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# Resources Department Town Hall, Upper Street, London, N1 2UD

# AGENDA FOR THE LICENSING SUB COMMITTEE C

Members of Licensing Sub Committee C are summoned to a meeting, which will be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on, **11 April 2024 at 6.00 pm.** 

| Enquiries to | : | Jackie Tunstall            |
|--------------|---|----------------------------|
| Tel          | : | 020 7527 3068              |
| E-mail       | : | democracy@islington.gov.uk |
| Despatched   | : | 3 April 2024               |

# <u>Membership</u>

# <u>Substitute</u>

Councillor Angelo Weekes (Chair) Councillor Asima Shaikh (Vice-Chair) Councillor Joseph Croft 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

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

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

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

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

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

- \*(a)Employment, etc Any employment, office, trade, profession or vocation carried on for profit or gain.
- (b)Sponsorship Any payment or other financial benefit in respect of your expenses in carrying out duties as a member, or of your election; including from a trade union.
- (c) Contracts Any current contract for goods, services or works, between you or your partner (or a body in which one of you has a beneficial interest) and the council.
- (d) Land Any beneficial interest in land which is within the council's area.
- (e) Licences- Any licence to occupy land in the council's area for a month or longer.
- (f) Corporate tenancies Any tenancy between the council and a body in which you or your partner have a beneficial interest.
- (g) **Securities -** Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

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

- 5. Order of Business
- 6. Minutes of Previous Meeting

# B. Items for Decision

- 1. Knotel Workclub, Old Sessions House, 23 Clerkenwell Road, EC1R 0NA 5 94 Premises licence variation
- 2. Biryani Guys, 42 Old Street, EC1V 9AE New premises licence 95- 128

# 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.

Page

### **ISLINGTON LICENSING SUB-COMMITTEES -**

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

### **INTRODUCTION**

1) The Chair of the Sub-Committee will open the meeting and invite all members of the Sub-Committee, Officers, the applicant and anybody making representations, including witnesses (who have been given permission to appear) to introduce themselves.

2) The Chair will introduce the application and draw attention to the procedure to be followed as detailed below.

### **CONSIDERATION OF APPLICATIONS**:

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

3) **The Licensing Officer** will report any further information relating to the application or representations.

Where necessary the relevant parties will respond to these points during their submissions.

4) **Responsible Authorities** to present the key points of their representations; and clarify any points 10 mins requested by the Authority. Witnesses, given permission by the Authority, may appear.

5) The Sub-Committee to question the responsible authorities on matters arising from their submission.

6) **Interested Parties** to present the key points of their representations; and clarify any points 10 mins requested by the Authority. Witnesses, given permission by the Authority, may appear.

7) The Sub-Committee to question the objectors on matters arising from their submission.

8) **The applicant** to present the key points of their application, address the representations and clarify 10 mins any points requested by the Authority. Witnesses given permission by the Authority may appear.

9) The Sub-Committee to question the applicants on matters arising from their submission.

10) If required, the Licensing Officer to clarify matters relating to the application and the Licensing Policy.

11) The Chair may give permission for any party to question another party in the order of representations given above.

### CASE SUMMARIES

| 12) Responsible Authorities | 2    |
|-----------------------------|------|
| 13) Interested parties      | mins |
| 14) Applicant               | 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.

# Agenda Item A6

London Borough of Islington

# Licensing Sub Committee C - 14 March 2024

Minutes of the meeting of the Licensing Sub Committee C held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 14 March 2024 at 6.30 pm.

**Present:** Councillors: Angelo Weekes, Asima Shaikh and Joseph Croft.

# **Councillor Angelo Weekes in the Chair**

# 78 INTRODUCTIONS AND PROCEDURE (Item A1)

Councillor Angelo Weekes welcomed everyone to the meeting and officers and members introduced themselves. The procedure for the conduct of the meeting was outlined.

79 APOLOGIES FOR ABSENCE (Item A2)

None.

- 80 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3) None.
- 81 **DECLARATIONS OF INTEREST (Item A4)** There were no declarations of interest.
- 82 ORDER OF BUSINESS (Item A5)

The order of business would be as the agenda.

83 <u>MINUTES OF PREVIOUS MEETING (Item A6)</u> <u>RESOLVED:</u>

That the minutes of the meeting held on 9 January 2024 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

# 84 HUMDINGERS OF HIGHBURY, GROUND FLOOR, 88 HIGHBURY PARK, N5 2XE (Item B1)

The licensing officer reported that this item had been put on hold for the applicant to obtain planning consent. Planning consent had now been granted, with no objections, for the same hours as requested for the licensing application. The applicant had attempted to engage with residents and one resident had now withdrawn their representation. A meeting had been arranged for residents, but nobody had attended. The applicant had held a number of temporary events with no problems. One resident wanted confirmation that the Sub-Committee had read all representations. This was their third licensed premises and they had operated a premises in Hackney for 20 years.

The Sub-Committee reported that they had read all the representations.

The applicant stated that his premises were rescue centres. The premises in Hackney provided 1000 meals each week and were to help people less fortunate. This premises

would have 17 seats with a brunched based menu during the day and in the evening meat or fish with vegetables. There would be no loud music but had received requests for a harp player or a two-piece orchestra and for art exhibitions and poetry readings. For one temporary event they'd had a two-course set dinner with glass of wine. The space outside was a staff area which held fridges. There were unlikely to be many smokers at any events. There were public houses close for people who wanted a drink.

In response to questions, the applicant stated that they would have four sittings on a Sunday and agreed to an earlier end time of 10pm on Sundays. They would like to be open Thursdays to Saturday initially. Staff were recruited from the community and included previous customers in need. There was a 16 year lease on this premises.

### RESOLVED

- 1) That the application for a new premises licence, in respect of Humdingers of Highbury, 88 Highbury Park, N5 2XE, be granted to allow:
  - a) The sale of alcohol on and off the premises on Monday to Saturday from 8am to 11pm and on Sunday from 8am to 10pm;
  - b) The provision of live music, recorded music and the performance of plays on Monday to Saturday from 8am to 11pm and on Sunday from 8am to 10pm;
  - c) The premises to be open Monday to Sunday from 8am to 11pm.
- 2) That conditions outlined on pages 44 to 46 of the agenda shall be applied to the licence.

### **REASONS FOR DECISION**

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

The Sub-Committee took into consideration Licensing Policy 4. The Council has adopted a special policy relating to cumulative impact in relation to shops and other premises selling alcohol for consumption off the premises. Licensing policy 4 creates a rebuttable presumption that applications for the grant or variation of premises licences which are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations, following the receipt of representations, unless the applicant can demonstrate in the operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

In this case the application was able to rebut the presumption as they were outside the area based cumulative impact zones, could demonstrate that the risk of alcohol purchased from the premises and being consumed on the street was minimal (a condition was that off sales would be in sealed containers) and the sale of alcohol was ancillary to the main activity of the business as a bakery/café/restaurant (Licensing policy 4 paragraph 74).

Four local resident objections had been received but no residents attended. The Sub-Committee had taken into account the representations made. One resident had withdrawn their representation after contact with the applicant. No other representations had been made by the responsible authorities following conditions being agreed.

The Sub-Committee noted that the hours sought were within the hours specified in licensing policy 6.

The application had previously been adjourned to obtain appropriate planning permission for the hours sought and this had been granted without objection.

The Sub-Committee heard evidence that the premises had operated Temporary Event Notices for the hours sought over a period of three weekends. The residents were made aware of these and no complaints had been received.

In response to questions, the applicant emphasised that events would be essentially networking opportunities and music would not be intrusive. They had been approached about art exhibitions and poetry readings and wanted to be able to accommodate these. When asked about Sunday trading the applicant stated that it would be fine to finish at 10pm and would not be a problem. There were 17 seats and no vertical drinking. The covered courtyard would not be used by customers. Food options would comprise brunch during the day and freshly sourced meat, fish and vegetables in the evening.

The Sub-Committee concluded that the granting of the licence with the agreed conditions would promote the licensing objectives. The Sub-Committee noted that the hours sought were within the hours specified in licensing policy 5 and 6. The Sub-Committee was satisfied that the operating schedule demonstrated high standards of management and that the proposed use, with the conditions and hours agreed, was proportionate and appropriate to the promotion of the licensing objectives.

The meeting ended at 7.00 pm

### CHAIR

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Licensing Service Regulatory Services Community Safety, Security and Resilience 222 Upper Street London N1 1XR

Report of: Director of Community Safety, Resilience and Community Meeting of: Licensing Sub-Committee

Date: 11/04/2023

Ward(s): Clerkenwell

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# Subject:

# PREMISES LICENCE VARIATION APPLICATION

# Re: Knotel Workclub, 23 Clerkenwell Road, London EC1R ONA

# 1. Synopsis

- 1.1. This is an application for a variation of a premises licence under the Licensing Act 2003.
- 1.2. The variation application is to:
  - allow non-members to use the ground floor restaurant;
  - to permit the consumption of alcohol with food on Clerkenwell Green in an area covered by a Tables and Chairs/Pavement Licence.

- vary the layout on the ground floor only in accordance with the submitted plans to include the outside area and hatching relating to the proposed conditions (all other floors remain unchanged);
- adding the provision of live music and recorded music from 08:00 until 23:00 Monday to Wednesday and until 00:30 Thursday to Sunday;
- adding the provision of late night refreshment from 23:00 until 23:30 Monday to Wednesday and until 01:00 Thursday to Sunday;
- extending the current hours for films until 23:00 Monday to Wednesday and until 00:30 Thursday to Sunday;
- extending the current hours for the on and off sales of alcohol until 23:00 Monday to Wednesday and until 00:30 Thursday to Sunday;
- extending the opening hours from 08:00 until 23:30 Monday to Wednesday, form 08:00 until 01:00 Thursday and Friday and from 10:00 until 01:00 Saturday and Sunday;
- amending, removing and adding conditions as shown in Appendix 4.
- 1.3. The existing premises licence allows:
  - The Exhibition of Films from 08:00 until 22:00 Monday to Friday and from 10:00 until 18:00 Saturday and Sunday.
  - The On and Off Sale of Alcohol from 10:00 until 21:30 Monday to Friday and from 10:00 until 17:30 Saturday and Sunday.
  - Opening hours from 08:00 until 22:00 Monday to Friday and from 10:00 until 18:00 Saturday and Sunday.
- 1.4 Relevant Representations:

| Licensing Authority | No                                   |
|---------------------|--------------------------------------|
| Metropolitan Police | No                                   |
| Noise               | No - One additional condition agreed |
| Health and Safety   | No                                   |
| Trading Standards   | No                                   |
| Pane                |                                      |

| Public Health         | No                           |
|-----------------------|------------------------------|
| Safeguarding Children | No                           |
| London Fire Brigade   | No                           |
| Local residents       | Yes – 20 Local Residents     |
| Other bodies          | Yes – 1 Resident Association |

# 2. Recommendations

- To determine the application for a variation of the premises licence under Section 34 of the Licensing Act 2003;
- 2.2. This premises is located in the Clerkenwell Cumulative Impact Area therefore the Licensing Sub-Committee will need to consider Licensing Policy 3, which states that there is a presumption of refusal unless the Sub-Committee is satisfied that there will be no adverse cumulative impact on the licensing objectives.
- 2.3. If the Licensing Sub-Committee grants the application it should be subject to:
  - i. Conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (see appendix 4); and
  - ii. Any conditions deemed appropriate by the Licensing Sub-Committee to promote the four licensing objectives.

