - i. *99.5 (Lin) Leq (1 min);*
 - j. *95 dB (A) Leq (1 min);*
 - k. *87 dB at the 63 Hz Octave Band (1 min); and*
 - l. *96 dB at the 125 Hz Octave Band (1 min)*
10. *If there are any changes in the distribution and type of loudspeakers or amplification equipment serving the sound system, then the noise control system shall be recalibrated so the music noise levels specified above are not exceeded. The calibration certificate shall be forwarded to the Council's Licensing Team.*
11. *The entertainment noise control system shall be regularly monitored, checked and its calibration adjusted as necessary so the music noise levels approved by the Council above are not exceeded. On receipt of a noise complaint, independently substantiated by an Islington Council noise off, a calibration certificate from an acoustic consultant shall be submitted detailing the following:*
 - a. *confirmation that the entertainment noise control system is operating correctly so that the music noise levels above are not being exceeded; and*
 - b. *the components and make-up of the sound system under the control of the entertainment noise control system.*

3.0 SOUND INSULATION TESTING

3.1 Test Procedure

Measurements of airborne sound insulation between The Winchester dancefloors and rooms within [REDACTED] were undertaken on 23/03/2017 in general accordance with the procedures in BS EN ISO 140 *Acoustics – Measurement of sound insulation in buildings and of building elements Part 4: Field measurements of airborne sound insulation between rooms*.

Measurements were conducted using a high volume 'pink' noise source fed into CSA's loudspeaker, which was positioned on floor-mounted stands to generate a steady noise source.

Source room measurements were obtained using a moving microphone technique over a minimum period of 30 seconds. This same technique was utilised to measure transmitted noise levels within the receive rooms.

Background noise levels were measured in each receive room in order to correct the received noise measurements for the influence of the prevailing noise climate. The prevailing background noise is dominated by low level road traffic noise emanating from the A104 and A1 with contributory noise from passing foot traffic.

For avoidance of doubt, the loudspeaker used was supplied by CSA as the pre-amplification (DJ mixer or similar equipment) components of the in-house sound systems were unavailable. All surveys were undertaken using fully calibrated equipment.

3.2 Test Results

Figures AS9573/AB1 to AB6, attached, shows the one-third octave band spectrum results of the tests for airborne sound insulation. Table 3.2 summarises these results:

Test Ref	Source	Receive	Test Result
AB1	Top Dancefloor	Ground Floor Living / Kitchen	$D_{nT,w} + C_{tr}$ 62 dB
AB2	Top Dancefloor	1 st Floor Bedroom	$D_{nT,w} + C_{tr}$ 60 dB
AB3	Top Dancefloor	2 nd Floor Bedroom	$D_{nT,w} + C_{tr}$ 65 dB
AB4	Lower Dancefloor	Ground Floor Living / Kitchen	$D_{nT,w} + C_{tr}$ 58 dB
AB5	Lower Dancefloor	1 st Floor Bedroom	$D_{nT,w} + C_{tr}$ 57 dB
AB6	Lower Dancefloor	2 nd Floor Bedroom	$D_{nT,w} + C_{tr}$ 69 dB

Table 3.2 - Measured airborne sound insulation of separating walls

NB Higher values of $D_{nT,w} + C_{tr}$ represent better airborne sound insulation.

The results presented in Table 3.2 range between 57 dB and 69 dB $D_{nT,w} + C_{tr}$, showing a vast improvement on the building regulation criteria of 45 dB $D_{nT,w} + C_{tr}$ or greater for sound insulation between adjacent dwellings. Although our tests show the separating wall to be of a high performance in the context of residential dwellings, it should be noted that this level of sound insulation performance would not typically be viewed as suitable for providing effective resistance to the passage of elevated noise levels as is expected from a pub or nightclub dancefloor.

4.0 MUSIC NOISE SURVEY

A further survey of the music noise levels both at the council's specified reference measurement positions in each of the Winchester's dancefloors and inside [REDACTED] was undertaken on 25/06/2017 between midnight and 0100 while both dancefloors were open and sound systems were in full operation.

4.1 The Winchester: Dancefloor Noise Levels

Noise levels were monitored within The Winchester in order to investigate their compliance, or lack of, with the licensing conditions. Noise levels were monitored at the following positions:

- The Winchester's ground floor bar area; and
- The Winchester's basement bar area.

It should be noted that measurements within The Winchester were set at the locations stipulated as part of the licensing conditions i.e. at a height of 1.5m, facing the DJ booth at 2m distance and 2m from the kitchen in the rear area of the bar for the ground floor area and at a height of 1.5 m, facing the rear wall, with back to the DJ booth at 2m from the booth at equal distances from the pillar and the right-hand side wall for the basement level.

The results of the survey are tabulated below at Table 4.1.

Noise Levels								
	(Lin) L_{eq}		(A) L_{eq}		63 Hz		125 Hz	
Location	Measured	LBI Condition	Measured	LBI Condition	Measured	LBI Condition	Measured	LBI Condition
Ground Floor	97.2	90 dB	93.4 dB	84 dB	87.7 dB	74 dB	89.1 dB	88 dB
Basement	101.9	99.5 dB	97 dB	95 dB	93.6 dB	87 dB	95.1 dB	96 dB

Table 4.1 A comparison of measured noise levels with limits set as part of the license conditions for The Winchester.

Note: Levels depicted in RED demonstrate an exceedance in the set limits as part of LBI's license conditions.

It is clear from Table 4.1 that noise levels within The Winchester were in exceedance of all bar one of the limits set by LBI as part of their licensing conditions.

4.2 [REDACTED] Measurements

Manual measurements were taken in the level 1 master bathroom, which shares a party wall with The Winchester and level 2 bedroom, which does not, in [REDACTED] during the site visit between midnight and 0030 hours. Once measurements were taken in The Winchester between

0030 and 0100 hours, a meter was installed in the master bathroom from 0114 for the rest of the night. The results of the measurements are shown in Table 4.2.

Music noise was clearly audible within the level 1 master bathroom during the manual measurement and when the meter was re-installed for the automated night time survey at 0114. Music noise was not audible in the level 2 bedroom, which does not share a party wall.

Measurement Location	Measurement Period	Average Measured Level
Ground Floor Living Room	0001 - 0006	36 dB L _{Aeq}
Level 1 Master Bathroom	0007 - 00011	36 dB L _{Aeq}
Level 2 Bedroom	0014 - 0018	31 dB L _{Aeq}
Ground Floor Living Room	0114 - 0400	39 dB L _{Aeq}
Ground Floor Living Room	0400 - 0500	30 dB L _{Aeq}
Ground Floor Living Room	0500 - 0700	26 dB L _{Aeq}

Table 4.2 – Music Noise Survey Results

4.2.2 Ambient Noise Levels

Measurements in the ground floor living room diminish to levels monitored in the level 2 bedroom, where music noise was not audible, following The Winchester's closing time when music has stopped.

These results of 30 – 31 dB L_{Aeq} are taken to be representative of the ambient noise level in 74 Colebrook Row during the night-time period in the absence of music noise. These levels further diminish to approximately to 26 dB L_{Aeq} between 0500-0700 when the traffic flow on Essex Road is reduced.

Therefore, in the absence of music, noise levels in [REDACTED] are broadly in line with the guidance and limits set out in WHO (1999) and BS8233:2014 respectively.

4.2.3 Music Noise Levels

Noise levels measured in the ground floor living room and Level 1 Master Bathroom whilst music played in the Winchester ranged between 36 – 39 dB L_{Aeq}. These levels lowered to 30 dB L_{Aeq} once music has ceased for The Winchester to close. Therefore, it follows that music noise causes an increase in internal noise level in the Living Room and Master Bathroom of around 6 – 8 dB, which is in exceedance of the guidance and limits set out in WHO (1999) and BS8233:2014 respectively.

The guidance in the above-mentioned documents is designed to deal with anonymous noise without a specific character however, the music noise is clearly audible; to the point that it is possible to understand the lyrics to the songs. Consequently, this compounds the impact of the increased level of noise, causing it to be more disturbing than if it were without specific character.

5.0 MITIGATION RECOMMENDATIONS

Noise levels in [REDACTED] are elevated above the limits set out in WHO (1999) and BS8233:2014 and the normal ambient noise level as a result of music noise emissions associated with The Winchester Public House. As a result, mitigation recommendations are proposed to reduce the impact of the music noise on the residential amenity inside [REDACTED]

5.1 Control of Noise at Source

The first and most effective priority in the hierarchy of noise control is to control the noise level emitted from the noise source. In this case this is the output levels of the sound-systems in The Winchester.

It has been demonstrated in section 4.1 above that music noise levels on the dancefloors in the Winchester exceed the limits set out in Islington Council's License Conditions. Furthermore condition 11 states:

- "11. The entertainment noise control system shall be regularly monitored, checked and its calibration adjusted as necessary so the music noise levels approved by the Council above are not exceeded. On receipt of a noise complaint, independently substantiated by an Islington Council noise officer, a calibration certificate from an acoustic consultant shall be submitted detailing the following:*
- a. confirmation that the entertainment noise control system is operating correctly so that the music noise levels above are not being exceeded; and*
 - b. the components and make-up of the sound system under the control of the entertainment noise control system."*

It is therefore recommended that The Winchester and/or Islington Council is informed of the exceedance in noise limits, such that the sound system is re-calibrated and the noise limits are strictly enforced. This will require the noise output of the sound-systems to be reduced, which will subsequently result in a reduction in noise level in [REDACTED] that may be satisfactory in terms of residential amenity.

A memo, 9537.170627.M1, has been produced detailing the exceedances of the council noise limits for this purpose, which is suitable for submission to The Winchester and/or Islington Council.

5.2 Sound Insulation Refurbishment

In the case that the reduction in source noise level does not produce satisfactory results, the following recommendations are made to improve the sound insulation performance of the structure between The Winchester and [REDACTED]

5.2.1 Loudspeaker Mounting

Structure borne noise induced by the direct coupling of the various loudspeakers with the building structure is a common noise transmission path that is relatively inexpensive to mitigate. Structure borne noise induced by loudspeakers mounted directly to walls and ceilings results in noise re-radiated from the wall, floor and ceiling surfaces of rooms in the building. This can be mitigated by de-coupling the loudspeakers from the building's structure, using resilient loudspeaker mountings. An example of how this may be achieved is shown in the sketch in Figure 5.2.1 below. The regions labelled as such should be rubber vibration isolation mat material (i.e. Regupol), with the loudspeaker mounting plates sandwiched in between. It is important that the screws do not come into direct contact with the mounting plate, and that the mounting plate does not come into direct contact with the wall, ceiling or soffit.

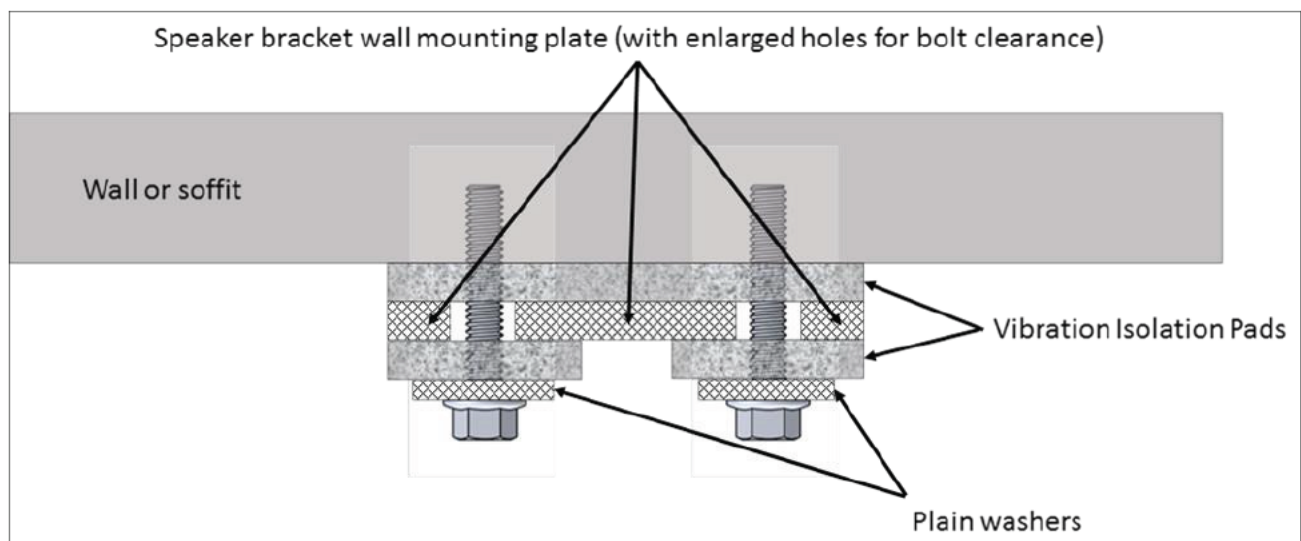


Figure 5.2.1 - Resilient Loudspeaker Mounting Detail

The suitability of such mountings should be verified by both CSA and the system installer. Special consideration should be given to the de-coupling of the subwoofers, since the low frequencies they produce, and their large mass and form factor will provide significant challenges to effective decoupling.