# 3. Background

- 3.1 The property has held a premises licence for the activities and hours listed 1.3 of the report since June 2022. The same premises licence holder and Designated Premises Supervisor has been in place since this time.
- 3.2 In January this year, the applicant's Legal Representative began to engage with the local residents and the Responsible Authorities, making clear the proposed application and inviting comments from them. The applicants Legal Representative has also invited the residents to visit the premises for a tour and to discuss the proposed variation.
- 3.3 The application received twenty letters of representation from local residents and one letter from the Residents Association.

3.4 The applicant has incorporated conditions required by the Responsible Authorities into the Operating Schedule of conditions and added an additional condition requested by Islington's Noise Service. There are no Responsible Authority representations.

# 4. Implications

# 4.1. Financial Implications

4.1.1. The Head of Finance reports that the applicant has paid the application fee of  $\pounds 635.00$ . Should the application be refused, the fee is not refundable.

# 4.2. Legal Implications

- 4.2.1. The legal implications are set out in Paragraph 2.
- 4.2.2. Legal advice will be provided at the meeting of the Licensing Sub-Committee as necessary.

# 4.3. Environmental Implications and contribution to achieving a net zero carbon Islington by 2030

4.3.1. The Licensing Sub-Committee need to consider the impacts that the proposals will have on the environment. An impact is defined as any change to the environment, whether positive or negative, wholly or partially resulting from Council activities. Almost all human activity has some impact on the environment, and it is very unlikely that any activity will not have any implications.

# 4.4. Equalities Impact Assessment

- 4.4.1. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.
- 4.4.2. An Equalities Impact Assessment is not required in relation to this report, because this is a decision relating to a Premises Licence application under the Licensing Act 2003.

# 4.5. **Planning implications**

4.5.1 The Planning Authority have confirmed there are no open enforcement cases in relation to this premises.

# 5. Conclusion and reasons for recommendations

5.1. That the Licensing Sub-Committee determines this application.

# Appendices:

| Appendix 1: | The application form;                              |
|-------------|--|
| Appendix 2: | The existing premises licence;                     |
| Appendix 3: | The representations;                               |
| Appendix 4: | Suggested conditions and map of premises location. |

# Background papers:

• None.

# Final report clearance:

Signed by:

Janice Gibbons

# Head of Regulatory Service

Date: 18 September 2023

Report author: Licensing Service Tel: 020 75027 3031 E-mail: licensing@islington.gov.uk

#### Application to vary a premises licence under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

### I Knotel Uk Ltd

(Insert name(s) of applicant)

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

**Premises licence number** LN21446-270723

#### Part 1 – Premises Details

| Postal address of premises or, if none, ordnance survey map reference or description<br>Knotel Workclub<br>Old Sessions House<br>23 Clerkenwell Green<br>Postatown London ECLB 0NA |        |          |          |
|--|--------|----------|----------|
| Post town  | London | Postcode | EC1R 0NA |
|  |        |          |          |

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

#### Part 2 – Applicant details

| Daytime contact<br>telephone number                             |          |  |
|---|----------|--|
| E-mail address (optional)                                       |          |  |
| Current postal address if<br>different from premises<br>address |          |  |
| Post town   | Postcode |  |

#### Part 3 - Variation

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

| No |
|----|

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

| DD MM |  | Л | YYYY |  |  |  |  |
|-------|--|---|------|--|--|--|--|
|       |  |   |      |  |  |  |  |

Yes

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  $\Box$  Yes  $\Box$  No

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2) This is an application to vary the existing premises licence for Old Sessions House – a members' club and event space. For background information please see attached brochure.

There are three elements to this application:

- 1. to extend hours and activities so the club can open later for members and have event with there being less reliance on TENs;
- 2. allow non-members to use the ground floor restaurant; and
- 3. to permit the consumption of alcohol with food on Clerkenwell Green in an area covered by a Tables and Chairs/Pavement Licence.

The Licensing Team at Islington Council and the Local Residents' Association are already aware of this application. Should anyone wish to have further information or to discuss the application in more detail they are asked to contact niall.mccann@keystonelaw.co.uk.

The application will include:

- 1. variation of the layout on the ground floor only in accordance with the submitted plans to include the outside area and hatching relating to the proposed conditions (all other floors remain unchanged);
- 2. adding the provision of live music, recorded music and late night refreshment;
- 3. extending the current hours for alcohol, films and opening hours;
- 4. amending, removing and adding conditions as shown in Annex A which is a marked up version showing the changes sought.

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

### Part 4 Operating Schedule

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

| Pro<br>3) | vision of regulated entertainment (Please see guidance note   | Please tick all that apply |             |
|-----------|---|----------------------------|-------------|
| a)        | plays (if ticking yes, fill in box A)   |                            |             |
| b)        | films (if ticking yes, fill in box B)   |                            | $\boxtimes$ |
| c)        | indoor sporting events (if ticking yes, fill in box C)  |                            |             |
| d)        | boxing or wrestling entertainment (if ticking yes, fill in box D)                                       |                            |             |
| e)        | live music (if ticking yes, fill in box E)  |                            | $\boxtimes$ |
| f)        | recorded music (if ticking yes, fill in box F)  |                            | $\boxtimes$ |
| g)        | performances of dance (if ticking yes, fill in box G)   |                            |             |
| h)        | anything of a similar description to that falling within (e), (f) or<br>(if ticking yes, fill in box H) | (g)                        |             |

| Provision of late night refreshment (if ticking yes, fill in box I) | $\boxtimes$ |
|---|-------------|
| Supply of alcohol (if ticking yes, fill in box J)                   | $\boxtimes$ |
| In all cases complete boxes K, L and M                              |             |

А

| Plays<br>Standard days and<br>timings (please read |       |        | Will the performance of a play take place<br>indoors or outdoors or both – please tick (please<br>read guidance note 4)                                      | Indoors         |  |
|--|-------|--------|--|-----------------|--|
| timings (please read guidance note 8)              |       |        |  | Outdoors        |  |
| Day  | Start | Finish |  | Both            |  |
| Mon  |       |        | Please give further details here (please read guida  | ince note 5)    |  |
| Tue  |       |        |  |                 |  |
| Wed  |       |        | State any seasonal variations for performing play-<br>guidance note 6)   | s (please read  |  |
| Thur   |       |        |  |                 |  |
| Fri  |       |        | Non standard timings. Where you intend to use the performance of plays at different times to those list on the left, please list (please read guidance note) | sted in the col |  |
| Sat  |       |        |  |                 |  |
| Sun  |       |        |  |                 |  |

В

| Films<br>Standard days and<br>timings (please read |                  | read   | Will the exhibition of films take place indoors<br>or outdoors or both – please tick (please read<br>guidance note 4)                                       | Indoors                | $\boxtimes$ |
|--|------------------|--------|---|------------------------|-------------|
| guidar   | guidance note 8) |        |   | Outdoors               |             |
| Day  | Start            | Finish |   | Both                   |             |
| Mon  | 08:00            | 23:00  | Please give further details here (please read guidance note 5)  |                        |             |
| Tue  | 08:00            | 23:00  |   |                        |             |
| Wed  | 08:00            | 23:00  | State any seasonal variations for the exhibition of guidance note 6)  | <u>f films</u> (please | read        |
| Thur   | 08:00            | 00:30  |   |                        |             |
| Fri  | 08:00            | 00:30  | Non standard timings. Where you intend to use to exhibition of films at different times to those listor the left, please list (please read guidance note 7) |                        |             |
| Sat  | 10:00            | 00:30  |   |                        |             |
| Sun  | 10:00            | 00:30  |   |                        |             |

С

| Standa<br>timing | sporting<br>ard days a<br>s (please<br>ace note 8 | nd<br>read | <u>Please give further details</u> (please read guidance note 5)  |
|------------------|---|------------|---|
| Day              | Start   | Finish     |   |
| Mon              |   |            |   |
| Tue              |   |            | State any seasonal variations for indoor sporting events (please read guidance note 6)  |
| Wed              |   |            |   |
| Thur             |   |            | Non standard timings. Where you intend to use the premises for<br>indoor sporting events at different times to those listed in the<br>column on the left, please list (please read guidance note 7) |
| Fri              |   |            |   |
| Sat              |   |            |   |
| Sun              |   |            |   |

D

| Boxing or wrestling<br>entertainments<br>Standard days and |   | C      | Will the boxing or wrestling entertainment take<br>place indoors or outdoors or both – please tick<br>(please read guidance note 4)                                    | Indoors          |            |
|--|---|--------|--|------------------|------------|
| timing   | Standard days and<br>timings (please read<br>guidance note 8) |        | (preuse reud gurdance note +)  | Outdoors         |            |
| Day  | Start   | Finish |  | Both             |            |
| Mon  |   |        | Please give further details here (please read guida  | ince note 5)     |            |
| Tue  |   |        |  |                  |            |
| Wed  |   |        | State any seasonal variations for boxing or wrestl<br>(please read guidance note 6)  | ing entertainm   | <u>ent</u> |
| Thur   |   |        |  |                  |            |
| Fri  |   |        | Non standard timings. Where you intend to use the boxing or wrestling entertainment at different time in the column on the left, please list (please read generation). | es to those list | ed         |
| Sat  |   |        |  |                  |            |
| Sun  |   |        |  |                  |            |

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| Live music<br>Standard days and<br>timings (please read |   |       | Will the performance of live music take place<br>indoors or outdoors or both – please tick (please<br>read guidance note 4) | Indoors     | $\boxtimes$ |
|---|---|-------|---|-------------|-------------|
| timings (please read<br>guidance note 8)                |   |       |   | Outdoors    |             |
| Day Start Finish  |   |       | Both  |             |             |
| Mon   | 08:00   | 23:00 | Please give further details here (please read guida   | nce note 5) |             |
|   | Live music will only be on basement, ground and first floors. |       |   |             |             |
| Tue   | 08:00   | 23:00 |   |             |             |
|   |   |       |   |             |             |
| Wed   | 08:00   | 23:00 | State any seasonal variations for the performance of live music (please read guidance note 6)                               |             |             |
|   |   |       | (please read guidance note 6)   |             |             |
| Thur  | 08:00   | 00:30 |   |             |             |
|   |   |       |   |             |             |
| Fri   | 08:00   | 00:30 | Non standard timings. Where you intend to use the performance of live music at different times to the                       |             |             |
|   |   |       | <u>column on the left, please list</u> (please read guidan  |             | <u>c</u>    |
| Sat   | 10:00   | 00:30 |   |             |             |
|   |   |       |   |             |             |
| Sun   | 10:00   | 00:30 |   |             |             |
|   |   |       |   |             |             |

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| J |    |

|   |       |       |   | 1        |          |
|---|-------|-------|---|----------|----------|
| Recorded music<br>Standard days and<br>timings (please read |       | nd    | <u>Will the playing of recorded music take place</u><br><u>indoors or outdoors or both – please tick</u> (please<br>read guidance note 4) | Indoors  |          |
| timings (please read<br>guidance note 8)                    |       |       |   | Outdoors |          |
| Day   |       |       | Both  |          |          |
| Mon   | 08:00 | 23:00 | <u>Please give further details here</u> (please read guidance note 5)   |          |          |
|   |       |       | Recorded music will only be on basement, ground and first floors.   |          |          |
| Tue   | 08:00 | 23:00 |   |          |          |
|   |       |       |   |          |          |
| Wed   | 08:00 | 23:00 | State any seasonal variations for the playing of recorded music (please read guidance note 6)   |          |          |
|   |       |       | (please read guidance note 0)   |          |          |
| Thur  | 08:00 | 00:30 |   |          |          |
|   |       |       |   |          |          |
| Fri   | 08:00 | 00:30 | Non standard timings. Where you intend to use the playing of recorded music at different times to the                                     |          |          |
|   |       |       | <u>column on the left, please list</u> (please read guidan  |          | <u>~</u> |
| Sat   | 10:00 | 00:30 |   |          |          |
|   |       |       |   |          |          |
| Sun   | 10:00 | 00:30 |   |          |          |
|   |       |       |   |          |          |

G

| Performances of<br>dance<br>Standard days and                 |       |        | Will the performance of dance take place<br>indoors or outdoors or both – please tick<br>(please read guidance note 4)                                | Indoors          |      |
|---|-------|--------|---|------------------|------|
| Standard days and<br>timings (please read<br>guidance note 8) |       |        | (please read guidance note 4)   | Outdoors         |      |
| Day   | Start | Finish |   | Both             |      |
| Mon   |       |        | <u>Please give further details here</u> (please read gui  | dance note 5)    |      |
| Tue   |       |        |   |                  |      |
| Wed   |       |        | State any seasonal variations for the performa<br>(please read guidance note 6)   | nce of dance     |      |
| Thur  |       |        |   |                  |      |
| Fri   |       |        | Non standard timings. Where you intend to us<br>for the performance of dance at different times<br>the column on the left, please list (please read g | s to those liste | d in |
| Sat   |       |        |   |                  |      |
| Sun   |       |        |   |                  |      |

Н

| descri<br>falling<br>(g)<br>Standa<br>timing | ing of a s<br>ption to t<br>within (<br>rd days a<br>s (please<br>ce note 8 | hat<br>e), (f) or<br>nd<br>read | Please give a description of the type of entertainn providing  | ient you will be                 | e        |
|--|---|---------------------------------|--|----------------------------------|----------|
| Day  | Start   | Finish                          | Will this entertainment take place indoors or<br>outdoors or both – please tick (please read   | Indoors                          |          |
| Mon  |   |                                 | guidance note 4)   | Outdoors                         |          |
|  |   |                                 |  | Both                             |          |
| Tue  |   |                                 | Please give further details here (please read gui  | dance note 5)                    | •        |
| Wed  |   |                                 |  |                                  |          |
| Thur   |   |                                 | State any seasonal variations for entertainmen<br>description to that falling within (e), (f) or (g)<br>guidance note 6)   |                                  |          |
| Fri  |   |                                 |  |                                  |          |
| Sat  |   |                                 | Non standard timings. Where you intend to us<br>for the entertainment of a similar description t<br>within (e), (f) or (g) at different times to those l<br>column on the left, please list (please read guida | to that falling<br>listed in the | <u>s</u> |
| Sun  |   |                                 |  |                                  |          |

I

| Late night<br>refreshment<br>Standard days and |       |        | Will the provision of late night refreshmenttake place indoors or outdoors or both –please tick(please read guidance note 4)                           | Indoors   |  |
|--|-------|--------|--|---|--|
| timings (please read<br>guidance note 8)       |       |        |  | Outdoors  |  |
| Day Start Finish                               |       | Finish |  | Both  |  |
| Mon  | 23:00 | 23:30  | Please give further details here (please read gui  | <u>Please give further details here</u> (please read guidance note 5) |  |
| Tue  | 23:00 | 23:30  |  |   |  |
| Wed  | 23:00 | 23:30  | State any seasonal variations for the provision<br>refreshment (please read guidance note 6)   | of late night   |  |
| Thur   | 23:00 | 01:00  |  |   |  |
| Fri  | 23:00 | 01:00  | Non standard timings. Where you intend to us<br>for the provision of late night refreshment at d<br>those listed in the column on the left, please lis | ifferent times  |  |
| Sat  | 23:00 | 01:00  | guidance note 7)   |   |  |
| Sun  | 23:00 | 01:00  |  |   |  |

J

| r  |       |        |  |                   |           |
|--|-------|--------|--|-------------------|-----------|
| Supply of alcohol<br>Standard days and<br>timings (please read |       |        | Will the supply of alcohol be for<br>consumption – please tick (please read<br>guidance note 9)  | On the premises   |           |
| guidance note 8)   |       |        | guidance note <i>y</i> )   | Off the premises  |           |
| Day  | Start | Finish |  | Both              | $\square$ |
| Mon  | 10:00 | 23:00  | State any seasonal variations for the supply of read guidance note 6)  | of alcohol (pleas | se        |
| Tue  | 10:00 | 23:00  |  |                   |           |
| Wed  | 10:00 | 23:00  |  |                   |           |
| Thur   | 10:00 | 00:30  | Non-standard timings. Where you intend to<br>for the supply of alcohol at different times to<br>column on the left, please list (please read gui | those listed in   |           |
| Fri  | 10:00 | 00:30  |  |                   |           |
| Sat  | 10:00 | 00:30  |  |                   |           |
| Sun  | 10:00 | 00:30  |  |                   |           |

### K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

None.

L

| Hours premises are<br>open to the public<br>Standard days and<br>timings (please read<br>guidance note 8) |       |        | State any seasonal variations (please read guidance note 6)   |
|---|-------|--------|---|
| Day   | Start | Finish |   |
| Mon   | 08:00 | 23:30  |   |
| Tue   | 08:00 | 23:30  |   |
| Wed   | 08:00 | 23:30  |   |
|   |       |        | Non standard timings. Where you intend the premises to be<br>open to the public at different times from those listed in the |
| Thur  | 08:00 | 01:00  | <u>column on the left, please list</u> (please read guidance note 7)  |
| Fri   | 08:00 | 01:00  |   |
| Sat   | 10:00 | 01:00  |   |
| Sun   | 10:00 | 01:00  |   |

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

Please tick as appropriate

• I have enclosed the premises licence

• I have enclosed the relevant part of the premises licence

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

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

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

#### a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

Please see the attached Annex A showing a "marked up" version of the proposed changes to be amended or removed. Those in yellow are to be added, those in red are to be removed, those in green are to be added, all others are to remain as is. This follows at the end of this application form.

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

Please see the attached Annex A showing a "marked up" version of the proposed changes to be amended or removed. Those in yellow are to be added, those in red are to be removed, those in green are to be added, all others are to remain as is. This follows at the end of this application form.

#### c) Public safety

Please see the attached Annex A showing a "marked up" version of the proposed changes to be amended or removed. Those in yellow are to be added, those in red are to be removed, those in green are to be added, all others are to remain as is. This follows at the end of this application form.

### d) The prevention of public nuisance

Please see the attached Annex A showing a "marked up" version of the proposed changes to be amended or removed. Those in yellow are to be added, those in red are to be removed, those in green are to be added, all others are to remain as is. This follows at the end of this application form.

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

Please see the attached Annex A showing a "marked up" version of the proposed changes to be amended or removed. Those in yellow are to be added, those in red are to be removed, those in green are to be added, all others are to remain as is. This follows at the end of this application form.

| Check | clist:  |             |
|-------|---|-------------|
|       | Please tick to indicate agreen  | nent        |
| •     | I have made or enclosed payment of the fee; or  | $\boxtimes$ |
| •     | I have not made or enclosed payment of the fee because this application has been<br>made in relation to the introduction of the late night levy.  | $\boxtimes$ |
| •     | I have sent copies of this application and the plan to responsible authorities and others where applicable. <b>ONLINE APPLICATION LA TO SERVE</b> | $\square$   |
| ٠     | I understand that I must now advertise my application.  | $\boxtimes$ |
| •     | I have enclosed the premises licence or relevant part of it or explanation.   | $\boxtimes$ |
| ٠     | I understand that if I do not comply with the above requirements my application will be rejected.   | $\boxtimes$ |
|       |   |             |

#### IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

| Signature | Keystone haw  |
|-----------|---|
| Date      | 20 February 2024  |
| Capacity  | Keystone Law, Solicitors for and on behalf of the applicant |

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

| Signature |  |
|-----------|--|
| Date      |  |
| Capacity  |  |

| <b>Contact name (where not previously given) and address for correspondence associated</b><br><b>with this application</b> (please read guidance note 15) |                  |  |           |          |  |  |  |
|---|------------------|--|-----------|----------|--|--|--|
| Marilyn Gay   | le               |  |           |          |  |  |  |
| Keystone La   | W                |  |           |          |  |  |  |
| 48 Chancery   | 48 Chancery Lane |  |           |          |  |  |  |
| Post town   | London           |  | Post code | WC2A 1JF |  |  |  |
| Telephone number (if any)   |                  |  |           |          |  |  |  |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional)   |                  |  |           |          |  |  |  |

# PREMISES LICENCE

# LICENSING ACT 2003

Premises licence number

Date of original grant\*

17 June 2022

\*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<br>KNOTEL WORKCLUB<br>OLD SESSIONS HOUSE<br>23 CLERKENWELL GREEN |      |    |           |          |  |  |
|---|------|----|-----------|----------|--|--|
| Post town   | Lond | on | Post code | EC1R ONA |  |  |
| Telephone number  |      |    |           |          |  |  |
|   |      |    |           |          |  |  |

# Where the licence is time limited the dates

Not Applicable

### Licensable activities authorised by the licence

Basement, Ground Floor, First Floor and Roof Terrace

- The provision of regulated entertainment by way of: The exhibition of films
- The sale by retail of alcohol

| The times the licence authorises the carrying out of licensable activities |   |  |   |  |  |  |  |
|--|---|--|---|--|--|--|--|
| The provision  | The provision of regulated entertainment for the exhibition of films: |  |   |  |  |  |  |
| Monday<br>Tuesday<br>Wednesday<br>Thursday<br>Friday<br>Saturday<br>Sunday | 08:00<br>08:00<br>08:00<br>08:00<br>08:00<br>10:00<br>10:00           | to<br>to<br>to<br>to<br>to<br>to<br>to | 22:00<br>22:00<br>22:00<br>22:00<br>22:00<br>18:00<br>18:00 |  |  |  |  |
| The sale by  | retail of alco  | ohol:                                  |   |  |  |  |  |
| Monday<br>Tuesday<br>Wednesday<br>Thursday<br>Friday<br>Saturday<br>Sunday | 10:00<br>10:00<br>10:00<br>10:00<br>10:00<br>10:00<br>10:00           | to<br>to<br>to<br>to<br>to<br>to       | 21:30<br>21:30<br>21:30<br>21:30<br>21:30<br>17:30<br>17:30 |  |  |  |  |

### The opening hours of the premises:

|           | -     |    |       |
|-----------|-------|----|-------|
| Monday    | 08:00 | to | 22:00 |
| Tuesday   | 08:00 | to | 22:00 |
| Wednesday | 08:00 | to | 22:00 |
| Thursday  | 08:00 | to | 22:00 |
| Friday    | 08:00 | to | 22:00 |
| Saturday  | 10:00 | to | 18:00 |
| Sunday    | 10:00 | to | 18:00 |
|           |       |    |       |

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

On and Off Sales

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

Knotel Uk Ltd C/O Corporation Service Company (UK) Limited 5 Churchill Place 10th Floor London E14 5HU

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

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

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

Islington Council Licensing Service Regulatory Services. Community Safety, Security and Resilience 222 Upper Street London N1 1XR Tel: 020 7527 3031 Email: licensing@islington.gov.uk

Janni

Licensing Authority

20/11/2023

Date

### 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, <u>www.islington.gov.uk</u>. 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

- Licensable activities shall only be provided to:
  - a. Members of a private club; or

1.