5.2.2 Airborne Sound Insulation

Airborne sound transmitted through the shared party wall can be mitigated by increasing the sound insulation performance of the wall. This can be achieved with independent, or resiliently mounted internal linings being applied to the wall surfaces on either side. These should consist of two layers of dense acoustic plasterboard (mounted on isolated stud or MF system) with a cavity filled with ~50mm medium density acoustic insulation. Some example lining systems are illustrated below in

Figure 5.2.2 and can be found in the following web link: <http://www.british-gypsum.com/~media/Files/British-Gypsum/White-Book/White-Book-C07-S05-Linings-GypLyner-IWL.pdf>

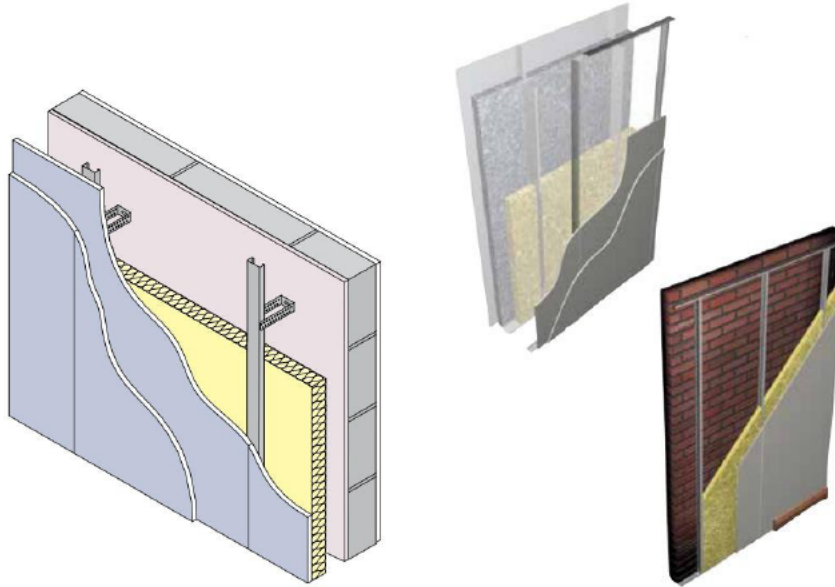


Figure 5.2.2 - Left: Resilient bar wall lining illustration; Right: Independent stud wall lining illustration

6.0 CONCLUSIONS

Sound insulation testing has been carried out between The Winchester public house and the adjoining residential dwelling, [REDACTED]

A survey of music noise levels has been carried out in The Winchester on each dancefloor. When compared to the music noise limits set out in The Winchester's license conditions, it has been found that the noise levels exceed those limits.

A survey of music noise and ambient noise levels has been carried in [REDACTED] It has been shown that music noise from The Winchester causes an increase in the ambient noise level in [REDACTED] compared to that in the absence of music noise.

As a result of music noise associated with The Winchester, noise levels in [REDACTED] exceed the guidance and limits set out in WHO (1999) *Guidelines for Community Noise* and BS8233:2014 *Guidance on sound insulation and noise reduction for buildings*. In addition, the music is clearly audible and identifiable, increasing the impact and disturbance as a result of the music noise.

Recommendations have been made to mitigate the impact of the music noise associated with The Winchester on the residential amenity of [REDACTED] It is recommended that firstly the

license conditions pertaining to music noise levels in The Winchester are strictly enforced. If necessary, the noise impact of music noise associated with The Winchester can be mitigated further by improving the sound insulation performance between The Winchester and [REDACTED]. Methods of achieving this have been described.



Ben Dymock MIOA

CLARKE SAUNDERS ASSOCIATES

Airborne Sound Insulation Test

Figure : AS9537/AB1

Standardised level difference according to ISO 140-4

Field measurements of airborne sound insulation between rooms

(NB Higher $D_w + C_{tr}$ figures denote better sound insulation performance)

Rooms Tested

From : Top Dancefloor

To : G Floor Living / Kitchen

*Select 'print at actual size' in printing preferences for correct scaling.

Frequency Hz	D_{nT} dB
20	12.7
25	16.2
31.5	22.6
40	28.8
50	38.0
63	44.0
80	51.7
100	45.8
125	48.8
160	55.2
200	56.0
250	56.7
315	61.9
400	63.7
500	63.4
630	67.4
800	72.9
1k	76.9
1.25k	78.9
1.6k	82.1
2k	80.8
2.5k	80.3
3.15k	80.1

Limit of measurement, $D_{nT} \geq 45.8$

Limit of measurement, $D_{nT} \geq 76.9$

Limit of measurement, $D_{nT} \geq 78.9$

Limit of measurement, $D_{nT} \geq 82.1$

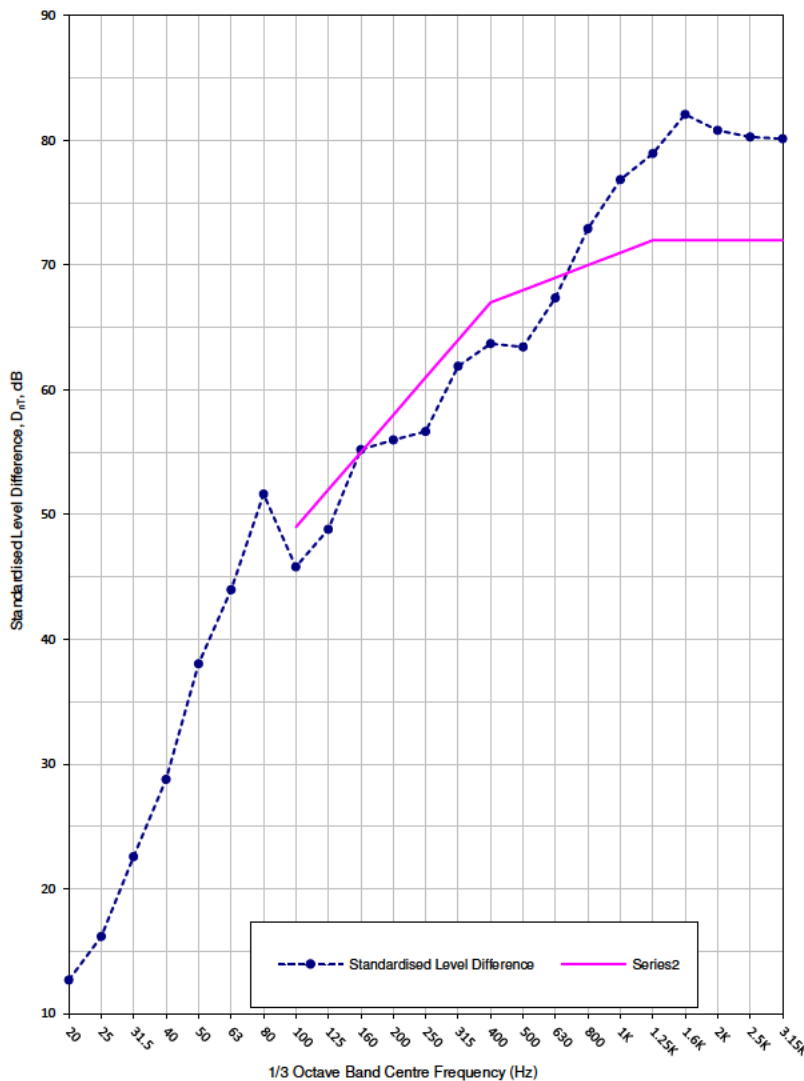
Limit of measurement, $D_{nT} \geq 80.8$

Limit of measurement, $D_{nT} \geq 80.3$

Limit of measurement, $D_{nT} \geq 80.1$

Shift Curve By:	16 dB
Sum of Adverse Deviations =	24.3 dB
C_{tr}	-6 dB
	68 dB

	62 dB
--	-------



Evaluation based on field measurement results obtained in one-third octave bands by an engineering method.

Test Standard: BS EN ISO 140-4

Rating Standard: BS EN ISO 717-1

Test Date: 23/03/2017

Signature:

Authorised Tester: Ben Dymock

Airborne Sound Insulation Test

Figure : AS9537/AB2

Standardised level difference according to ISO 140-4

Field measurements of airborne sound insulation between rooms

(NB Higher $D_w + C_{tr}$ figures denote better sound insulation performance)

Rooms Tested

From : *Top Dancefloor*

To : *1st Floor Bedroom*

Frequency Hz	D_{nT} dB
20	17.3
25	16.9
31.5	21.8
40	31.8
50	37.9
63	43.7
80	54.0
100	42.7
125	47.0
160	52.3
200	56.0
250	56.6
315	59.9
400	60.5
500	62.5
630	68.6
800	73.7
1k	76.0
1.25k	78.1
1.6k	80.5
2k	79.8
2.5k	79.1
3.15k	77.9

Limit of measurement, $D_{nT} \geq 42.7$

Limit of measurement, $D_{nT} \geq 73.7$

Limit of measurement, $D_{nT} \geq 76.0$

Limit of measurement, $D_{nT} \geq 78.1$

Limit of measurement, $D_{nT} \geq 80.5$

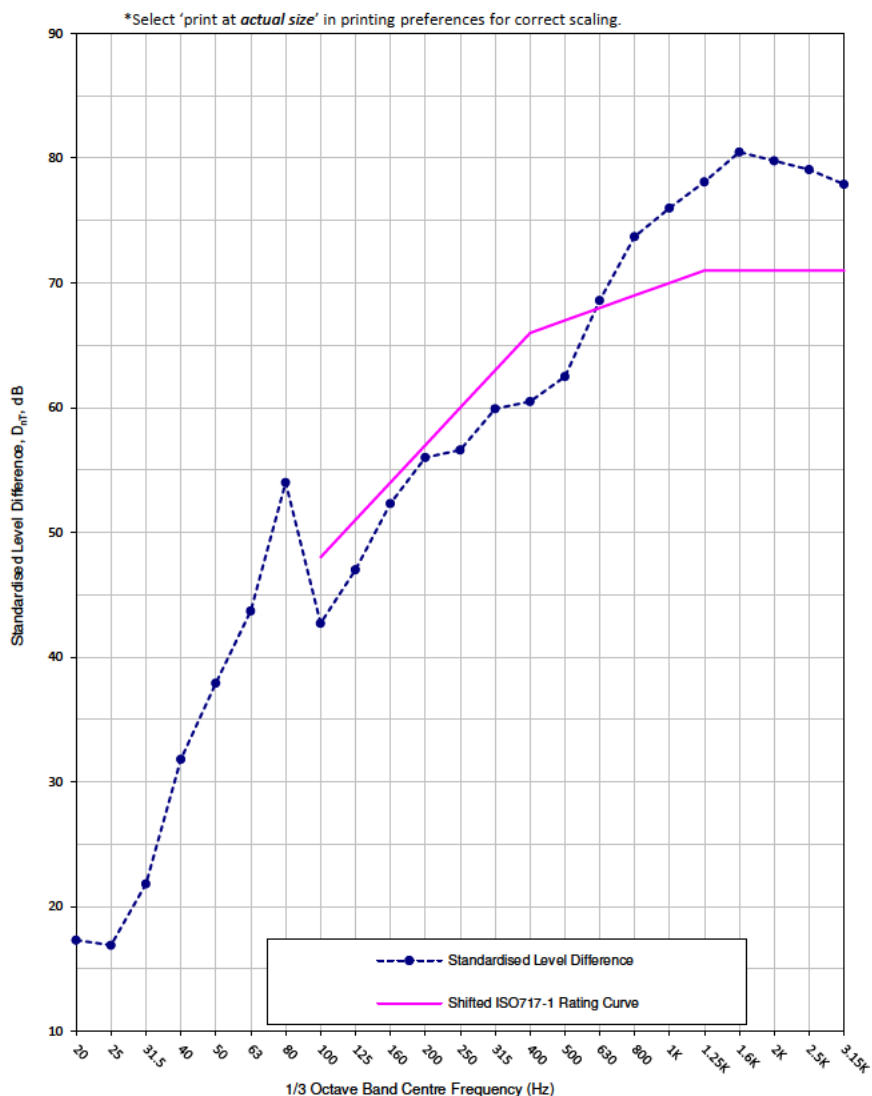
Limit of measurement, $D_{nT} \geq 79.8$

Limit of measurement, $D_{nT} \geq 79.1$

Limit of measurement, $D_{nT} \geq 77.9$

Shift Curve By: 15 dB
Sum of Adverse Deviations = 28.5 dB
 C_{tr} -7 dB
 D_w = 67 dB

$D_w + C_{tr} = 60$ dB



Test Standard: *BS EN ISO 140-4*

Rating Standard: *BS EN ISO 717-1*

Test Date: [REDACTED]

Signature: [REDACTED]

Authorised Tester: Ben Dymock

CSA Project Number: AS9537

Client: [REDACTED]

Airborne Sound Insulation Test

Figure :

AS9537/AB3

Standardised level difference according to ISO 140-4

Field measurements of airborne sound insulation between rooms

(NB Higher $D_w + C_{tr}$ figures denote better sound insulation performance)

Rooms Tested

From : *Top Dancefloor*

To : *2nd Floor Bedroom*

Frequency Hz	D_{nT} dB
20	13.8
25	14.7
31.5	21.8
40	36.3
50	36.7
63	43.1
80	51.9
100	46.2
125	56.6
160	59.7
200	62.5
250	65.1
315	67.0
400	70.8
500	79.3
630	82.5
800	82.1
1k	83.9
1.25k	83.8
1.6k	85.8
2k	84.1
2.5k	82.1
3.15k	80.4