- b. Bona fide guests of members of a private club; or
- c. Persons attending a pre booked function or event at the premises.
- 2. There shall be no bars at the premises accessible to general members of the public.
- 3. Licensable activities shall only be provided on the basement, ground and first floors in the areas shown on the licence plan.
- 5. The supply of alcohol shall be ancillary to the use of the premises as co-working private members venue and private function/event venue.
- 6. SIA supervisors shall be employed based on a risk assessment undertaken in respect of each function/event held at the premises.
- 7. CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable frontal identification of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request.
- 8. Alcoholic drinks may only be consumed within the demise of the premises. The premises licence holder must ensure that no alcohol is consumed outside the demise of the premises at any time.
- 9. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - a. all crimes reported to the venue
  - b. all ejections of patrons
  - c. any complaints received concerning crime and disorder
  - d. any incidents of disorder

e. all seizures of drugs or offensive weapons
f. any faults in the CCTV system, searching equipment or scanning equipment
g. any refusal of the sale of alcohol
h. any visit by a relevant authority or emergency service

- In the event that an 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.
- 11. All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified.
- 12. Where chairs and tables are provided, internal gangways shall be kept unobstructed.
- 13. Exit doors shall be regularly checked to ensure that they function satisfactorily and a record of the check shall be kept.
- 14. The edges of the treads of steps and stairways must be maintained so as to be in good condition and be conspicuous.
- 15. When disabled people are present, there must be sufficient numbers of staff and adequate arrangements must be in place to enable their safe evacuation in the event of an emergency. Disabled people on the premises must be made aware of such arrangements by staff and by the use of appropriate signage.
- 16. Emergency lighting shall be maintained and fully operational.
- 17. Adequate and appropriate supply of first aid equipment and materials must be available on the premises at all times.
- 18. The licensee shall develop a Noise Management and Dispersal Policy to control noise coming from the venue, including people noise, and to control noise from guests either congregating outside or leaving the area. The Noise Management and Dispersal Policy shall be agreed with the Council's Licensing Authority and be reviewed and revised periodically or after incidences to ensure that public nuisance is prevented from recurring.
- 19. The licensee shall appoint a noise consultant registered with the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of sound insulation and noise control measures, which shall include the installation of a noise limiting device, to prevent persons in the neighbourhood from being unreasonably disturbed by noise of music from the premises. The scheme shall be submitted for approval by the Council, and the approved scheme fully implemented to the satisfaction of the Council and the licensee notified in writing accordingly, prior to the premises being used for regulated entertainment.

| Once agreed<br>maximum<br>levels of<br>sound shall<br>be expressed<br>on the<br>premises<br>licence for<br>each area<br>designated<br>for<br>entertainment<br>s as follows:<br>Area/Room<br>(e.g. lower<br>ground floor<br>bar area) | Linear           | "Α"              | 125<br>Hz        | 63 Hz            |
|--|------------------|------------------|------------------|------------------|
| Measurement<br>point:<br>XXXXXXXXXX<br>XXXXXXXXX   | XX dB (1<br>min) | XX dB (1<br>min) | XX dB (1<br>min) | XX dB (1<br>min) |

- 20. In the event of a noise complaint substantiated by an authorised officer, the licensee shall immediately take appropriate measures in order to prevent further disturbance.
- 21. Windows shall be closed at all times when regulated entertainments are on-going and in any case by 21:00 every night. Windows (apart from windows designated as fire exits) shall be locked closed after 21:00 using key operated locks.
- 22. All doors to noise generating rooms shall be kept closed apart from access and egress when entertainments are on-going.
- 23. The dedicated smoking area shall be the roof terrace located on the 2nd floor of the premises.
- 24. There shall be no amplified sound in any outside areas.
- 25. Exterior lighting shall be directed away from residential properties.
- 26. There shall be no bottling out after 23:00.
- 27. There shall be no deliveries or loading or unloading of vehicles between 8pm and 8am, Mondays to Saturdays, and no deliveries before 10am or after 4pm on Sundays or Bank Holidays.
- 28. No rubbish including bottles will be moved, removed or placed in outside areas on Sundays or Bank/Public Holidays and between the hours of 11pm and 7am other days of the week.
- 29. The licensee shall adopt the Challenge 25 and the BII National Standards Proof of Age Scheme.
- 30. The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards e.g. Citizencard, a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer. Page 31

- 31. The licensee and staff should note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection by the licensing team, police or trading standards.
- 32. Staff shall be trained as appropriate in respect of relevant licensing law, the implementation of licence conditions, health and safety, first aid, alcohol and drug awareness and conflict management.
- 33. Off sales of alcohol shall be restricted to the demise of the premises as edged in blue on the approved plan.
- 34. Any alcohol supplied at a private function shall be served with a meal, canapés or buffet. Any activities at the premises shall not be alcohol led.
- 35. Alcoholic drinks shall only be served on the premises and shall never be consumed outside the premises at any time.
- 36. Staff shall be able to provide the number of an allocated taxi firm as and when required.
- 37. Clear notices shall be displayed around the premises asking customers to leave the premises quietly.
- 38. The service of alcohol shall cease 30 minutes before the premises close to provide a "wind down" period. Staff shall be required to take all practical measures to ensure that everyone leaves the premises quietly with due respect to the amenity of local residents.
- 39. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
- 40. The licence holder shall ensure that the area in the vicinity of the premises is kept clean and tidy and shall ensure that any litter outside the premises is cleared. No food or drinks shall be permitted to be taken outside. Non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is to be sold or supplied for consumption on the premises
- 41. Staff shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised so as to ensure that there is no public nuisance or obstruction to the public highway.
- 42. No chairs or tables or signage or display boards of any kind shall be placed on the pavement or carriageway outside the premises at any time.
- 43. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly. The premises shall have a defined dispersal policy to ensure that customers and staff leave safely and quietly and be assisted where necessary.
- 44. This premises licence can only be transferred to parent or sister companies of Knotel UK Ltd.
- 45. There be a maximum capacity of up to 300 guests for two events per month and a maximum capacity of up to 150 guests at any other time. Page 32

- 46. Only polycarbonate glasses will be permitted to be used on the top roof terrace.
- 47. The capacity of the top roof terrace (excluding staff) is 50.

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

None

# Annex 4 – Plans

Reference Number: 202203328\_LDN\_OSH\_BASEMENT FLOOR\_BP01 202203328\_LDN\_OSH\_GROUND FLOOR\_BP01 202203328\_LDN\_OSH\_FIRST FLOOR\_BP01

Dated: 12 May 2022

Reference Number: 20220328\_LDN\_OSH\_ROOFFLOOR\_BP01 Dated: 27 July 2023

| From:    |  |
|----------|--|
| Sent:    | 19 March 2024 15:07                                    |
| To:      | Jones, Carol   |
| Cc:      | Licensing  |
| Subject: | Re: Old Sessions House - Premises Licence - Extensions |

[External]

Thanks - I am objecting on the same basis as the FoCG, so to 1 2 and 3 below

Dan

> On 19 Mar 2024, at 13:57, Jones, Carol <Carol.Jones@islington.gov.uk> wrote:

> Dear

>

> Please confirm whether you are objecting to the application and please advise on which of the four licensing objectives you are objecting on;

>

> 1. The prevention of crime and disorder, 2. The prevention of noise and nuisance, 3. Public safety and 4. The protection of children from harm.

| > With regards,  |
|--|
|  |
| > Carol  |
|  |
| >Original Message  |
| > From:  |
| > Sent: Tuesday, March 19, 2024 1:44 PM  |
| > To: Licensing <licensing@islington.gov.uk></licensing@islington.gov.uk>  |
| > Cc: Jones, Carol <carol.jones@islington.gov.uk></carol.jones@islington.gov.uk>   |
| > Subject: Old Sessions House - Premises Licence - Extensions  |
|  |
| >  |
| > [External]   |
| >  |
| > Dear Islington Licensing team ,  |
|  |
| > I write with reference to the above matter; I am a resident of   |
|  |
| > I have read the representations made by Friends of Clerkenwell Green and agree with them. The proposal would in        |
| essence turn Old Sessions House into a nightclub; that is incompatible with the number of residential premises close     |
| by.  |
|  |
| > Yours faithfully,  |
|  |
|  |
|  |
| > This e-mail is intended for the addressee only. If you have received it in error, please contact the sender and delete |
|  |

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

# Licensing representation for Knotel UK Ltd, Old Sessions House, 22 Clerkenwell Green, EC1R 0NA

Dear Licensing and Councillors,

Friends of Clerkenwell Green (FoCG) objects to this licence application for Knotel UK Ltd at Old Sessions House (OSH). This application is an attempt to circumvent the Licensing Sub-Committee's decisions of 2016. The application shows a disregard for Islington's licensing policies, the CIA, local residents and the many other concerns listed below. It is not an exception to policy. Please reject this application.

This application is functionally equivalent to a Nightclub licence application for a large 300person late-night, 7-day-a-week premises with extensive use of outdoor space at street & rooftop levels, on & off alcohol sales, noisy licensable activities (films, music). And all this located just 19m from sheltered housing for the elderly.

This application seeks to change the hours, activities, location and patrons currently allowed for in the existing licence. Those hours and conditions were settled after numerous rounds of applications and appeals by various applicants dating back almost 10 years. No justification for the application has been provided to differentiate it from previous applications which have been opposed and no changes to facts or circumstances have rendered the rationales for the current licence to be altered.

This is not the typical licence that is granted in the area, and for good reason. This application would cause significant negative cumulative impact on local residents and the area due to the size and extent of the operation which will significantly increase late-night foot and road traffic.

This is an <u>inappropriate location</u> for such a late-night alcohol-led offering in a site surrounded by residents. Clerkenwell Green & Clerkenwell Close Estates with elderly residents 19m away, Peabody Estate 118m, Priory House for elderly 160m and many other residential premises. Islington is London's 2nd highest density of licensed premises and suffers from higher than London average for violent crimes attributable to alcohol. Clerkenwell is already an area of cumulative impact, saturation, ASB and crime. Please don't further aggravate this. A reasonable number of reasonably sized licensed premises are welcome provided they respect their domestic neighbours' reasonable needs. This application does not.

Clerkenwell Green has undergone significant change in being largely pedestrianised. However, that provides no justification for extended hours and extensive use of outdoor space. The private and council residential housing on the north side of the OSH all remain unchanged as do the residential blocks opposite the OSH on the west of Farringdon Road. Extended hours and the attendant noise of those leaving at 0100 still have the same objections as were upheld 7 years ago.

The pedestrianisation of the Green was not created to provide the OSH or anyone else with the ability to extend food service and alcohol service onto the pavements. It was done with public consultation to increase amenity for residents. The applicant has 33,000 sq ft of premises within which to provide food and alcohol service along with a large roof terrace which seems more than adequate. The residents of this area never intended and have objected to the Green being turned into another Covent Garden or Exmouth Market. And various Licensing Committees have supported that objection with the conditions set on the existing OSH and other nearby licences.

The application proposes no noise analysis and no detailed management, noise or dispersal plans, despite being surrounded by residents and being located in a Cumulative Impact Area (CIA), proposing extensive use of outdoor space and roof terraces, and

The proposed alcohol licensable hours are also outside the restricted hours required of nearby licensees – and those were restricted in multiple Licensing Committee decisions due to proximity to residents in a Cumulative Impact Area. Conditions have not changed in the area, and these restrictions are still necessary to avoid cumulative negative impact.

And the proposal seeks to remove previous restrictions that were set by the Licensing Sub-Committee) specifically to protect local residents.

The application seeks to:

- Extend hours
- Extend activities
- Extend location of licensable activities
- Extend who can access licensable activities to non-members
- Add live & recorded music, films and late-night refreshment 7 days a week
- Remove the current condition that no chairs or tables or signage or display boards of any kind shall be placed on the pavement or carriageway outside the premises at any time
- Add on-and off-licence alcohol sales for an outdoor street-level area in Clerkenwell Green (something that is specifically prevented by the conditions of the current licence)

This proposal fails to:

- adequately demonstrate the promotion of the Licensing Objectives
- adequately address the impact of the proposed activities on this Cumulative Impact Area and Conservation Area
- propose an offering that is not alcohol-led (vertical drinking)
- analyse the noise impact of the proposed activities despite proposing vast outdoor uses and hours and despite having Grade II\* listed windows that cannot be acoustically sealed to mitigate the negative impact of indoor activities such as drinking, live music, recorded music and films.
- consider a noise management plan, dispersal management plan or other critical conditions to demonstrate the promotion of the licensing objectives.
- demonstrate valid reasons to be considered an exception to the CIA
- remove outdoor queues or outdoor drinking at street level or terraces items prohibited by recently licenced premises in the area
- demonstrate valid reasons to be considered an exception to licensing policy 6
- propose hours in-line with recently licenced premises in the vicinity, where Licensing Sub-Committees limited hours to mitigate cumulative impact
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This application creates significant risk of disturbance to residents in a Cumulative Impact Area. The sheltered housing residents of Clerkenwell Green Estate will be overwhelmed by up to 300 customers entering/exiting the premises, drinking in outdoor seating and on the rooftop - just 19m away. The many other residents of Clerkenwell Green and surrounding streets will also be negatively impact by increased noise – including the 1 Britton St block of residential flats mere metres from the proposed rooftop drinking area.

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There is no sound insulation to protect residents from the increased noise of late-night crowds 7 days a week using the roof top terrace and street-level outdoor seating areas.

The applicant provides no management plan or noise plan to adequately explain how it will be able to operate multiple units with vast outdoor space, so many more hours and so many more customers without adding cumulative impact.

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By comparison, the Granger & Co restaurant is opposite OSH on the east side of Clerkenwell Green (120 metres away). The closest residents to Granger & Co are 40 metres from the premises (vs. 19 metres). It has a maximum capacity of 90 people which is a fraction the size of OSH. Grangers must operate solely as a restaurant with a full table meal required for alcohol service, so 0% vertical drinking opportunity. There is no outside space and no outside tables or chairs are permitted. No new patrons are permitted to enter after 22:00. There is no live music, recorded music, films, dance or other entertainment. No queuing is permitted outside the premises at any time. No more than 5 patrons or staff are permitted to smoke

outside at any time. No deliveries are permitted on Sundays, and very limited deliveries by van on Saturdays. And Granger has no off-licence.

There is no rationale as to why Knotel should benefit from such a vast competitive advantage at the expense of local residents and in contravention to Licensing Policy and the protection of the CIA.

The Grade II\* listed windows of this premises cannot be acoustically sealed to keep the noise from patrons inside so as not to cause a nuisance to local residents. This differs from the modern insulated glazing at all the recently licensed premises in the vicinity – none of which pose the added nuisance risk from entertainment since their licences do not include films, dance, live music etc.

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#### Objections based on the four licensing objectives

#### Public Nuisance

The application would significantly increase noise levels with outdoor licensable activities at street-level and rooftop – where noise will emanate around Clerkenwell Green. It will also increase the noise of people coming in and out of the premises at later hours, especially after having consumed alcohol and been in noisy environments with live music and films. Plus, alcohol-related antisocial behaviour and crime and off sales.

This would increase foot and road traffic, especially at late night hours 7 days a week, with increased volume of people walking, talking, smoking and driving in the area. It stands to increase disorder in the street at closing time, noise from customers leaving later at night, noise from increased traffic later at night, noise from deliveries and rubbish removal, noise and blocking of pavement from customers smoking outside, and noise and blocking of pavement from customers queuing/waiting outside.

And increased late night public nuisance caused by cleaning of the facilities and arrival/departure of cleaning staff. Cleaning is likely to be done between 00:00 and 08:00 given that the application requests opening times of 08:00-23:00/00:00 7 days a week.

And with the request for outdoor licensable activities at street level this would also be increased noise of tables and chairs being set-up in the early hours and removed in the middle of the night. And again, this is 19m from residential housing.

Specific concerns also include: dispersal of a large number of people with late night alcohol, but no enforceable dispersal policy; no policy to actively manage or limit patrons smoking, queuing and/or waiting for tables outside the premises, thus creating a cumulative impact upon noise disturbance and blocking the pavement; no waiting area to avoid external queues; and no evidence that noise will not emanate from premises.

# Crime and Disorder

The application does not demonstrate that the proposed later hours and outdoor service would not give cause to negative cumulative impact on the Licensing Objective for the Prevention of Crime and Disorder. It does not rebut the presumption in Licensing Policy 2 that applications for new premises in areas such as Clerkenwell are likely to add to the existing cumulative impact and will normally be refused.

The application to allow members of the public in the bar and restaurant (versus the existing licence only being open to private members) – combined with the application to extend alcohol service and off licence sales to outside seating areas – further increases the risk of crime and disorder.

The existing application was granted on the condition of licensable activities specifically only WITHIN the demise of the premises (with a specific prohibition on outdoor tables, chairs etc) and only for private members who had previously been vetted. These conditions were extremely important to the Licensing Committee's decision to grant the license as it currently stands. And they remain just as critical now.

Clerkenwell is an area the Council recognises as having a high number of licensed premises, which lead to problems related to the licensing objectives. Further licenses could provide disproportionately negative effects for local residents. An increase in crime and disorder, disorderly conduct, littering, public urination, violence, noise nuisance, thefts, damage to property and vehicles, obstruction of the public highway and other unlawful activity.

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The application fails to demonstrate that the proposed changes would not cause negative cumulative impact on the Licensing Objective for Protection of Children. Licensing Policy 1 considers the character of an area. The increase in crime, disorder and antisocial behaviour also further threatens children.

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

| From:        |   |
|--------------|---|
| Sent:        | 19 March 2024 13:19   |
| To:          | Licensing; Jones, Carol   |
| Subject:     | Objection to Sessions House licence variation application                                       |
| Attachments: | CAO4_G9ntTFPNfJdAfkWT6nRgAsCH21+m=y0oCW+YLWpj4fN_wQ@mail.gmail.com_2_resident<br>objection.docx |

# [External]

Dear Islington Licensing office, I have only just been informed of this application. I understand the deadline for objections is imminent. I am a local resident who uses Clerkenwell Green everyday. I was also involved in the original discussions of the licence application that this application is trying to replace. It was all very carefully done to balance the needs of a local business with the concerns and needs of local residents. Overturning these conditions would materially harm the local area and the local community. It would also likely open the door to other applications for harmful variations in the area. It runs entirely counter to existing policy of protecting the area from too liberal licensing of establishments. I lend my full support to the residents' objections in the attached document. I am grateful for your attention to this matter.

# Licensing representation for Knotel UK Ltd, Old Sessions House, 22 Clerkenwell Green, EC1R 0NA

Dear Licensing and Councillors,

Friends of Clerkenwell Green (FoCG) objects to this licence application for Knotel UK Ltd at Old Sessions House (OSH). This application is an attempt to circumvent the Licensing Sub-Committee's decisions of 2016. The application shows a disregard for Islington's licensing policies, the CIA, local residents and the many other concerns listed below. It is not an exception to policy. Please reject this application.

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This application seeks to change the hours, activities, location and patrons currently allowed for in the existing licence. Those hours and conditions were settled after numerous rounds of applications and appeals by various applicants dating back almost 10 years. No justification for the application has been provided to differentiate it from previous applications which have been opposed and no changes to facts or circumstances have rendered the rationales for the current licence to be altered.

This is not the typical licence that is granted in the area, and for good reason. This application would cause significant negative cumulative impact on local residents and the area due to the size and extent of the operation which will significantly increase late-night foot and road traffic.

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| From:        |  |
|--------------|--|
| Sent:        | 19 March 2024 10:48  |
| To:          | Licensing; Jones, Carol  |
| Cc:          |  |
| Subject:     | Licensing representation for Knotel UK Ltd, Old Sessions House, 22 Clerkenwell Green, EC1R ONA |
| Attachments: | resident objection.docx  |

[External]

**To Islington Licensing** 

We were shocked to discover that an application has been made for a massive extension to the opening hours and licensing arrangements for the Old Sessions House and that the deadline for objections is imminent. We are local residents living some 100 metres from the Old Sessions House and had not heard of this application, let alone been consulted by the applicant, until a resident alerted us to it today.

As a result of this we have not the time to write the personal and detailed objection that we would normally write, so at this late stage we are simply sending a pro forma residents objection letter which you will find attached. We support every point made in this letter and would doubtless have more to add with extra time, but it suffices to state our very strong objections to the applicant's proposals.