Limit of measurement, $D_{nT} \geq 46.2$

Limit of measurement, $D_{nT} \geq 82.5$

Limit of measurement, $D_{nT} \geq 82.1$

Limit of measurement, $D_{nT} \geq 83.9$

Limit of measurement, $D_{nT} \geq 83.8$

Limit of measurement, $D_{nT} \geq 85.8$

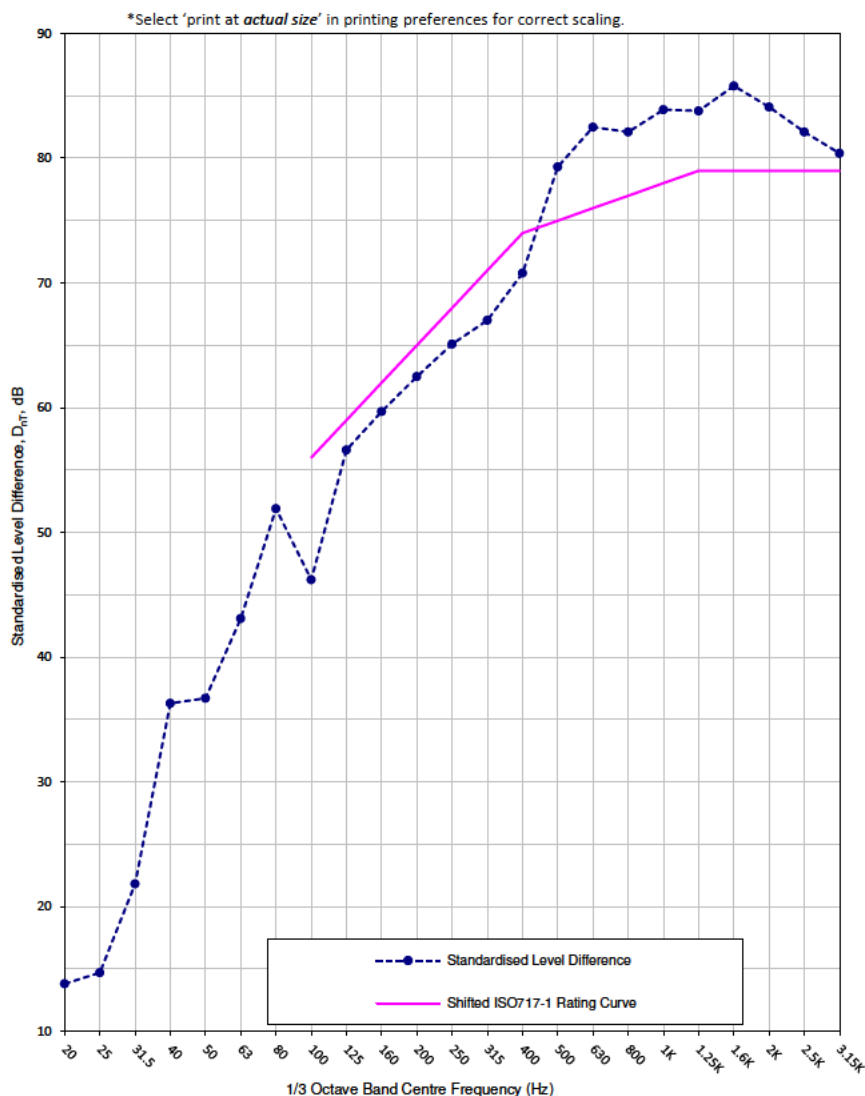
Limit of measurement, $D_{nT} \geq 84.1$

Limit of measurement, $D_{nT} \geq 82.1$

Limit of measurement, $D_{nT} \geq 80.4$

Shift Curve By: 23 dB
Sum of Adverse Deviations = 27.1 dB
 C_{tr} -10 dB
 D_w = 75 dB

$D_w + C_{tr} = 65$ dB



Test Standard: *BS EN ISO 140-4*

Rating Standard: *BS EN ISO 717-1*

Test Date: [REDACTED]

Signature: [REDACTED]

Authorised Tester: Ben Dymock

CSA Project Number: AS9537

Airborne Sound Insulation Test

Figure : AS9537/AB4

Standardised level difference according to ISO 140-4

Field measurements of airborne sound insulation between rooms

(NB Higher $D_w + C_{tr}$ figures denote better sound insulation performance)

Rooms Tested

From : Lower Dancefloor

To : G Floor Living / Kitchen

Frequency Hz	D_{nT} dB
20	22.3
25	28.5
31.5	34.2
40	29.5
50	39.2
63	49.5
80	52.7
100	48.0
125	43.5
160	44.5
200	54.0
250	56.0
315	56.4
400	60.8
500	65.7
630	67.7
800	75.0
1k	78.7
1.25k	77.4
1.6k	77.2
2k	76.3
2.5k	76.0
3.15k	76.8

Limit of measurement, $D_{nT} \geq 48.0$

Limit of measurement, $D_{nT} \geq 78.7$

Limit of measurement, $D_{nT} \geq 77.4$

Limit of measurement, $D_{nT} \geq 77.2$

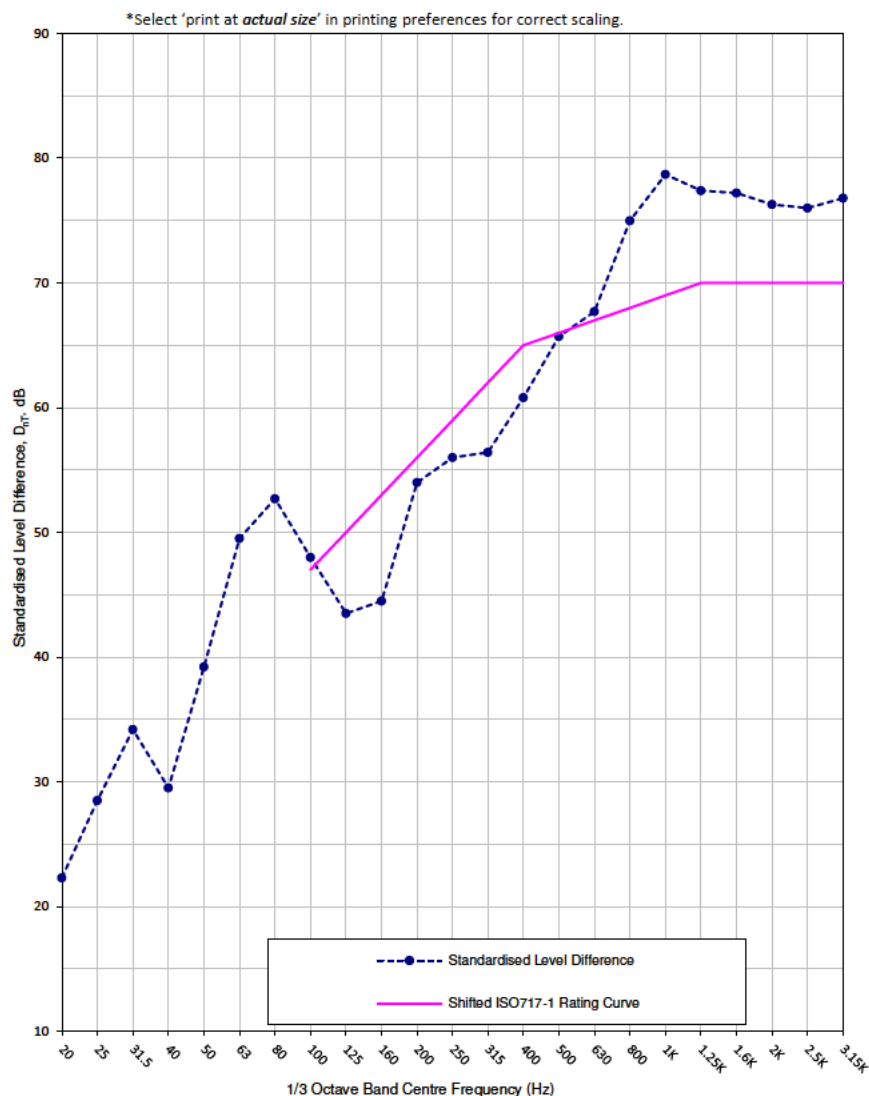
Limit of measurement, $D_{nT} \geq 76.3$

Limit of measurement, $D_{nT} \geq 76.0$

Limit of measurement, $D_{nT} \geq 76.8$

Shift Curve By: 14 dB
Sum of Adverse Deviations = 30.1 dB
 C_{tr} -8 dB
 D_w = 66 dB

$D_w + C_{tr} = 58 \text{ dB}$



Evaluation based on field measurement results obtained in one-third octave bands by an engineering method.

Test Standard: BS EN ISO 140-4

Rating Standard: BS EN ISO 717-1

Test Date: 23/03/2017

Signature:

Signature:

Authorised Tester: Ben Dymock

CSA Project Number: AS9537

clarke saunders associates | acoustics

Westgate House, 39-41 Romsey Rd, Winchester, SO22 5BE

Airborne Sound Insulation Test

Figure : AS9537/AB5

Standardised level difference according to ISO 140-4

Field measurements of airborne sound insulation between rooms

(NB Higher $D_w + C_{tr}$ figures denote better sound insulation performance)

Rooms Tested

From : Lower Dancefloor

To : 1st Floor Bedroom

*Select 'print at actual size' in printing preferences for correct scaling.

Frequency Hz	D_{nT} dB
20	25.1
25	25.5
31.5	30.9
40	33.6
50	36.7
63	46.9
80	57.3
100	44.9
125	41.9
160	44.7
200	51.0
250	54.1
315	55.7
400	60.2
500	65.2
630	72.9
800	77.2
1k	79.5
1.25k	78.1
1.6k	78.4
2k	76.6
2.5k	76.1
3.15k	76.7

Limit of measurement, $D_{nT} \geq 44.9$

Limit of measurement, $D_{nT} \geq 77.2$

Limit of measurement, $D_{nT} \geq 79.5$

Limit of measurement, $D_{nT} \geq 78.1$

Limit of measurement, $D_{nT} \geq 78.4$

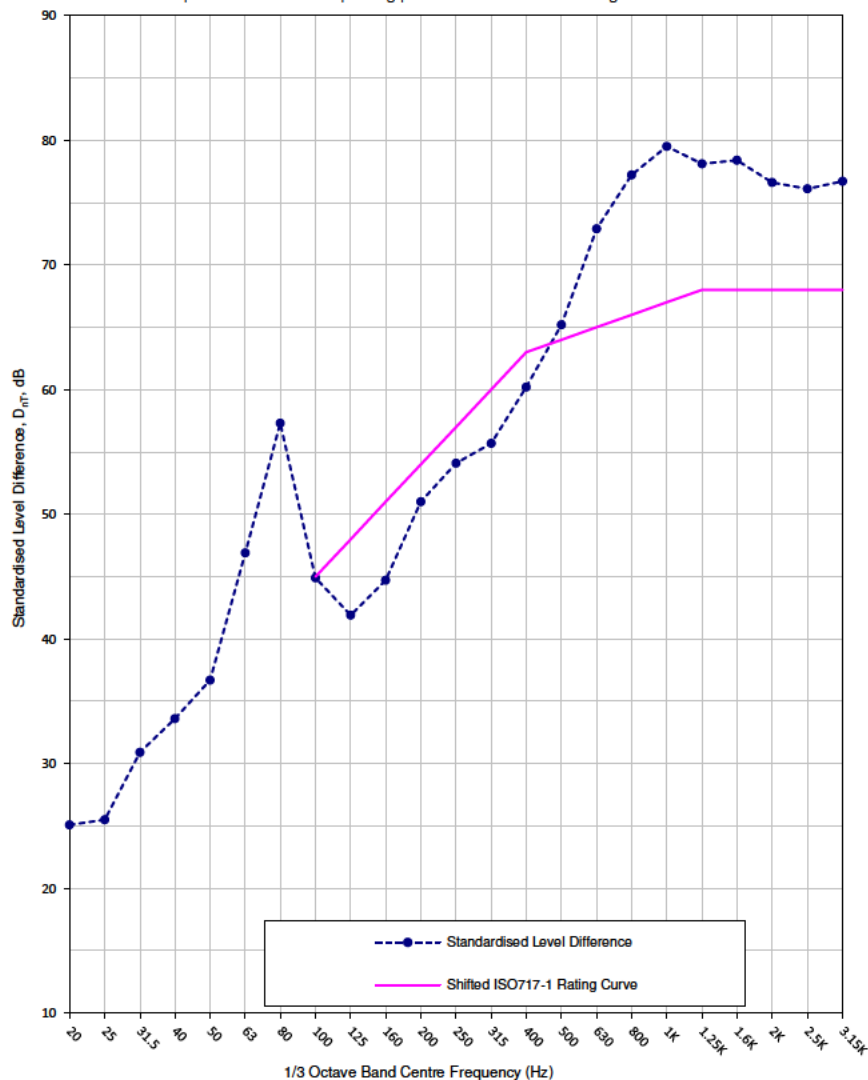
Limit of measurement, $D_{nT} \geq 76.6$

Limit of measurement, $D_{nT} \geq 76.1$

Limit of measurement, $D_{nT} \geq 76.7$

Shift Curve By: 12 dB
Sum of Adverse Deviations = 25.5 dB
 C_{tr} -7 dB
 D_w 64 dB