We imagine many other residents who might well have objected will have been disenfranchised by the 'low key' approach to consultation adopted by the applicant which nearly resulted in us not knowing until too late. We trust you will appreciate that the number of local objections would doubtless be even greater were this to have been made known more widely by the applicant.

We would be grateful if you would acknowledge safe receipt of our email and the attached objection.

Yours sincerely

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#### Objections based on the four licensing objectives

#### Public Nuisance

The application would significantly increase noise levels with outdoor licensable activities at street-level and rooftop – where noise will emanate around Clerkenwell Green. It will also increase the noise of people coming in and out of the premises at later hours, especially after having consumed alcohol and been in noisy environments with live music and films. Plus, alcohol-related antisocial behaviour and crime and off sales.

This would increase foot and road traffic, especially at late night hours 7 days a week, with increased volume of people walking, talking, smoking and driving in the area. It stands to increase disorder in the street at closing time, noise from customers leaving later at night, noise from increased traffic later at night, noise from deliveries and rubbish removal, noise and blocking of pavement from customers smoking outside, and noise and blocking of pavement from customers queuing/waiting outside.

And increased late night public nuisance caused by cleaning of the facilities and arrival/departure of cleaning staff. Cleaning is likely to be done between 00:00 and 08:00 given that the application requests opening times of 08:00-23:00/00:00 7 days a week.

And with the request for outdoor licensable activities at street level this would also be increased noise of tables and chairs being set-up in the early hours and removed in the middle of the night. And again, this is 19m from residential housing.

Specific concerns also include: dispersal of a large number of people with late night alcohol, but no enforceable dispersal policy; no policy to actively manage or limit patrons smoking, queuing and/or waiting for tables outside the premises, thus creating a cumulative impact upon noise disturbance and blocking the pavement; no waiting area to avoid external queues; and no evidence that noise will not emanate from premises.

# Crime and Disorder

The application does not demonstrate that the proposed later hours and outdoor service would not give cause to negative cumulative impact on the Licensing Objective for the Prevention of Crime and Disorder. It does not rebut the presumption in Licensing Policy 2 that applications for new premises in areas such as Clerkenwell are likely to add to the existing cumulative impact and will normally be refused.

The application to allow members of the public in the bar and restaurant (versus the existing licence only being open to private members) – combined with the application to extend alcohol service and off licence sales to outside seating areas – further increases the risk of crime and disorder.

The existing application was granted on the condition of licensable activities specifically only WITHIN the demise of the premises (with a specific prohibition on outdoor tables, chairs etc) and only for private members who had previously been vetted. These conditions were extremely important to the Licensing Committee's decision to grant the license as it currently stands. And they remain just as critical now.

Clerkenwell is an area the Council recognises as having a high number of licensed premises, which lead to problems related to the licensing objectives. Further licenses could provide disproportionately negative effects for local residents. An increase in crime and disorder, disorderly conduct, littering, public urination, violence, noise nuisance, thefts, damage to property and vehicles, obstruction of the public highway and other unlawful activity.

# Protection of Children from Harm

The application fails to demonstrate that the proposed changes would not cause negative cumulative impact on the Licensing Objective for Protection of Children. Licensing Policy 1 considers the character of an area. The increase in crime, disorder and antisocial behaviour also further threatens children.

# Public Safety

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

| From:    |   |
|----------|---|
| To:      | Licensing; Jones, Carol   |
| Subject: | Licensing for Knotel Uk Ltd, Old Sessions House, 22 Clerkenwell Green, EC1R 0NA |
| Date:    | 19 March 2024 14:18:02  |

# [External]

# Licensing representation for Knotel UK Ltd, Old Sessions House, 22 Clerkenwell Green, EC1R 0NA

Dear Licensing and Councillors,

I object to this licence application for Knotel UK Ltd at Old Sessions House (OSH). The application shows a disregard for Islington's licensing policies, the CIA, local residents and the many other concerns listed below. It is not an exception to policy.

This application is functionally equivalent to a Nightclub licence application for a large 300-person late-night, 7-day-a-week premises with extensive use of outdoor space at street & rooftop levels, on & off alcohol sales, noisy licensable activities (films, music).

The application seeks to change the hours, activities, location and patrons currently allowed for in the existing licence. Those hours and conditions were settled after numerous rounds of applications and appeals by various applicants dating back almost 10 years.

No justification for the application has been provided to differentiate it from previous applications that were opposed and no changes to facts or circumstances have rendered the rationales for the current licence to be altered.

This is not the typical licence granted in the area, and for good reason. This application would cause significant negative cumulative impact on local residents and the area due to the size and extent of the operation which will significantly increase late-night foot and road traffic. This is an <u>inappropriate</u> <u>location</u> for such a late-night alcohol-led offering in a site surrounded by residents. Clerkenwell is already an area of cumulative impact, saturation, ASB and crime. We are currently very negatively impacted by post-pandemic changes (closure of multiple trading sites including normal hour bars and restaurants). This seems to have encouraged late-night locales and their promoters to set up nightlife for non-locals, who have no interest in and no understanding of nor respect for local community and environs. Vicinity to Farringdon station is wonderful, but also means that some venues in the area are promoted outside London as an easy way to come into town, bottomless brunches through late night hours. It would be helpful to know how the community trending on resulting anti-social issues and crime.

Clerkenwell Green has undergone significant change in being largely pedestrianised. However, that provides no justification for extended hours and extensive use of outdoor space. Extended hours and the attendant noise of those leaving at 0100 still have the same objections as were upheld 7 years ago.

The proposed hours are notably longer than nearby licensees, wherein multiple Licensing Committee decided to restrict hours due to proximity to residents in Cumulative Impact Area.

The application seeks to:

- Extend hours
- Extend activities
- Extend location
- Extend customer base
- Add music, films and late-night refreshment
- Remove the current condition for alcohol only inside the building
- Add on-and off-licence alcohol sales for an outdoor street-level area

This proposal fails to:

- adequately demonstrate the promotion of the Licensing Objectives
- adequately address the impact of the proposed activities on this Cumulative Impact Area and Conservation Area
- propose an offering that is not alcohol-led (vertical drinking)

analyse the noise impact of the proposed activities – despite proposing vast outdoor uses and hours and despite having Grade II\* listed windows that cannot be acoustically sealed to mitigate the negative impact of indoor activities such as drinking, live music, recorded music and films.

- consider a noise management plan, dispersal management plan or other critical conditions to demonstrate the promotion of the licensing objectives.
- demonstrate valid reasons to be considered an exception to the CIA
- remove outdoor queues or outdoor drinking at street level or terraces items prohibited by recently licenced premises in the area
- demonstrate valid reasons to be considered an exception to licensing policy 6
- propose hours in-line with recently licenced premises in the vicinity, where Licensing Sub-Committees limited hours to mitigate cumulative impact
- failed to supply a noise management plan to demonstrate no cumulative impact of extended hours, new outdoor seating and new outdoor off licence

This application creates significant risk of disturbance to residents in a Cumulative Impact Area. The sheltered housing residents of Clerkenwell Green Estate will be overwhelmed by up to 300 customers entering/exiting the premises, drinking in outdoor seating and on the rooftop - just 19m away. The many other residents of Clerkenwell Green and surrounding streets will also be negatively impacted.

There is no sound insulation to protect residents from the increased noise of late-night crowds 7 days a week using the roof top terrace and street-level outdoor seating areas. And there is no reason for the Licensing Committee to grant longer hours and outdoor drinking, especially given the site's proximity to vulnerable residents.

#### Objections based on the four licensing objectives

#### **Public Nuisance**

The application would significantly increase noise levels with outdoor licensable activities at streetlevel and rooftop. It will increase the noise of people coming in and out of the premises at later hours, especially after having consumed alcohol and been in noisy environments with live music and films. Plus, alcohol-related antisocial behaviour and crime and off sales.

This would increase foot and road traffic, especially at late night hours 7 days a week, with higher volume of people walking, talking, smoking and driving. And increase late night public nuisance caused by cleaning of the facilities and arrival/departure of cleaning staff. And with the request for outdoor licensable activities at street level this would also be increased noise of tables and chairs being set-up in the early hours and removed in the middle of the night. And again, this is 19m from residential housing.

Specific concerns also include: dispersal of a large number of people with late night alcohol, but no enforceable dispersal policy; no policy to actively manage or limit patrons smoking, queuing and/or waiting for tables outside the premises, thus creating a cumulative impact upon noise disturbance and blocking the pavement; no waiting area to avoid external queues; and no evidence that noise will not emanate from premises.

#### Crime and Disorder

The application does not demonstrate that the proposed later hours and outdoor service would not give cause to negative cumulative impact. It does not rebut the presumption in Licensing Policy 2 that applications for new premises in areas such as Clerkenwell are likely to add to the existing cumulative impact and will normally be refused.

The application to allow members of the public in the bar and restaurant (versus the existing licence only being open to private members) – combined with the application to extend alcohol service and off licence sales to outside seating areas – further increases the risk of crime and disorder. The existing application was granted on the condition of licensable activities specifically only WITHIN the demise of the premises (with a specific prohibition on outdoor tables, chairs etc) and only for private members who had previously been vetted. These conditions were extremely important to the Licensing Committee's decision to grant the license as it currently stands. And they remain just as critical now.

Clerkenwell is an area the Council recognises as having a high number of licensed premises, which lead to problems related to the licensing objectives. Further licenses could provide disproportionately negative effects for local residents. An increase in crime and disorder, disorderly conduct, littering, public urination, violence, noise nuisance, thefts, damage to property and vehicles, obstruction of the public highway and other unlawful activity.

# Protection of Children from Harm

The application fails to demonstrate that the changes would not cause negative cumulative impact on the Protection of Children. Licensing Policy 1 considers the character of an area. The increase in crime, disorder and antisocial behaviour also further threatens children.

<u>Public Safety</u> This application threatens public safety not only due to the aforementioned increase in crime, disorder, and antisocial behaviour associated with alcohol consumption, but also due to loitering in the street after the licensed hours.

Thank you and regards,

From:Sent:19 March 2024 09:09To:Licensing; Jones, CarolSubject:Objection to Old Sessions House licensing hours extension

# [External]

Dear licensing and councillors,

I am objecting to the application by Knotel for the extension to the agreed 2006 licensing hours to be increased. This extension will pave the way for further noise, late night drunken anti-social behaviour and general exhausting revelry, in what is supposed to be a cumulative impact area. Back in 2016 we all gathered at the town hall to oppose this very big concern. We managed to help stop the late night licence then. I have lived in Clerkenwell for 25 years. I was born in the area and spent most of my life in or around Clerkenwell. If you do not understand the incredibly rich and important history of this little pocket of London, then you are in grave danger of losing it by allowing such licences to be extended. Clerkenwell and it's surrounding streets and community are not unlike a finely balanced watch or clock which the area is famous for, and by unbalancing it with late night licences you risk breaking it and thus losing it forever. This cumulative impact zone has been seized upon in the last ten years by a host of high finance venture capitalists who are all hell bent on creating an 'entertainment zone' not dissimilar to Soho. This is not Soho. This licensing extension has the ability to be the straw that breaks the back of the camel. If this sounds over the top I tell you that it's not in the slightest bit over the top. We feel it every day and every year getting busier and busier. Clerkenwell Green and the once quiet streets surrounding it are home to a large community of long suffering people and families who have had to endure endless applications for new entertainment venues. It's too much. It's too much at night and we are literally standing on the edge of the cumulative impact zone precipice. It's not funny anymore.