$D_w + C_{tr} = 57$ dB



Test Standard: BS EN ISO 140-4

Rating Standard: BS EN ISO 717-1

Test Date: [Redacted]

Signature: [Redacted]

Authorised Tester: Ben Dymock

CSA Project Number: AS9537

[Redacted]

[Redacted]

Airborne Sound Insulation Test

Figure : AS9537/AB6

Standardised level difference according to ISO 140-4

Field measurements of airborne sound insulation between rooms

(NB Higher $D_w + C_{tr}$ figures denote better sound insulation performance)

Rooms Tested

From : Lower Dancefloor

To : 2nd Floor Bedroom

Frequency Hz	D_{nT} dB
20	22.3
25	24.3
31.5	31.4
40	39.1
50	36.2
63	46.9
80	55.3
100	54.8
125	55.8
160	56.3
200	62.2
250	64.5
315	67.0
400	74.8
500	83.3
630	85.0
800	86.3
1k	88.4
1.25k	86.7
1.6k	87.4
2k	84.4
2.5k	82.5
3.15k	81.9

Limit of measurement, $D_{nT} \geq 54.8$

Limit of measurement, $D_{nT} \geq 83.3$

Limit of measurement, $D_{nT} \geq 85.0$

Limit of measurement, $D_{nT} \geq 86.3$

Limit of measurement, $D_{nT} \geq 88.4$

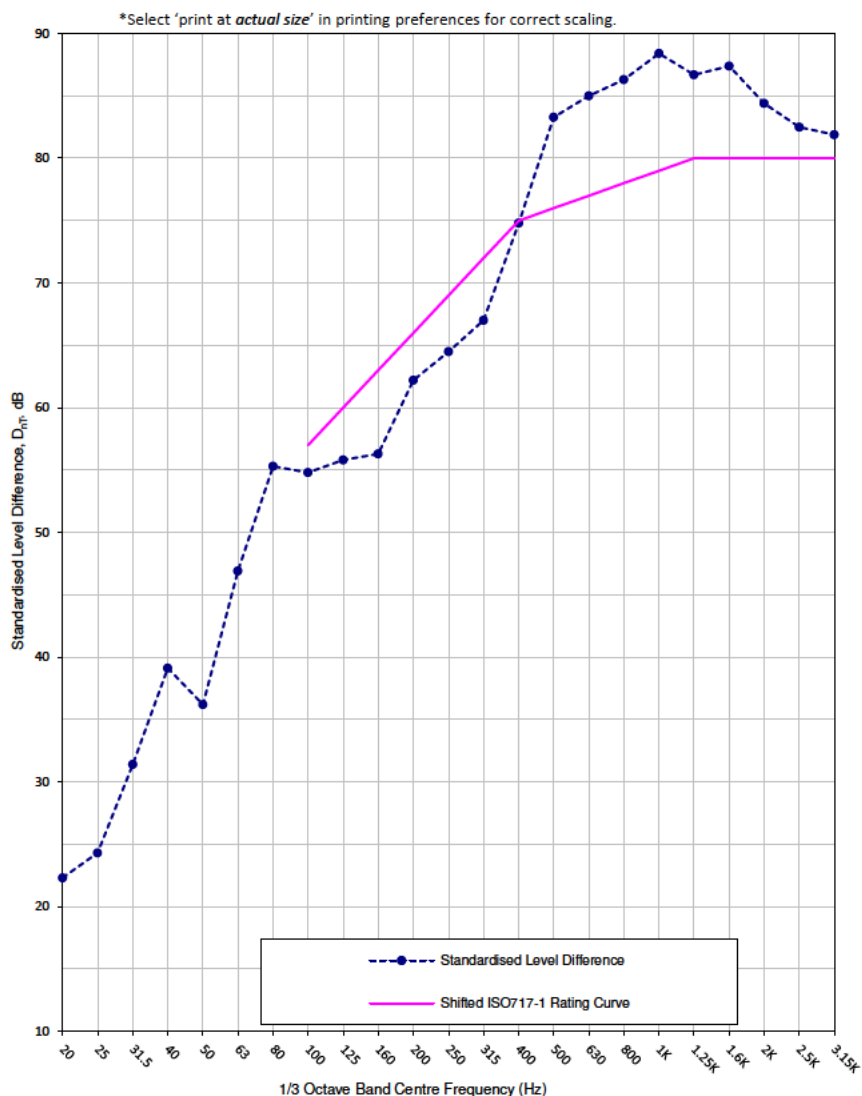
Limit of measurement, $D_{nT} \geq 86.7$

Limit of measurement, $D_{nT} \geq 87.4$

Limit of measurement, $D_{nT} \geq 84.4$

Limit of measurement, $D_{nT} \geq 82.5$

Limit of measurement, $D_{nT} \geq 81.9$



Shift Curve By: 24 dB
Sum of Adverse Deviations = 26.6 dB
 C_{tr} -7 dB
 D_w = 76 dB

$D_w + C_{tr} = 69$ dB

Test Standard: BS EN ISO 140-4

Rating Standard: BS EN ISO 717-1

Test Date: [REDACTED]

Signature: [REDACTED]

Authorised Tester: Ben Dymock

CSA Project Number: AS9537



Premises Licence Summary

Licensing Act 2003

Premises licence number	LN/4608-041115	Date of original grant*	24 November 2005
-------------------------	----------------	-------------------------	------------------

**An annual fee associated with this licence is to be paid on the anniversary of the original grant date.*

Postal address of premises, or if none, ordnance survey map reference or description			
THE WINCHESTER			
2 ESSEX ROAD ERROR! REFERENCE SOURCE NOT FOUND. ERROR! REFERENCE SOURCE NOT FOUND.			
Post town	LondonERROR! Reference source not found.	Post code	N1 8LNErrors! Reference source not found.
Telephone number	020 7704 8789ERROR! Reference source not found.		

Where the licence is time limited the dates
Not Applicable

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

The times the licence authorises the carrying out of licensable activities				
<ul style="list-style-type: none"> The provision of regulated entertainment for the performance of live music: 				
Monday	09:00	to	00:00	
Tuesday	09:00	to	00:00	
Wednesday	09:00	to	00:00	
Thursday	09:00	to	02:00	the following day
Friday	09:00	to	04:00	the following day
Saturday	09:00	to	04:00	the following day
Sunday	09:00	to	00:00	

- The provision of regulated entertainment for the playing of recorded music:

Monday	09:00	to	00:00	
Tuesday	09:00	to	00:00	
Wednesday	09:00	to	00:00	
Thursday	09:00	to	02:00	the following day
Friday	09:00	to	04:00	the following day
Saturday	09:00	to	04:00	the following day
Sunday	09:00	to	00:00	

- The provision of regulated entertainment by way of the exhibition of films:

Monday	09:00	to	23:00
Tuesday	09:00	to	23:00
Wednesday	09:00	to	23:00
Thursday	09:00	to	23:00
Friday	09:00	to	23:00
Saturday	09:00	to	23:00
Sunday	09:00	to	23:00

- The provision of late night refreshment:

Monday	23:00	to	00:30	the following day
Tuesday	23:00	to	00:30	the following day
Wednesday	23:00	to	00:30	the following day
Thursday	23:00	to	02:30	the following day
Friday	23:00	to	02:30	the following day
Saturday	23:00	to	02:30	the following day
Sunday	23:00	to	00:30	the following day

- The sale by retail of alcohol:

Monday	11:00	to	00:00	
Tuesday	11:00	to	00:00	
Wednesday	11:00	to	00:00	
Thursday	11:00	to	02:00	the following day
Friday	11:00	to	03:30	the following day
Saturday	11:00	to	03:30	the following day
Sunday	11:00	to	00:00	

Except on:

New Year's Eve, until the time authorised on the following day

To extend the permitted hours for all activities on bank holiday Sunday's by two hours.

The opening hours of the premises:

Monday	11:00	to	00:00	
Tuesday	11:00	to	00:00	
Wednesday	11:00	to	00:00	
Thursday	11:00	to	02:00	the following day
Friday	11:00	to	04:00	the following day
Saturday	11:00	to	04:00	the following day
Sunday	11:00	to	00:00	

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

On supplies

Name, (registered) address of holder of premises licence

Beronmoor Limited
The Winchester
2 Essex Road
London
N1 8LN

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

03587048

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

Mr Mohammad Aminul Islam Miah

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

No person under the age of 14 years shall be in the bar of the premises during the hours that the premises is authorised to sell alcohol subject to condition 2 of annex 2 of this licence.

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

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

Annex 1 - Mandatory conditions

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

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. 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. The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.

2. The licence shall be subject to the Council's standard conditions for Places of Entertainment
3. The licence shall be subject to the Council's technical standards for Places of Entertainment
4. The maximum number of persons accommodated at any one time in the premises shall not exceed the following:
 - a. Basement 100; and
 - b. Ground Floor 100.
5. The licence is subject to the following Additional Conditions referred to in the Standard Conditions for Places of Public Entertainment:
 - i. ADDITIONAL CONDITIONS D: APPLICABLE TO PREMISES USING DOOR SUPERVISORS.
 - ii. ADDITIONAL CONDITIONS SX: FOR PARTICULAR CONTROL OVER STRIPTEASE OR SIMILAR ENTERTAINMENT INVOLVING NUDITY.
 - iii. ADDITIONAL CONDITION GO: APPLICABLE TO THE KEEPING OF GOOD ORDER.
6. The inward opening final exit doors specified below shall be locked in the fully open position when the premises are occupied: entrance/exit door at the corner of Essex Road/St Peter's Street and the exit door fronting St Peter's Street.
7. The name and contact telephone number of the persons in charge of the premises shall be displayed on the premises in a prominent position so that it can be seen from the outside of the premises, so that residents have the opportunity to telephone the person in charge if patrons are causing a nuisance.
8. The Licensee shall ensure that at all times that this licence is in operation, all amplified sound and music is subject to the control of an entertainment noise control system set to music noise levels approved by and in conjunction with the Council's Noise team.
9. The entertainment noise control system is to be calibrated and maintained at settings that restrict all amplified sound played at the premises at or below the levels when measured at specified monitoring points as follows:
 - a. Ground Floor
 - b. Measurements taken at a height of 1.5m, facing the DJ booth at 2m distance and 2m from the kitchen in the rear area of the bar.
 - c. 90 dB (Lin) Leq (1 min);
 - d. 84 dB (A) Leq (1 min);
 - e. 74 dB at the 63 Hz Octave Band (1 min); and
 - f. 88 dB at the 125 Hz Octave Band (1 min).
 - g. Basement
 - h. Measurements taken at a height of 1.5 m, facing the rear wall, with back to the DJ booth at 2m from the booth at equal distances from the pillar and the right hand side wall.
 - i. 99.5 (Lin) Leq (1 min);
 - j. 95 dB (A) Leq (1 min);
 - k. 87 dB at the 63 Hz Octave Band (1 min); and
 - l. 96 dB at the 125 Hz Octave Band (1 min)
10. If there are any changes in the distribution and type of loudspeakers or amplification equipment serving the sound system, then the noise control system shall be

recalibrated so the music noise levels specified above are not exceeded. The calibration certificate shall be forwarded to the Council's Licensing Team.

11. The entertainment noise control system shall be regularly monitored, checked and its calibration adjusted as necessary so the music noise levels approved by the Council above are not exceeded. On receipt of a noise complaint, independently substantiated by an Islington Council noise officer, a calibration certificate from an acoustic consultant shall be submitted detailing the following:
 - a. confirmation that the entertainment noise control system is operating correctly so that the music noise levels above are not being exceeded; and
 - b. the components and make-up of the sound system under the control of the entertainment noise control system.
12. On Thursday, Friday & Saturday SIA registered door staff are to be employed at the premises from 21:00hrs until 30 minutes after the premises closes at the ratio of, at least, 1 door supervisor to every 100 customers. At any other time when a DJ and/or live music is provided, door supervisors shall be employed 30 minutes before the beginning of the event until closing time at a ratio of, at least 1:100. The door supervisor/s shall also be responsible for ensuring the vicinity of the premises is clear of litter attributable to the premises.
13. Noise from the rooftop plant shall not cause an increase in existing background levels at the nearest noise sensitive façade.
14. An attendant shall be on duty in the vicinity of the cloakroom during the whole time it is in use.
15. The premises shall actively participate in the local Pubwatch
16. A digital CCTV system shall be installed, operated and maintained inside and outside the premises [subject to planning permission] in agreement with the Police. The system will enable a frontal head and shoulders image 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. A working copy shall be supplied free of charge to a Police Officer within 24 hours of any request to assist in the investigation of a crime or apprehending or prosecuting an offender. It is the responsibility of the premise to download any recording requests.
17. Incident/Refusals book to be completed and checked weekly by the DPS.
18. Premises to adopt Bill Challenge 25 the National Proof of Age Standards Scheme.
19. 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 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.
20. An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record the following:
 - a. All crimes reported to the venue
 - b. Any complaints received

- c. Any incidents of disorder
 - d. Any faults in the CCTV system
 - e. Any visit by a relevant authority or emergency service
 - f. All ejections of patrons
 - g. All seizures of drugs or offensive weapons
 - h. Any refusal of the sale of alcohol
21. 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.
22. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
23. After midnight all drinking vessels used in the venue shall be polycarbonate and all alcohol in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to being served.
24. No Under 21's allowed on the premises. Except for private pre-booked parties with a terminal hour of midnight and persons under the age of 18 dining with a responsible adult before 10pm
25. There shall be no entry to the premises after 02.00 am save for patrons returning from the smoking area.