This little area has had so many important books written about it. Please do not allow it to be disrupted further as an entertainment zone. It's an inappropriate licensing extension. 1 o'clock in the morning is ridiculous! That means Uber's milling around, laughing, drunken loud voices and footfall at a time when Clerkenwell should be a peaceful nighttime haven, the way it has always been. The recently finished Clerkenwell Green is already showing signs of heavy use. Full bins, beer and wine bottles in amongst the recently laid flower beds and two broken tree branches. The Clerkenwell design week is another strain on St James's Churchyard with the grass reduced to muddy slush. Will Islington council please refuse this extension.

From the bottom of my heart I ask you. Don't be a part of throwing this gem into the rubbish heap of fast living, fun fuelled London. Clerkenwell is London's history. Craft, watch making, printing, artisans etc..

I do think what the brothers did to the Old Session House was magnificent in its restoration but I wholeheartedly disagree with what the company who submitted this application wish for it now. There are families and senior citizens living on the Green.



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| From:                    | Montanez-Dodson, Monty   |
|--------------------------|--|
| To:                      | Licensing  |
| Cc:<br>Subject:<br>Date: | FW: application to vary premises licence Session House, Clerkenwell Green 18 March 2024 11:07:54 |

Please find Objection below regarding Knotel Variation application

Regards Licensing Community Safety, Resilience and Security Islington Council 222 Upper Street, N1 1XR Licensing Duty Line: **020 7527 3031** or email <u>licensing@islington.gov.uk</u>

The information contained in this E-Mail may be subject to public disclosure under the Freedom of Information Act 2000. Unless the information is legally exempt from disclosure, the confidentiality of this E-Mail and your reply cannot be guaranteed. It is intended solely for the addressee. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful.

From:

Sent: Monday, March 18, 2024 1:12 AM

To: Montanez-Dodson, Monty < Christopher.Montanez-Dodson@islington.gov.uk>

Cc:

Subject: application to vary premises licence Session House, Clerkenwell Green

[External]

Dear Christopher,

I think the following application falls under you; application to vary premises licence Session House, Clerkenwell Green?

We are a little puzzled about this application & we would like to object. It extends the hours of live & recorded- music, alcohol serving & film extensively. Also in the outside area. Especially the latter seems in stark contradiction with the current development of the area described in the Bunhill and Clerkenwell Area Action Plan (<u>https://www.islington.gov.uk/planning/planning-</u> policy/islington-local-plan

Islington Local Plan | Islington Council

The Islington Local Plan is used as a foundation for planning decisions and future developments in Islington.

www.islington.gov.uk

This report contains several policies which set out a vision for the area & to proactively plan & manage change. Clerkenwell Green -& Clerkenwell Close for that matter- fall within the Historic Clerkenwell Spatial Strategy Area, Policy AAP8 set outs the Council's key strategic considerations for this area.

Policy AAP8 places great importance on protecting & preserving the special historic character & appearance of the area, supporting paragraph 3.77 outlines the Council's ambition to turn Clerkenwell Green into a high-quality public space, in addition, it identifies the Clerkenwell Road & Goswell Road junction as a potential location for public realm improvement.

Policy AAP2 within the Bunhill and Clerkenwell Area Action Plan provides guidance relating to developments involving Cultural, Retail & Leisure uses, Part D of this Policy seeks to ensure that proposals involving any of these uses:

- i) Does not individually or cumulatively harm the vitality, viability, character, function or amenity of the area, in particular residential amenity.
- ii) Avoids harmful concentrations of nighttime economy uses, particularly premises licensed to sell alcohol
- iii) Ensure that the operation of any potential use does not impact/affect use of the public realm by other users.

There is already a lot of noise from the pubs around us & the lack of officers being able to control the area is adding to this. & the pubs close at 11pm. To us it seems that this application -which I have to say, is a little chaotical, confusingly worded- does not fit the above policies. Therefor we object.

If this is not for you, could you please indicate who to send it to? Many thanks in advance,

Wishing you a good start of your week,

Kind regards,



# Licensing representation for Knotel UK Ltd, Old Sessions House, 22 Clerkenwell Green, EC1R 0NA

Dear Licensing and Councillors,

I object to this licence application for Knotel UK Ltd at Old Sessions House (OSH). This application is an attempt to circumvent the Licensing Sub-Committee's decisions of 2016. The application shows a disregard for Islington's licensing policies, the CIA, local residents and the many other concerns listed below. It is not an exception to policy. Please reject this application.

This application is functionally equivalent to a Nightclub licence application for a large 300person late-night, 7-day-a-week premises with extensive use of outdoor space at street & rooftop levels, on & off alcohol sales, noisy licensable activities (films, music). And all this located just 19m from sheltered housing for the elderly.

This application seeks to change the hours, activities, location and patrons currently allowed for in the existing licence. Those hours and conditions were settled after numerous rounds of applications and appeals by various applicants dating back almost 10 years. No justification for the application has been provided to differentiate it from previous applications which have been opposed and no changes to facts or circumstances have rendered the rationales for the current licence to be altered.

This is not the typical licence that is granted in the area, and for good reason. This application would cause significant negative cumulative impact on local residents and the area due to the size and extent of the operation which will significantly increase late-night foot and road traffic.

This is an <u>inappropriate location</u> for such a late-night alcohol-led offering in a site surrounded by residents. Clerkenwell Green & Clerkenwell Close Estates with elderly residents 19m away, Peabody Estate 118m, Priory House for elderly 160m and many other residential premises. Islington is London's 2nd highest density of licensed premises and suffers from higher than London average for violent crimes attributable to alcohol. Clerkenwell is already an area of cumulative impact, saturation, ASB and crime. Please don't further aggravate this. A reasonable number of reasonably sized licensed premises are welcome provided they respect their domestic neighbours' reasonable needs. This application does not.

Clerkenwell Green has undergone significant change in being largely pedestrianised. However, that provides no justification for extended hours and extensive use of outdoor space. The private and council residential housing on the north side of the OSH all remain unchanged as do the residential blocks opposite the OSH on the west of Farringdon Road. Extended hours and the attendant noise of those leaving at 0100 still have the same objections as were upheld 7 years ago.

The pedestrianisation of the Green was not created to provide the OSH or anyone else with the ability to extend food service and alcohol service onto the pavements. It was done with public consultation to increase amenity for residents. The applicant has 33,000 sq ft of premises within which to provide food and alcohol service along with a large roof terrace which seems more than adequate. The residents of this area never intended and have objected to the Green being turned into another Covent Garden or Exmouth Market. And various Licensing Committees have supported that objection with the conditions set on the existing OSH and other nearby licences.

The application proposes no noise analysis and no detailed management, noise or dispersal plans, despite being surrounded by residents and being located in a Cumulative Impact Area (CIA), proposing extensive use of outdoor space and roof terraces, and

The proposed alcohol licensable hours are also outside the restricted hours required of nearby licensees – and those were restricted in multiple Licensing Committee decisions due to proximity to residents in a Cumulative Impact Area. Conditions have not changed in the area, and these restrictions are still necessary to avoid cumulative negative impact.

And the proposal seeks to remove previous restrictions that were set by the Licensing Sub-Committee) specifically to protect local residents.

The application seeks to:

- Extend hours
- Extend activities
- Extend location of licensable activities
- Extend who can access licensable activities to non-members
- Add live & recorded music, films and late-night refreshment 7 days a week
- Remove the current condition that no chairs or tables or signage or display boards of any kind shall be placed on the pavement or carriageway outside the premises at any time
- Add on-and off-licence alcohol sales for an outdoor street-level area in Clerkenwell Green (something that is specifically prevented by the conditions of the current licence)

This proposal fails to:

- adequately demonstrate the promotion of the Licensing Objectives
- adequately address the impact of the proposed activities on this Cumulative Impact Area and Conservation Area
- propose an offering that is not alcohol-led (vertical drinking)
- analyse the noise impact of the proposed activities despite proposing vast outdoor uses and hours and despite having Grade II\* listed windows that cannot be acoustically sealed to mitigate the negative impact of indoor activities such as drinking, live music, recorded music and films.
- consider a noise management plan, dispersal management plan or other critical conditions to demonstrate the promotion of the licensing objectives.
- demonstrate valid reasons to be considered an exception to the CIA
- remove outdoor queues or outdoor drinking at street level or terraces items prohibited by recently licenced premises in the area
- demonstrate valid reasons to be considered an exception to licensing policy 6
- propose hours in-line with recently licenced premises in the vicinity, where Licensing Sub-Committees limited hours to mitigate cumulative impact
- failed to supply a noise management plan to demonstrate no cumulative impact of extended hours, new outdoor seating and new outdoor off licence

This application creates significant risk of disturbance to residents in a Cumulative Impact Area. The sheltered housing residents of Clerkenwell Green Estate will be overwhelmed by up to 300 customers entering/exiting the premises, drinking in outdoor seating and on the rooftop - just 19m away. The many other residents of Clerkenwell Green and surrounding streets will also be negatively impact by increased noise – including the 1 Britton St block of residential flats mere metres from the proposed rooftop drinking area.

They and other neighbouring residents will be further inundated with cumulative impact noise and nuisance from late night opening hours, music and drinking 7 nights a week. The latenight hours are far longer than other licensed premises in this CIA.

There is no sound insulation to protect residents from the increased noise of late-night crowds 7 days a week using the roof top terrace and street-level outdoor seating areas.

The applicant provides no management plan or noise plan to adequately explain how it will be able to operate multiple units with vast outdoor space, so many more hours and so many more customers without adding cumulative impact.

There is no reason for the Licensing Committee to grant longer hours and outdoor drinking, especially given the site's proximity to vulnerable residents.

By comparison, the Granger & Co restaurant is opposite OSH on the east side of Clerkenwell Green (120 metres away). The closest residents to Granger & Co are 40 metres from the premises (vs. 19 metres). It has a maximum capacity of 90 people which is a fraction the size of OSH. Grangers must operate solely as a restaurant with a full table meal required for alcohol service, so 0% vertical drinking opportunity. There is no outside space and no outside tables or chairs are permitted. No new patrons are permitted to enter after 22:00. There is no live music, recorded music, films, dance or other entertainment. No queuing is permitted outside the premises at any time. No more than 5 patrons or staff are permitted to smoke

outside at any time. No deliveries are permitted on Sundays, and very limited deliveries by van on Saturdays. And Granger has no off-licence.