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

- 1. No unaccompanied children shall be allowed in the premises . No children under 16 shall be allowed on the premises after 18:00 with the exception of private functions.
- 2. That the closing time for the premises will be half an hour after the terminal hour for the sale of alcohol.
- 3. That notices be displayed reminding people to leave quietly and to use the toilets before leaving.

Annex 4 – Plans

Reference Number: 89322

APPENDIX A

ACOUSTIC TERMINOLOGY & HUMAN RESPONSE TO BROADBAND SOUND

1.1 Acoustic Terminology

The human impact of sounds is dependent upon many complex interrelated factors such as 'loudness', its frequency (or pitch) and variation in level. In order to have some objective measure of the annoyance, scales have been derived to allow for these subjective factors.

Sound	Vibrations propagating through a medium (air, water, etc.) that are detectable by the auditory system.
Noise	Sound that is unwanted by or disturbing to the perceiver.
Frequency	The rate per second of vibration constituting a wave, measured in Hertz (Hz), where 1Hz = 1 vibration cycle per second. The human hearing can generally detect sound having frequencies in the range 20Hz to 20kHz. Frequency corresponds to the perception of 'pitch', with low frequencies producing low 'notes' and higher frequencies producing high 'notes'.
dB(A):	Human hearing is more susceptible to mid-frequency sounds than those at high and low frequencies. To take account of this in measurements and predictions, the 'A' weighting scale is used so that the level of sound corresponds roughly to the level as it is typically discerned by humans. The measured or calculated 'A' weighted sound level is designated as dB(A) or L_A .
L_{eq} :	A notional steady sound level which, over a stated period of time, would contain the same amount of acoustical energy as the actual, fluctuating sound measured over that period (e.g. 8 hour, 1 hour, etc). The concept of L_{eq} (equivalent continuous sound level) has primarily been used in assessing noise from industry, although its use is becoming more widespread in defining many other types of sounds, such as from amplified music and environmental sources such as aircraft and construction. Because L_{eq} is effectively a summation of a number of events, it does not in itself limit the magnitude of any individual event, and this is frequently used in conjunction with an absolute sound limit.
L_{max} :	The maximum sound pressure level recorded over a given period. L_{max} is sometimes used in assessing environmental noise, where occasional loud events occur which might not be adequately represented by a time-averaged L_{eq} value.
R	<i>Sound Reduction Index</i> . Effectively the <i>Level Difference</i> of a building element when measured in an accredited laboratory test suite in accordance with the procedures laid down in BS EN ISO 10140-2:2010 and corrected for its size and the reverberant characteristics of the receive room.
D	The sound insulation performance of a construction is described in terms of the difference in sound level on either side of the construction in the presence of a sound source on one side and the reverberant characteristics of the adjoining 'receive' space. <i>D</i> is the arithmetic <i>Level Difference</i> in decibels between the source and receive sound levels when filtered into frequency bands.
D_{nT}	<i>Weighted Standardised Level Difference</i> . As defined in BS EN ISO 717-1, representing the <i>Weighted Level Difference</i> , when standardised for reference receiving room reverberant characteristics.
R_w D_w $D_{nT,w}$ $D_{n,e,w}$ $D_{n,f,w}$	Value of parameter, determined as above, but weighted in accordance with the procedures laid down in BS EN ISO 717-1 to provide a single-figure value.
C, C_{tr}	Spectral adaptation terms to be added to a single number quantity such as $D_{nT,w}$, to take account of the sound insulation within frequency ranges of particular interest.

1.2 Octave Band Frequencies

In order to determine the way in which the energy of sound is distributed across the frequency range, the International Standards Organisation has agreed on "preferred" bands of frequency for sound measurement and analysis. The widest and most commonly used band for frequency measurement and analysis is the Octave Band. In these bands, the upper frequency limit is twice the lower frequency limit, with the band being described by its "centre frequency" which is the average (geometric mean) of the

ACOUSTIC TERMINOLOGY & HUMAN RESPONSE TO BROADBAND SOUND

upper and lower limits, e.g. 250 Hz octave band extends from 176 Hz to 353 Hz. The most commonly used octave bands are:

Octave Band Centre Frequency Hz | 63 | 125 | 250 | 500 | 1000 | 2000 | 4000 | 8000

1.3 Human Perception of Broadband Noise

Because of the logarithmic nature of the decibel scale, it should be borne in mind that sound levels in dB(A) do not have a simple linear relationship. For example, 100dB(A) sound level is not twice as loud as 50dB(A). It has been found experimentally that changes in the average level of fluctuating sound, such as from traffic, need to be of the order of 3dB before becoming definitely perceptible to the human ear. Data from other experiments have indicated that a change in sound level of 10dB is perceived by the average listener as a doubling or halving of loudness. Using this information, a guide to the subjective interpretation of changes in environmental sound level can be given.

INTERPRETATION

Change in Sound Level dB	Subjective Impression	Human Response
0 to 2	Imperceptible change in loudness	Marginal
3 to 5	Perceptible change in loudness	Noticeable
6 to 10	Up to a doubling or halving of loudness	Significant
11 to 15	More than a doubling or halving of loudness	Substantial
16 to 20	Up to a quadrupling or quartering of loudness	Substantial
21 or more	More than a quadrupling or quartering of loudness	Very Substantial

Rep 9

Dear Sirs,

Response to licence review, The Winchester, 2 Essex Road, N1

Worksheet Number: WK/170034902

My husband [REDACTED] write in support of the complaints regarding anti-social behaviour and nuisance arising from the Winchester.

Regrettably, my husband and I have not maintained a detailed diary of each and every incident due to:

- fear of being targeted; and
- we did not think the Council would be interested / intervene given the apathy and disorganisation experienced in relation to the Tesco development and your having permitted them to breach the terms of the planning permission without consequence and having lost monitoring / enforcement documentation.

Notwithstanding the above, we have and continue to experience the following: -

- as I type (1 December 2017) there is a Smashed wine glass on the pavement on the corner of St Peters Street/Colebrooke Row (Lambs Mews side of the Road) from last night (30th November 2017). (NB) this is not uncommon, there is regularly broken glass both on the street outside the Winchester, on the pavement on the opposite side of the road to the Winchester, on the pavement where St Peters St crosses Colebrooke Row and at the back of Colebrook Row where by the gate/ stairs down from St Peters Street.
- Every single week and particularly the summer (every single night, particularly Thursday, Friday and Saturdays) we suffer considerably with noise from the Winchester. People screaming both prior to and after closing hours – general drunkenness, couples arguing, groups fighting. Endlessly (some takes place in the street, but often at the back of Lambs Mews near the stairs), glass smashing, cars beeping their horns etc.
- In the hotter weather this is unbearable as we effectively have to choose between suffocating in the heat (keeping windows closed) and wearing earplugs and still be kept awake, or keeping the windows open, putting earplugs in and again being unable to sleep due to the noise. We both have very stressful and demanding jobs which are made more difficult due to this ongoing issue, which is getting progressively worse. The noise problem persists, but due to the colder weather the windows are closed. Regardless of our jobs, we should not have to be subjected to this noise.
- It is now normal to see people (mainly men) urinating at the entrance of Lambs Mews usually against the wall by number [REDACTED], or at the back of the Mews. We have not kept a diary but this is unfortunately a common occurrence. There is often a smell of urine at the back of Lambs Mews by the gate/ stairs down from St Peters Street (opposite the entrance to the Winchester). We now generally avoid the stairs after dark as it is impossible to be sure of what we may step in.
- We have both seen have seen a couples having sex at the entrance of Lambs Mews against the wall by number [REDACTED] and on one occasion found a used condom the following morning. We also saw another couple having sex by the front door of number [REDACTED] [REDACTED] We shouldn't have to see that when looking out of our kitchen window.
- It has become normal to see vomit both at the back of Lams Mews and again near the entrance at Colebrooke Row. This most recently happened on the 23/24 November 2017. We were away this weekend so cannot comment on the past couple of days.

- Approximately 2 years ago we were woken up by a drunk woman with no top on knocking on our door at 2/3am. She was accompanied by a man she appeared to know. We did not engage with her as our house had been the target of an attempted burglary only a couple of days before – we believe a neighbour did engage with her.
- Often if we return home late at night from visiting family and friends, turning from Essex Road onto St Peters Street, and then onto Colebrooke Row is extremely difficult due to:
 - to patrons of the Winchester partying outside drinking / dropping drinks / smoking whilst stood in the road (not the pavement) and refusing to move whilst the bouncers look on and do nothing.
 -
 - minicabs / cars being parked on both sides of the road, thus blocking it and not being prepared to (refusing) move.
 -
 - when a car gives way, we then have to contend with drunk revellers refusing to move from the middle of the road as they are busy smoking / drinking / arguing and do not move onto the pavement.

(NB) The bouncers are always there, but we have never seen them actually do anything.

- On at least 6 occasions within the past couple of months, we have both seen drug dealing (same man on every occasion) again by the door of number [REDACTED] between midnight and 4am.

Additional points we would like to raise are: -

1. the problems have become progressively worse and continue to escalate.
2. we have no record of having ever been consulted on the late licensing of the Winchester. Please provide (1) confirmation that documentation was sent; (2) when the documentation was sent; and (3) copies of the documentation sent.
3. our house is not on the side that backs onto St Peter's Street. Our house is opposite those houses. (I.E) the houses opposite our house that back onto St Peter's Street act as a buffer / sound barrier to the noise from the Winchester and it's patrons, yet the disruption is still completely unacceptable.
4. our neighbour had an issue recently with someone setting fire to rubbish outside their front door. Whilst it is not though that the fire was caused by a patron of the Winchester, my husband did mention the Mews has and continues to suffer with anti-social behaviour / noise issues from the Winchester to the Police who confirmed that they would report the comments in relation to the Winchester.
5. The nuisance and anti-social behaviour will not improve. The Patrons of the Winchester have either been there drinking all night, or end their nights out at the Winchester having been elsewhere. These people are not going out for a civilised dinner. By and large they are going out with the intention of getting drunk, very drunk in most cases. The Winchester benefits financially from this. Once the patrons are no longer sober, they do not care about the environment around them and cannot be reasoned with.
6. It is clear from the Winchester's owners that they do not care. If they did, a telephone number / contact name would be up in clear view for locals to contact (we haven't seen any such sign). They would ensure their bouncers ensured people did not take drinks in glasses outside (this is easily done when people try to leave), but they do not. The bouncers make no attempt to keep people on the pavements and look at people lolling about in the middle of the road.

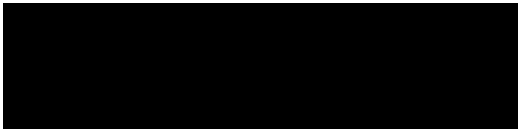
7. Even IF the owners of the Winchester were minded to try to do anything, practically we cannot see how this is possible given the numbers of people hanging around outside both prior to and after closing. All that will happen is that they will move a little down the street (they do this already) and carry on shouting / fighting/ doing whatever there. They are also not going to be able to stop the cars beeping etc.

In summary, the late licence is simply encouraging the behaviour and prolonging the problem each night for people like us that simply want to enjoy their homes in peace without having to listen to people screaming/fighting until 5am the following day and then having to clear up glass, vomit, condoms, urine etc once the sun rises. It is simply unacceptable that the owners of the Winchester are irresponsibly reaping the financial benefit of getting people extremely drunk, whilst breaching terms of the licence yet being permitted to retain it.

Please acknowledge receipt of this email. We should also be grateful for confirmation of the outcome of the review.

We look forward to hearing from you.

Yours faithfully



Rep 10

The Winchester

Dear Sir/ Madam,

> I live on Colebrooke Row and would like my comments considered while reviewing the Winchester late license.

We have a lot of noise, arguing, sometimes fights, vomit, glasses, and people using our street as a toilet. Also, cars with their engines running waiting to collect people very late into the night and early morning. I have three children and the street has a lot of children in it. During the summer people fill the street as if it's day time into the early hours.

Yours sincerely



Rep 11

Response to license review / The Winchester, Worksheet Number:WK/170034902

Dear Islington Council,

Thank you for reviewing The Winchester Bar's late license.

We find the noise (shouting, so-called singing etc.) from The Winchester in the early hours very disturbing. Especially our 16-year-old daughter, an A-Level student, is struggling. She would definitely need a good night's sleep in order to have the energy to study. It's heartbreaking to see her suffer. Besides, night-time noise and worsened sleep quality can produce serious health effects.

The customers also vomit and urinate - not only in the street but in our yard too. They also leave rubbish on the street and in our yard.

Kind Regards,

Marina Lipscomb
Legal Services
London Borough of Islington
DX 12230 UPPER ISLINGTON

Our Ref: dd/lb/TOF1

Your Ref:

15th January 2018

Marina.Lipscomb@islington.gov.uk

Dear Sirs,

Re: The Winchester Public House, 2 Essex Road, N1 8LN

We write with reference to the above premises and the licensing authority's letter dated 19th December 2017, received by email on the 20th December.

The letter amongst other things confirms the licensing authority are attaching supporting representations in relation to a licensing review application made on the 6th November 2017.

Furthermore, it attaches a copy of the representations for consideration by a licensing authority hearing to be heard in public on the 16th January 2018.

In preparation for the hearing a copy of the agenda was printed on Saturday 13th January 2018 and it was discovered that there appears to be an omission of a representation from Environmental Health.

At page 36 of the agenda there is a representation dated 30th November 2017 by Anne Brothers on behalf of the responsible authority environmental protection.

The representation consists of 21 pages and raises and addresses a number of issues. Our client has not been disclosed a copy of that representation on the 20th December 2017, or since.

Upon this firm reading the representation we respectfully submit that our client cannot receive a fair public hearing. As you will be aware in the case of *Kraska v Switzerland*, the European Court of Human Rights said that the purpose of Article 6(1) was amongst other things ... "to place the tribunal under a duty to conduct a proper examination of submissions, arguments and evidence produced by the parties without prejudice to its assessment of whether they are relevant to its decision".

Dadds Solicitors

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Page 142

Furthermore, as set out in Patersons at page 1487 it gives particular examples of the constituents of the right to a fair hearing, which are:

1. There must be equity of arms between the parties. This means that each party must be afforded a reasonable opportunity to present his case including his evidence under conditions that do not place him at a substantial disadvantage vis a vis his opponent. It is imperative in our opinion that the premise licence holder should know the objections he faces and be afforded a reasonable opportunity to prepare his case.
2. The hearing must be properly adversarial, this requires that both sides should have adequate notice of the opponents' case and proper time to consider and address the issues relevant to the case.
3. There must be full and proper disclosure of the relevant material in Michael v United Kingdom the European Court read into the adversarial principle a requirement for full disclosure. The court considered that without such disclosure it would be impossible for the parties to know and comment upon the evidence adduced.

Our client is required to have 10 working days' notice of the hearing and have the representations given to them, so that they have an opportunity to present their case. There appears to be a complete failure to provide the representation made by public health on the 30th November 2017 to the premise licence holder, only discoverable by printing the agenda.

We accept that administrative errors like this do occur, however we would ask that an investigation be carried out to establish why the representation was not included. Has there been any correspondence between the licensing authority and its officers and environmental health regarding the representation, whether there was a conscious decision to withhold the representation from public protection?

Our client asks for an adjournment of the hearing listed for the 16th January for them to be afforded the opportunity to prepare their case. We ask for no less than 10-working days.

Further to the above we would raise concerns regarding disclosure by the police service in relation to their representation. You will be aware the police service made a representation on the 10th November 2017. In that representation it was set out that a further statement in support of the representations would be made. The police service were written to on the 6th and 7th December 2017 requesting all CRIS reports. These have still not been provided. As aforementioned, there must be full and proper disclosure of relevant material. Without such disclosure it would be impossible for the premise licence holder to know and comment upon the evidence adduced adequately.

Our client has only received the additional statement late on Monday 5th January.

We ask for an adjournment so that our client can be given full disclosure from the Police Service so that our client can consider the information fully and then make representations accordingly.

We ask that the licensing authority's representation made on the 19th December 2017 be excluded. The last date for representations was, based on the information presently before us, was the 4th December, or there, thereabouts. Therefore, the representation is outside of time. Of course, an amplification of the original representation may be made at the licensing sub-committee, no new additional representations may be made.

Once again, our client is concerned that the public health representation has not been disclosed and our client is entitled to a fair hearing. We ask for an urgent response to our letter confirming that an adjournment has been allowed. We write to you on an urgent basis so all parties can be informed.

We look forward to hearing from you as a matter of urgency.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Dadds', written in a cursive style.

DADDS LLP



ISLINGTON

Beronmoor Limited
Alpha House
176a High Street
Barnet
Hertfordshire
EN5 5SZ

This matter is being dealt with by:

Terrie Lane

27 November 2017

Licensing Team
Public Protection Division
222 Upper Street
London
N1 1XR

T 020 7527 3031

F 020 7527 3430

E licensing@islington.gov.uk

W www.islington.gov.uk

Our ref: PPD/LIC/PANEL

Your ref:

Dear Sir/Madam

LICENSING OFFICER PANEL 7 December 2017 at 10am

RE: THE WINCHESTER 2 ESSEX ROAD LONDON N1 8LN

I would like to invite you to a meeting of the Licensing Officers Panel on 7 December 2017. The meeting is scheduled to commence at 10:00 and will take place at 222 Upper Street, London N1 1XR.

The Panel will consist of the Service Director, Public Protection Division or their representative, a Police Officer and a member of the licensing team.

The purpose of the Panel is to ask you questions regarding recent reports from Licensing Officers and Police that you have served alcohol before and after the permitted times on your premises licence, there have been assaults and lack of control at the premises.

You will be given the opportunity to respond to these concerns and discuss the way forward. If you wish, a representative of your choice may accompany you.

On arrival at our offices please report to reception and state you are here for a Licensing Officers Panel meeting. Please advise reception to call extension 3014 or 3200 and someone will collect you.

Please contact me on 020 7527 3233 to confirm your attendance or to discuss the matter further. In my absence contact the Licensing Duty Line on 020 7527 3031 between 1pm and 5pm Monday to Friday.

Yours faithfully,


Terrie Lane
Licensing Manager

Louise Bailey

From: Montanez-Dodson, Monty <Christopher.Montanez-Dodson@islington.gov.uk>
Sent: 06 December 2017 13:00
To: Lane, Terrie; Forde, Niall
Cc: David Dadds
Subject: WINCHESTER PANEL & REVIEW

Hi both

I have just had a call from David Dadds regarding the Winchester (Cc'd)

Terri

They have been requested to attend on behalf of their client, the interview Panel letter talks of incidents/evidence, can you email David the relevant information/evidence for tomorrow, if they don't have the info to advise their client on, they may need to reschedule the panel meeting if possible

Niall

David would like to know if there is any Reps received for the review as the last date has passed.

Kind Regards

Christopher Montanez
Licensing Support Manager
0207 527 3200

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Louise Bailey

From: Louise Bailey
Sent: 07 December 2017 11:25
To: 'Lane, Terrie'
Cc: 'licensingpolice@islington.gov.uk'
Subject: The Winchester Public House, 2 Essex Road, London, N1 8LN
Attachments: Problem licensed premises - prevention process.pdf

Dear Sirs

Re: The Winchester Public House 2 Essex Road, London, N1 8LN
Informal (Recorded) Licensing Officer Panel – 7th December 2017

We write with reference to the above and further to the meeting of this morning which we ask for a copy of the notes.

Our client feels disappointed not to be afforded the opportunity of having full disclosure of relevant material so that he is able to engage in a two-way conversation about the concerns of the licensing authority and the police service.

We have not seen sight of any paperwork or documents of concerns raised by the local authority except for alleged trading before and after hours despite the local authority saying they have substantial representations made by residents, interested parties and responsible authorities, including themselves, against the review which has been brought by a local resident.

Furthermore, the police service have provided a summary of reports made yesterday which as we have set out, our client has not been afforded enough opportunity to consider these in full.

The police this morning have proposed a number of recommendations which were not advanced yesterday and it appears they may have only been written this morning. Of course, if they were written yesterday then we ask why they were not disclosed beforehand. Our client set out clearly and succinctly that he wishes to work with the local authority, the police service and other responsible authorities, but in an open and transparent way. With him being afforded an opportunity to understand what the concerns are of the local authority in advance so he may consider them and seek advice and be able to either have a two-way discussion about those concerns or make his own suggestions and recommendations.

It is our Mr Dadds opinion that to insist on a meeting where there is no disclosure and to ask the premises to reduce their hours of trading substantially there and then on the spot, is not in accordance with the Nolan principles, the regulatory compliance code or the police standards directorate route map, which we enclose for your reference.

Our client asks for a one-week adjournment for the meeting to be rescheduled so he may be able to consider the information he has asked for but has not been disclosed. Our Mr Dadds hopes you will agree with him that it is right and proper that both parties are afforded the opportunity to meet in advance, and then develop an action plan if required.

Our client has felt under tremendous pressure today and felt that the local authority and police service were almost encouraging him to not follow the advice of Mr Dadds, but to push ahead for the fear of consequences of not being seen to participate in a meeting which our Mr Dadds considers unfair for the aforementioned reasons.

Can we please have your assurance in writing that our client's request for adjournment and the above information, and him wanting to follow advice today will not be held against him, and that he ought to feel that the council will follow the Nolan principles and good practice as aforementioned.

We ask that a meeting be reconvened at your earliest convenience once disclosure has been given. This letter has been written at 11:15 hours on the 7th December 2017.

We look forward to hearing from you.

Yours faithfully
Dadds LLP

Kind regards

Louise Bailey

Dadds LLP Licensing Solicitors

Crescent House, 51 High St, Billericay, Essex CM12 9AX

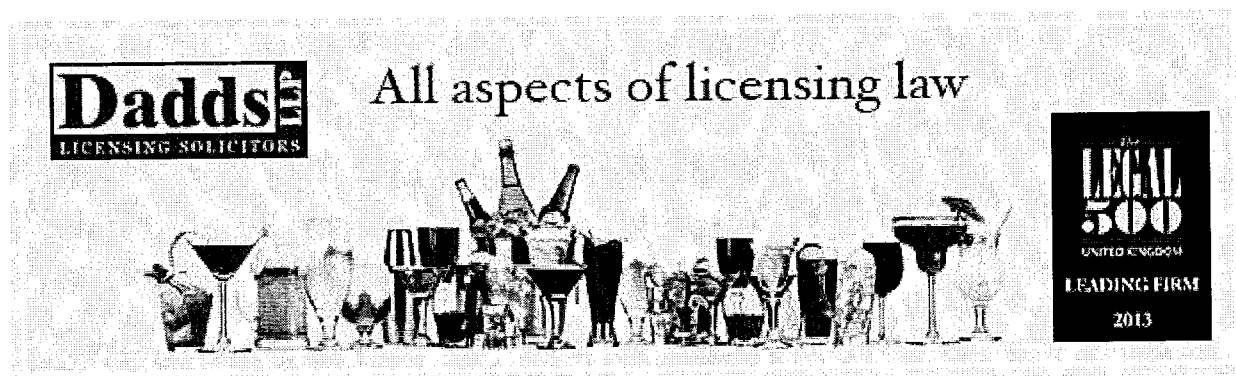
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Christmas Closing – Our offices close for the Christmas holidays at 2pm on Friday 22nd December and will re-open at 9am on Tuesday 2nd January 2018. The partners and staff would like to take this opportunity to wish you the warmest Season's Greetings and a prosperous New Year.

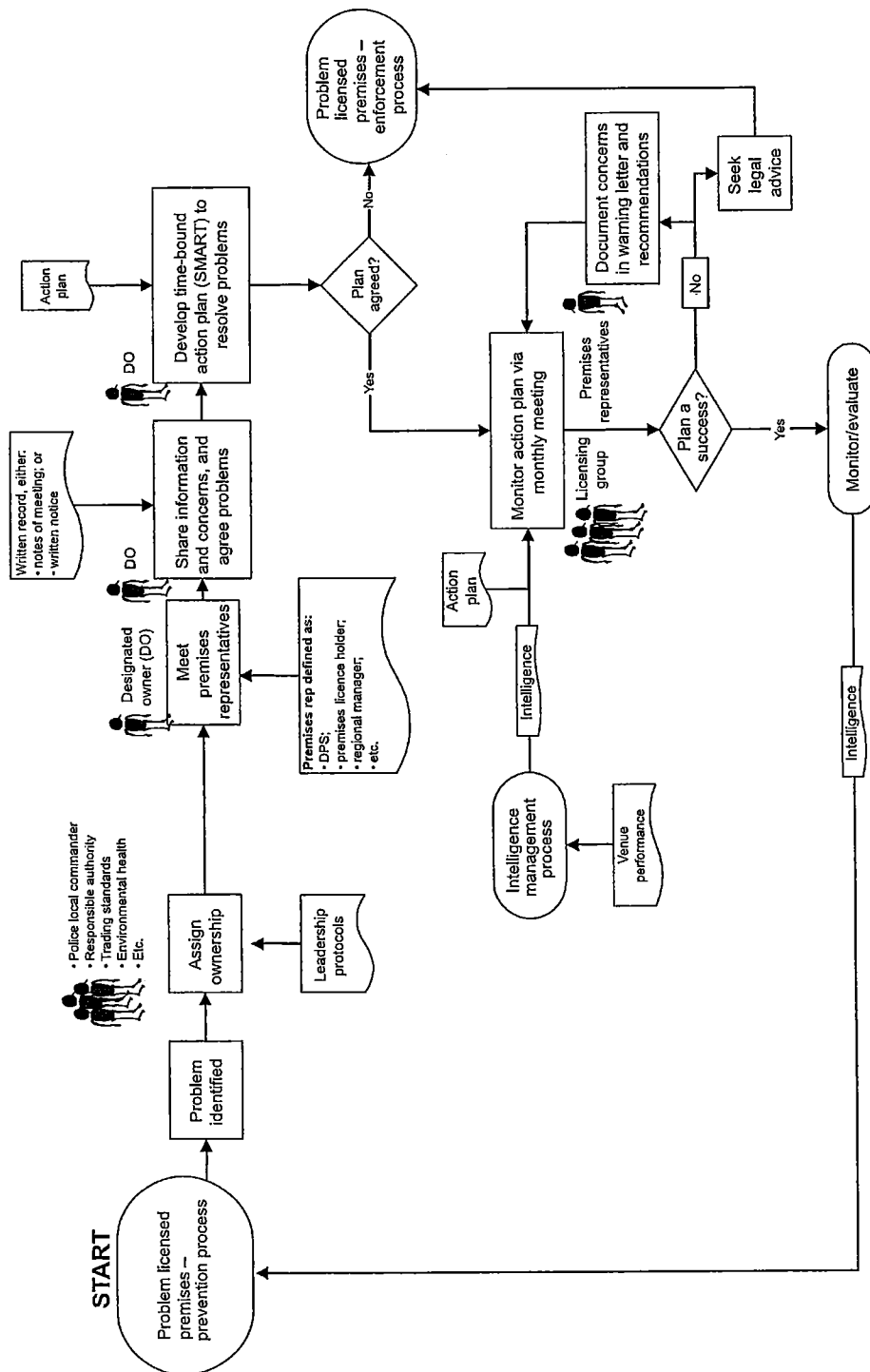


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ROUTE MAPS

Problem licensed premises – prevention process



Louise Bailey

From: Louise Bailey
Sent: 07 December 2017 12:12
To: 'licensingpolice@islington.gov.uk'
Subject: The Winchester Public House, 2 Essex Road, London, N1 8LN

Attn: PC Loizou and PC Peace

Dear Police Constables,

Further to our meeting this morning, we kindly ask if you could please provide the full crime reports appropriately redacted for the matters that you have disclosed. Furthermore, could we ask that the outcome of the matter be disclosed, in other words whether there is a chargeable offence i.e. common assault or no further action. This is because sometimes the report may say GBH but was reclassified as common assault, or vice versa. We would ask kindly if clarity on what the final conclusion of the crime classification and outcome could be disclosed.

Our client having read the summary of the reports and considering advice this morning says the following.

1. There appears to be 3 matters arising after 02:00 hrs. One in January, one in July and one in November. Our client will wish to make some comments in the next meeting about those incidents and believes the premises is acting appropriately and proportionately in dealing with those matters. Is there anything that you believe the premises could have done differently? If so, we ask you to disclose this before the next meeting so our client can consider your response.

Whilst writing our client will instruct a trainer to provide additional training to door staff as you have asked. This will be organised within the next week.

2. Our client is happy to review and upgrade the cctv system at the premises. We would ask if your crime prevention officer could engage with the premises and possibly an engineer to design and make recommendations. If this is not possible we will instruct our own retired police officer or appropriate professional to advise our client on positioning cameras etc.
3. Our client will provide the additional door person in the basement after 01:00 hours.
4. Our client will normally search every person entering the premises on a Friday and Saturday after 22:00 hours. The only exception is where the patron is a regular customer who has frequented the premises without causing any concern. In other words, the search will be subject to the management's discretion.

Our client reiterates the willingness to work with the police service and the additional steps as proposed in this letter will be taken to promote the licensing objectives.

Whilst writing, can we ask whether there have been any warnings, cautions or fixed penalties provided to the premises or customers of the premises within the last 12 months and please could we be provided with any correspondence to the premises licence holder or designated premises supervisor regarding any concerns raised by the police service in the last 12 months.

We would ask at your convenience for a meeting to discuss the aforementioned once we are in receipt of the full reports.

We look forward to hearing from you.

Yours faithfully

Dadds LLP

Kind regards

Louise Bailey

Dadds LLP Licensing Solicitors

Crescent House, 51 High St, Billericay, Essex CM12 9AX

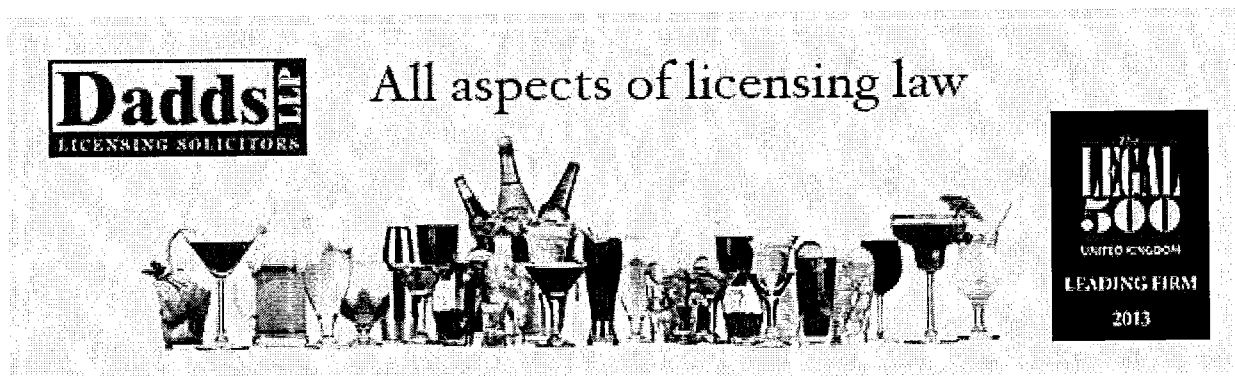
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E louise.bailey@dadds.co.uk

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The Winchester, 2 Essex Road, N1 8LN

Independent Licensing report

by

Adrian Studd, Independent Licensing Consultant.

1. I have been instructed to review the representations that have been submitted in connection with the licence review at the above premises and consider the most appropriate action to address any issues identified.

Personal summary – Adrian Studd.

2. I retired from the police service on 2nd November 2012 having completed 31 years exemplary service with the Metropolitan Police in London. Between January 2012 and my retirement, I was employed as the Chief Inspector in charge of licensing for the London Olympic Games 2012. In this role, I headed up a team of officers with responsibility for supervision of licensing compliance at all the Olympic venues, including the Olympic park. In addition, I was responsible for ensuring that any associated events were properly licensed, sufficiently staffed and operated in accordance with the licensing legislation and best practice in order to ensure the safe and effective delivery of the Olympic Games.
3. In addition to leading my team, I visited and worked with both the Olympic park management and many other venues, reviewing their policies and procedures and ensuring that the Games were delivered safely and securely. The success of this operation not only protected the reputation of the MPS but provided positive benefits for the profile of the MPS and the United Kingdom. I have been awarded an Assistant Commissioners Commendation for this work. Prior to this role, between Jan 2002 and January 2012, I was employed first as an Inspector and then as a Chief

Inspector on the MPS Clubs and Vice Unit (Now SCD9 Serious and Organised crime command). My responsibilities over this period focussed on licensing and included day to day supervision of the licensing team that had a London wide remit to support the Boroughs with licensing activity.

4. Providing both Overt and Covert support for policing problem licensed premises across London, my team worked with premises when licensing issues were identified, in order to address these problems through the use of action plans in order to raise their standards. Where this failed, I would support the Boroughs with evidence for use at review hearings if required. I devised and implemented the MPS strategy 'Safe and Sound' which seeks to improve the safety of customers at licensed premises by reducing violent and other crime, in particular gun crime and the most serious violence. I also developed the Promoters Forum and risk assessment process, and together these initiatives contributed to an overall reduction in violence in London of 5% and of the most serious violence and gun crime at licensed premises by 20% whilst I was there.
5. From 2004 until 2008, my role included representing the MPS and ACPO licensing lead both in London and Nationally. In this role, I developed key partnerships with industry, NGOs and Government departments in order to improve the standards at licensed premises. I sat on the BII working party and helped develop the national training for Door Supervisors and worked with the SIA to successfully introduce the new regime within London. I sat on a number of Government working parties and worked closely with the alcohol harm reduction team on identifying best practice and ensuring this was used both within London and nationally by police and local authorities.
6. I have been involved with Best Bar None for a number of years and have successfully helped a number of boroughs to implement the initiative. I am a trained Purple Flag and Best Bar none assessor and, until my retirement, I sat on the Board for Best Bar None in the Royal Borough of Kensington and Chelsea. For the last five years, I have

been in charge of licensing for the Notting Hill Carnival, the largest street carnival in Europe. During this time, I have contributed to a reduction in violence overall at the Carnival and delivered increased seizures of illegal alcohol, reduction of unlicensed alcohol sales and a reduction in alcohol related violence. In addition to the above, I have attended a large number of internal MPS training and qualification courses, and I am trained in conducting health and safety risk assessments and hold the National Certificate for Licensing Practitioners, issued by the British Institute of Inn keeping (BII).

7. Following my retirement, I set up a licensing consultancy to provide independent advice for premises requiring a local authority licence. Since then, I have provided evidence gathering services and advice to a broad range of licensed premises on a variety of issues, including crime and disorder, Sexual Entertainment, street drinking, rough sleepers, age related products, betting and gaming. This work has involved premises that benefit from licences for activities such as alcohol on and off licences, betting premises licences, SEV licences and late night refreshment. I have provided expert witness evidence at both local authority and appeal court hearings.

Representations of PC 757 NI Loizou.

8. PC Loizou submitted an e mail dated 10th November 2017 in which he states that he has carried out research dating back to January 2017 to identify incidents that in his view involve the premises. He has given very brief details of eight (8) incidents that he considers are connected to the premises. The details provided are too brief to permit any kind of analysis, providing only a date and the allegation, and amount to 3 allegations of assault, 4 allegations of theft and 1 allegation of criminal damage.
9. Eight incidents over a period of a year equates to 1.5 incidents a month which at a busy premises is a low number. At the bottom of the e mail PC Loizou states that a more detailed report will be available in due course but I have not seen such a report included in the police representations.

10. This information of the alleged offences is completely inadequate for any analysis or to permit the premises to identify any issues or consider what, if any, action is required. It is not possible from the information provided to establish if any of the offences are connected to the premises. There are many reasons why a premises name may appear on offence records, these include the landmarking effect, offences that have taken place near a premises or the fact that the victim had visited the premises prior to the offence taking place. The fact a premises is mentioned in a report does not necessarily mean that the premises is at fault or failing to uphold the licensing objectives. A full analysis is necessary to establish this.
11. On 5th January 2018 PC Loizou submitted a further statement in support of his representations. In this statement he refers to research being carried out dating back to January 2017 but on this occasion states that he found there had been 10 offences he says are connected to the premises (an increase of 2 over his November e mail).
12. This representation gives no details of these alleged offences beyond stating that Five (5) involved victims with injury, One (10 involved criminal damage and Four (4) involved theft. On this occasion there are no dates given for the alleged offences or explanation as to what the connection is with the premises.
13. PC Loizou further states that 'At least 3 of these reports occurred after 02.00'. It is unclear if he asserts that the offence took place after 02.00 or that the report was created after 02.00. As all CRIS reports are computer timed when entries are made and details including date and time of offence must be completed, it is unclear why he states only that 'at least 3 reports occurred after 02.00' and a specific number is not given.
14. PC Loizou goes on to refer to three CRIS reports in brief detail, giving the CRIS number but no other details that help to analyse the report, identify the connection to the premises or permit the premises to identify what has taken place and take appropriate action. PC Loizou refers to providing a summary which he exhibits as PLL/01 however this does not appear to be in the papers submitted.

15. In my view the evidence of crime (CRIS reports) provided by PC Loizou in this case is completely inadequate and does not provide sufficient detail for an informed decision to be made or to allow the premises management to identify any issues that may have taken place at the premises and put appropriate measures in to deal with them. I understand that the premises management has requested copies of the full CRIS reports as this is the only way that a meaningful analysis can be completed, however these have not been provided.

Representation by Licensing Authority.

16. There are a number of areas of the Licensing Authority representation that cause me concern due to inaccuracy and apparent lack of understanding of the licensing legislation.

17. The initial representation in support of the review was submitted on December 4th 2017. This was three days before the officer panel that had been arranged to discuss concern. The fact that the Licensing Authority submitted a representation 3 days before the panel that they were sitting on indicates that they had pre-judged the issues and calls into question their objectivity. What was the purpose of the panel if they had already decided what their representation was to be?

18. There are two concerns raised by the Licensing Authority in the initial representation. The first refers simply to the location of the premises being in a cumulative impact area, it is unclear why this is considered to be an 'issue of concern'.

19. The second area of 'concern' states in general terms that the probability of residents being affected by crime and nuisance generally increases in line with later licensing hours. This does not refer to the particular premises but makes a general observation which in any case is inaccurate. A well run premises that supports the licensing objectives will not increase the probability of local residents being affected by crime and disorder regardless of the hours of operation.

20. A further representation was submitted by the Licensing Authority on 19th December 2017. On page 2 of this representation the Authority refers to the panel meeting that took place on 7th December 2017. The meeting was apparently in response to assaults and lack of control at the premises. However the Authority is critical of the premises management and their legal adviser who apparently refused to discuss the issues of concern until full disclosure was given to them. As highlighted earlier in my report it is difficult to understand how a premises management can be expected to discuss allegations without full details of the apparent incidents being available. This seems a reasonable approach to me and I question why the CRIS and CAD reports had not been supplied.
21. The Licensing Authority also raises concerns that the DPS 'has never been witnessed on the premises during any late night visit, which is a very serious concern'. This shows a basic lack of understanding; is made clear in Government guidance on the Licensing Act that there is no need for the DPS to be at the premises at all times. Their responsibility is for the day to day running of the premises and to be contactable at all times. A DPS may be responsible for a number of premises and is not expected to be at a certain premises at any particular time. While it is good practice for a DPS to attend the premises on occasion as part of their responsibility for the day to day running of it whether or not they were present on the occasions that the Licensing Authority chose to visit is irrelevant and is certainly not 'a very serious concern'.
22. The Licensing Authority makes its final recommendation to reduce the hours of operation and change the DPS based, it states, on the level of crime and disorder incidents linked to the venue over the last six months, stating this has been 'significant'. It is not clear what this refers to. No evidence of crime is provided in the Licensing Authority representation and the information provided by PC Loizou indicates just Four (4) offences in the last 6 months. These are an allegation of assault (GBH), a criminal damage and 2 thefts. Four allegations over a 6 month period is a low number and while details are not supplied 2 thefts and a criminal damage cannot be described as significant crime. An assault occasioning GBH is a

serious matter but there is no substantiation of this matter and no information is provided about it or about how it is linked to the premises. The failure to provide details means it is not possible to establish where responsibility lies.

23. The two recommendations of the Licensing Authority are a substantial reduction in hours and removal of the DPS. No indication is given as to why these measures are considered necessary or proportionate and why other options are not considered. The only mention of the DPS is to state they have not been seen during Licensing Authority visits, that is not a reason to seek their removal. No explanation is given as to why it is considered that a reduction in hours is necessary. If the premises is failing to support the licensing objectives the evidence must be examined to determine why and to consider necessary, proportionate action, this has not been done. There are a number of other options such as additional conditions, improvements to door supervision and improvements to dispersal that it appears are more appropriate to the issues.

Representations by Residents

24. There are eleven (11) representations submitted by residents. These include allegations of a range of anti-social issues in the area such as noise from patrons outside, noise breakout from the premises itself, urination and vomiting in the street, individuals engaging in sex acts in the street, litter and broken glasses. There are no details given of any investigation of these complaints by police or local authority officers or action taken to address the specific issues or allegations made with the exception of action that is being taken through environmental health to address the noise breakout. I understand the premises have also instructed a noise consultant and are working with environmental health on this matter.
25. As a minimum I would consider it necessary to thoroughly investigate the complaints in order to fully understand the core issues. Consideration can then be given to working with the premises to implement appropriate action that will address the issues; this could include enforcement of the existing conditions, the use of

additional conditions and other initiatives such as improvements to the dispersal and security as necessary. The recommendation to simply change the DPS and impose a 12am closing time is not based on a thorough understanding of the issues and is not a proportionate or necessary response based on the limited evidence provided and investigation that has taken place.

I understand that my duty is to the Sub-Committee and this report has been prepared in compliance with that duty. All matters relevant to the issues on which my expert evidence is given have been included in this report. I believe the fact I state in this report to be honest and true and that the opinions I have expressed are correct to the best of my judgment. The fee for this report is not conditional on the outcome of the case in any way whatsoever.

Adrian Studd

Independent Licensing Consultant.

14/01/18

Grid of representations – Winchester Club

No.	Name/address	Page No	Representation	Comments
1	[REDACTED]	58	<p>Public nuisance – every weekend</p> <ul style="list-style-type: none"> Noise & disturbance increased – wake at 4am to shouting, screaming and cars hooting. Particularly bad in Summer – customers stand and sit outside in St Peter's Street on window sills (benches) Closing time very noisy – waiting for taxis <p>Crime & Disorder</p> <ul style="list-style-type: none"> Crime increased – (says has witnessed crime but no specifics) men chasing women Fighting in street and arguing 	
2	[REDACTED]	62	<p>Regularly woken from midnight onwards on Friday/Saturday as drunken revellers wander along Colebrooke Row. <i>'as this took place after 4am the drinkers must have come from the Winchester'</i></p>	
3	[REDACTED]	62-70	<p>Vomit and urination commonly outside house and on doorstep of house</p> <p>Human excrement on doorstep</p> <p>Fighting, foul language, drug dealing, car horns at 4am</p> <p>Screaming women – like being attacked</p> <p>Man beat up car with baseball bat outside</p> <p>Fear of recriminations – appearance of gang related</p> <p>Bouncers from Winchester just stand by and watch</p> <p>Worry of teenage/young adult children coming home and getting caught up in this</p> <p>Breaches of conditions 7, 8, 9, 23,24 annexe 2 and condition 3 annexe 3 of premises licence.</p>	
3	[REDACTED]	71-74	<p>ASB and nuisance</p> <p>Complains of noise and general disruption emanating from 'The Winchester & its surrounding streets in the early hours of Saturday and Sunday mornings'</p> <p>Log of noise disturbances sept/Oct 2017 attached woken by crowds outside Winchester – sitting on windowsills being noisy</p>	See rep 7 for identical noise log – who actually wrote it??

No.	Name/address	Page No	Representation	Comments
4	[REDACTED]	75	<p>Loud Music from cars Shouting and fighting at 2am Urinating against our wall Noise and general ASB</p>	
	Isabelle & Nick [REDACTED]	75-77	<p>Noise disturbing our sleeping children Urination on our doorstep Broken glass and bottles <i>'from revellers in the area'</i></p> <p>Alleged breaches of premises licence annex 2 conditions 7,8,12,15,23,24,25 and annex 3 condition 1 – specifically ...</p> <p>7- no contact number displayed outside premises 8- sound limiters not in operation neighbour did checks 12 – litter not being cleared from vicinity 15 – premises not participating in pubwatch 23 – Alcohol being served in glass after 12 and glass on street outside 24 – Under 21's clearly being admitted 25 – new customers being admitted after 2am – no notices pointing this out 1 (annex3) no notices re leave quietly and use toilet</p>	
6	[REDACTED]	77-78	Awoken by noise, fights, singing, arguments, traffic noise etc.	
7	[REDACTED]	78-81	<p>Identical rep to REP1 – all text and photos exactly the same. Duplicate rep or same details from different person??? Need confirmation of this</p>	

No.	Name/address	Page No	Representation	Comments
8	[REDACTED]	82-112	<p>Prevention of public nuisance Asks for 1) recalibration of sound levels of music and 2) a requirement for increase of sound insulation to decrease noise escape Music from the premises affects quality of life Nuisance from noise on the street Log of noise disturbances sept/Oct 2017 attached ** same as SECOND REP 3 ??? unsure who actually wrote this?? Independent sound report undertaken by resident and report attached</p>	
Page 162	[REDACTED]	113-115	<p>No detailed diary as fear of being targeted Did not think council would be interested given apathy to Tesco development, but have witnessed; Smashed glass on street Noise – general drunkenness couples arguing, groups fighting glass smashing, horns beeping Urination at entrance of Lambs Mews Couples having sex at entrance of Lamb's mews – and found a discarded condom next morning, Vomit frequently seen around area, Drug dealing, General congestion in area with cabs Bouncers always there but never doing anything.</p>	
10	[REDACTED]	115	Noise, arguing, fights, vomit, glasses people using street as toilet Cars with engines running waiting to collect people	
11	[REDACTED]	115-116	Noise disturbance from singing/shouting Vomit and urination and left rubbish	

Suggested conditions of approval consistent with the operating schedule 1.

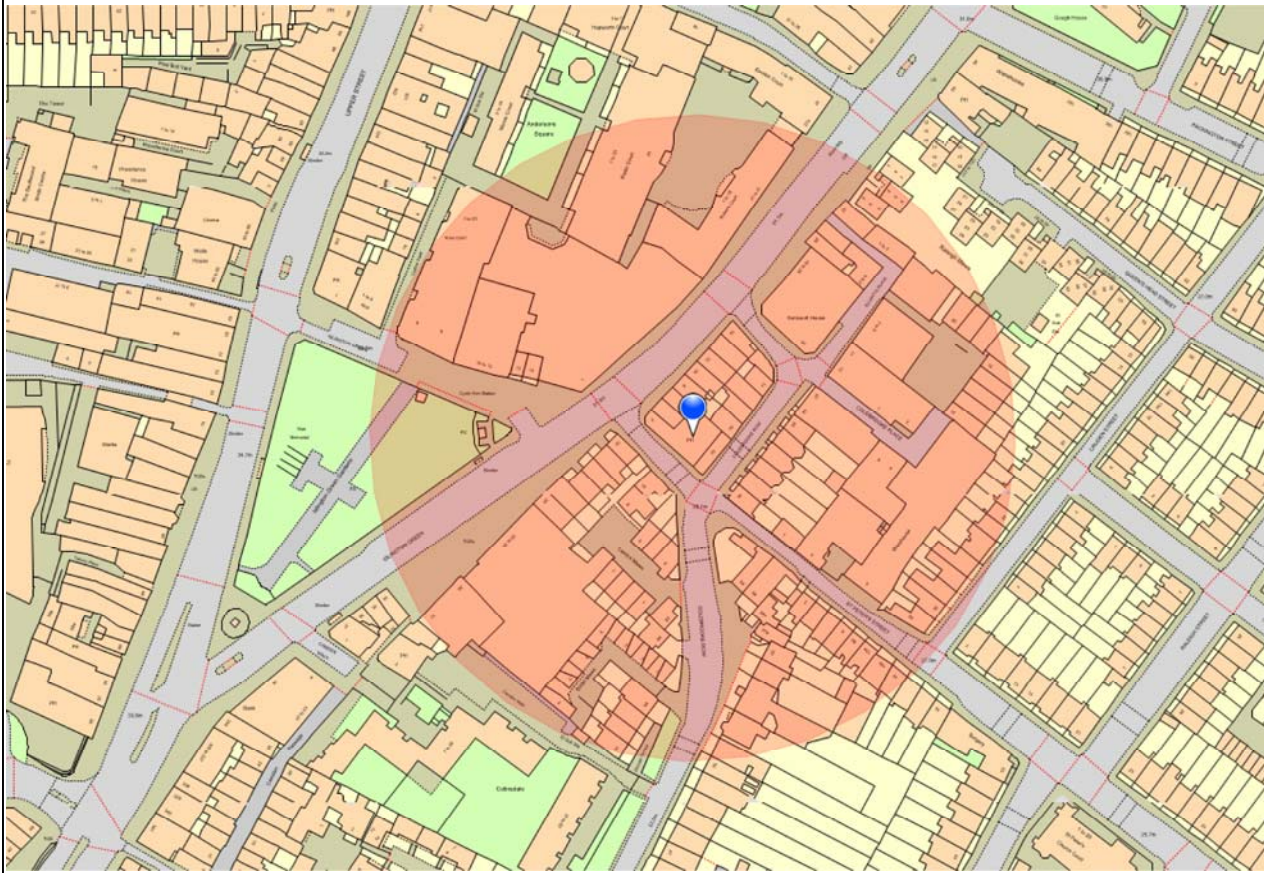
As per current licence.

Suggested conditions of approval consistent with the representation from Police

1. The CCTV system needs to be upgraded to all HD cameras which will work in low light conditions and the full interior of the venue needs camera coverage, apart from inside the toilets, but including the entrances to all toilet
2. I would recommend a new door staff team. In order to eliminate any concerns over familiarity between staff and local persons that cause issues
3. Reduce trading hours (2am closing time including 20 minutes drinking up time)
4. Door staff to receive high level of training. Door staff and stewards should carry out roving patrols of the venue
5. Any persons barred from the venue details to be obtained and recorded on a log

Suggested conditions of approval consistent with the representation from Noise Team

- 6 The controls for the entertainment noise control system shall be located in a secure, lockable cupboard or similar location. The entertainment noise control system is to be independent of control by persons other than the licensee. Access to the entertainment noise control system is to be restricted to the Licensee or a designated manager.
- 7 The entertainment noise control system shall be monitored, checked and calibrated annually when the annual fees are due, so that the levels approved by the Council, are not exceeded. The calibration certificate shall be forwarded to the Licensing team
- 8 In the event of a noise complaint in relation to amplified sound that is substantiated by authorised officers, the licensee shall reduce all levels of amplified sound until such works are carried out to contain sound and re-assess sound levels at the premises to the satisfaction of the Pollution Team.
- 9 The seating to the flank elevation recessed windows in St Peters Street shall be removed and the window ledges shall be rendered so they are not use able as seating.
- 10 There shall be a designated smoking area at the front of the premises on Essex Road. No customers who wish to smoke shall be directed to St Peters Street.
- 11 On Thursday, Friday and Saturday, SIA registered door staff are to be employed at the premises from 21 :00 hrs until 30 minutes after the premises closes or until all customers have left the vicinity at a ratio of at least one door supervisor to every 50 customers.
- 12 At any other time when a DJ and/or live music is provided, SIA registered door supervisors shall be employed 30 minutes before the beginning of the event until 30 minutes past closing time or until all customers have left the vicinity at a ratio of 1 :50 customers.
- 13 At least two door supervisors shall be stationed outside the premises during peak periods of trade (as above) to supervise any customers using the designated smoking area and to ensure customers do not gather in St Peters Street, Colebrook Row or other surrounding streets.
- 14 The door supervisors shall also be responsible for ensuring the premises is clear of any litter attributable to the premises including smoking litter.
- 15 The licensee shall adopt a closing down plan as recommended by the Pollution Team.



Title: The Winchester, 2 Essex Road

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