There is no rationale as to why Knotel should benefit from such a vast competitive advantage at the expense of local residents and in contravention to Licensing Policy and the protection of the CIA.

The Grade II\* listed windows of this premises cannot be acoustically sealed to keep the noise from patrons inside so as not to cause a nuisance to local residents. This differs from the modern insulated glazing at all the recently licensed premises in the vicinity – none of which pose the added nuisance risk from entertainment since their licences do not include films, dance, live music etc.

Furthermore, other licence applicants have consulted with neighbours and community groups to successfully adopt policies that would mitigate negative impact, including nearby applicants like Granger & Co and The Piano Works. This applicant approached a few neighbours but did not provide adequate time to engage and consult with them.

### Status of the Applicant

Knotel UK Ltd is now three months late filing its accounts. Link: https://find-and-update.company-information.service.gov.uk/company/11135999

I asked about this and was told that the accounts were delayed because of the complex audit requirements of a US-listed group. I've spoken to experienced corporate lawyers and understand this is false. There are many US listed groups with UK subsidiaries - they all file UK accounts on time. It is unlawful not to, and potentially a criminal offence.

I therefore do not believe the explanation given to the licensing lawyer.

We are concerned that this demonstrates either a poor level of management and governance, or that the company is in financial difficulty. We note that Knotel went bankrupt in 2021.

#### Objections based on the four licensing objectives

#### Public Nuisance

The application would significantly increase noise levels with outdoor licensable activities at street-level and rooftop – where noise will emanate around Clerkenwell Green. It will also increase the noise of people coming in and out of the premises at later hours, especially after having consumed alcohol and been in noisy environments with live music and films. Plus, alcohol-related antisocial behaviour and crime and off sales.

This would increase foot and road traffic, especially at late night hours 7 days a week, with increased volume of people walking, talking, smoking and driving in the area. It stands to increase disorder in the street at closing time, noise from customers leaving later at night, noise from increased traffic later at night, noise from deliveries and rubbish removal, noise and blocking of pavement from customers smoking outside, and noise and blocking of pavement from customers queuing/waiting outside.

And increased late night public nuisance caused by cleaning of the facilities and arrival/departure of cleaning staff. Cleaning is likely to be done between 00:00 and 08:00 given that the application requests opening times of 08:00-23:00/00:00 7 days a week.

And with the request for outdoor licensable activities at street level this would also be increased noise of tables and chairs being set-up in the early hours and removed in the middle of the night. And again, this is 19m from residential housing.

Specific concerns also include: dispersal of a large number of people with late night alcohol, but no enforceable dispersal policy; no policy to actively manage or limit patrons smoking, queuing and/or waiting for tables outside the premises, thus creating a cumulative impact upon noise disturbance and blocking the pavement; no waiting area to avoid external queues; and no evidence that noise will not emanate from premises.

# Crime and Disorder

The application does not demonstrate that the proposed later hours and outdoor service would not give cause to negative cumulative impact on the Licensing Objective for the Prevention of Crime and Disorder. It does not rebut the presumption in Licensing Policy 2 that applications for new premises in areas such as Clerkenwell are likely to add to the existing cumulative impact and will normally be refused.

The application to allow members of the public in the bar and restaurant (versus the existing licence only being open to private members) – combined with the application to extend alcohol service and off licence sales to outside seating areas – further increases the risk of crime and disorder.

The existing application was granted on the condition of licensable activities specifically only WITHIN the demise of the premises (with a specific prohibition on outdoor tables, chairs etc) and only for private members who had previously been vetted. These conditions were extremely important to the Licensing Committee's decision to grant the license as it currently stands. And they remain just as critical now.

Clerkenwell is an area the Council recognises as having a high number of licensed premises, which lead to problems related to the licensing objectives. Further licenses could provide disproportionately negative effects for local residents. An increase in crime and disorder, disorderly conduct, littering, public urination, violence, noise nuisance, thefts, damage to property and vehicles, obstruction of the public highway and other unlawful activity.

### Protection of Children from Harm

The application fails to demonstrate that the proposed changes would not cause negative cumulative impact on the Licensing Objective for Protection of Children. Licensing Policy 1 considers the character of an area. The increase in crime, disorder and antisocial behaviour also further threatens children.

# Public Safety

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



From:Sent:19 March 2024 18:01To:LicensingSubject:Objection to planning application - Old Sessions House

# [External]

Dear Sirs

As a long-time owner and resident at the second sec

This application is functionally equivalent to a Nightclub licence application for a large 300-person late-night, 7-day-aweek premises with extensive use of outdoor space at street & rooftop levels, on & off alcohol sales, noisy licensable activities (films, music).

The application seeks to change the hours, activities, location and patrons currently allowed for in the existing licence. Those hours and conditions were settled after numerous rounds of applications and appeals by various applicants dating back almost 10 years.

No justification for the application has been provided to differentiate it from previous applications that were opposed and no changes to facts or circumstances have rendered the rationales for the current licence to be altered.

This is not the typical licence granted in the area, and for good reason. This application would cause significant negative cumulative impact on local residents and the area due to the size and extent of the operation which will significantly increase late-night foot and road traffic. This is an <u>inappropriate location</u> for such a late-night alcohol-led offering in a site surrounded by residents. Clerkenwell is already an area of cumulative impact, saturation, ASB and crime.

Clerkenwell Green has undergone significant change in being largely pedestrianised. However, that provides no justification for extended hours and extensive use of outdoor space. Extended hours and the attendant noise of those leaving at 0100 still have the same objections as were upheld 7 years ago.

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The proposed hours are notably longer than nearby licensees, wherein multiple Licensing Committee decided to restrict hours due to proximity to residents in Cumulative Impact Area.

The application seeks to:

 Extend hours

 Extend activities

 Extend location

 Extend customer base

 Add music, films and late-night refreshment

 Remove the current condition for alcohol only inside the building

□ Add on-and off-licence alcohol sales for an outdoor street-level area

This proposal fails to:

□ adequately demonstrate the promotion of the Licensing Objectives

adequately address the impact of the proposed activities on this Cumulative Impact Area and Conservation Area
 propose an offering that is not alcohol-led (vertical drinking)

- analyse the noise impact of the proposed activities despite proposing vast outdoor uses and hours and despite having Grade II\* listed windows that cannot be acoustically sealed to mitigate the negative impact of indoor activities such as drinking, live music, recorded music and films.
- □ consider a noise management plan, dispersal management plan or other critical conditions to demonstrate the promotion of the licensing objectives.

demonstrate valid reasons to be considered an exception to the CIA

- □ remove outdoor queues or outdoor drinking at street level or terraces items prohibited by recently licenced premises in the area
- $\hfill\square$  demonstrate valid reasons to be considered an exception to licensing policy 6
- propose hours in-line with recently licenced premises in the vicinity, where Licensing Sub-Committees limited hours to mitigate cumulative impact
- □ failed to supply a noise management plan to demonstrate no cumulative impact of extended hours, new outdoor seating and new outdoor off licence

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300 customers entering/exiting the premises, drinking in outdoor seating and on the rooftop - just 19m away. The many other residents of Clerkenwell Green and surrounding streets will also be negatively impacted.

There is no sound insulation to protect residents from the increased noise of late-night crowds 7 days a week using the roof top terrace and street-level outdoor seating areas. And there is no reason for the Licensing Committee to grant longer hours and outdoor drinking, especially given the site's proximity to vulnerable residents.

# Objections based on the four licensing objectives

# Public Nuisance

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This would increase foot and road traffic, especially at late night hours 7 days a week, with higher volume of people walking, talking, smoking and driving. And increase late night public nuisance caused by cleaning of the facilities and arrival/departure of cleaning staff. And with the request for outdoor licensable activities at street level this would also be increased noise of tables and chairs being set-up in the early hours and removed in the middle of the night. And again, this is 19m from residential housing.

Specific concerns also include: dispersal of a large number of people with late night alcohol, but no enforceable dispersal policy; no policy to actively manage or limit patrons smoking, queuing and/or waiting for tables outside the premises, thus creating a cumulative impact upon noise disturbance and blocking the pavement; no waiting area to avoid external queues; and no evidence that noise will not emanate from premises.

# Crime and Disorder

The application does not demonstrate that the proposed later hours and outdoor servicewould not give cause to negative cumulative impact. It does not rebut the presumption in Licensing Policy 2 that applications for new premises in areas such as Clerkenwell are likely to add to the existing cumulative impact and will normally be refused.

The application to allow members of the public in the bar and restaurant (versus the existing licence only being open to private members) – combined with the application to extend alcohol service and off licence sales to outside seating areas – further increases the risk of crime and disorder. The existing application was granted on the condition of licensable activities specifically only WITHIN the demise of the premises (with a specific prohibition on outdoor tables, chairs etc) and only for private members who had previously been vetted. These conditions were extremely important to the Licensing Committee's decision to grant the license as it currently stands. And they remain just as critical now.

Clerkenwell is an area the Council recognises as having a high number of licensed premises, which lead to problems related to the licensing objectives. Further licenses could provide disproportionately negative effects for local residents. An increase in crime and disorder, disorderly conduct, littering, public urination, violence, noise nuisance, thefts, damage to property and vehicles, obstruction of the public highway and other unlawful activity.

# Protection of Children from Harm

The application fails to demonstrate that the changes would not cause negative cumulative impact on the Protection of Children. Licensing Policy 1 considers the character of an area. The increase in crime, disorder and antisocial behaviour also further threatens children.

# Public Safety

This application threatens public safety not only due to the aforementioned increase in crime, disorder, and antisocial behaviour associated with alcohol consumption, but also due to loitering in the street after the licensed hours.

I thank you for your kind attention.

Yours sincerely,

# Sent from Outlook for iOS

Disclaimer This email is confidential. It is intended for the use of the addressee only and if you are not the intended recipient, any use, disclosure or copying of the information is prohibited. If you have received this transmission in error, please notify us immediately. International Bullion & Metal Brokers (London) Limited ("IBB") does not accept any liability for opinions or views contained in this email. All emails passing through IBB's email system may be subject to monitoring. This email and attachments have been virus scanned, but in keeping with good computing practice the recipient should ensure they are actually virus free.

From: Sent: To: Subject:

19 March 2024 1<mark>4:56</mark> Jones, Carol License Knotel,Old Sessions House

# [External]

Dear Ms Jones,

I write to you with regard to Knotel,Old Sessions House licence application.

I was at the original meeting when it was agreed that they could have a licence until 11pm. I have to object to the current application which proposes to extend the licence after 11pm up to 1am.

The area is very much residential and with all the money that has been spent improving the Green, it seems wrong to me to allow any extension to their licence.

The noise, traffic and late night party goers would very much impact this historic area and would be detrimental to those that live in the vicinity.

The council has wisely restricted the traffic around the Green, as result the area is much more peaceful and retains its character.

I very much hope you will decline this new application,

Yours sincerely,



From:Sent:19 March 2024 18:27To:LicensingCc:Jones, CarolSubject:Licensing representation for Knotel UK Ltd, Old Sessions House, 22 Clerkenwell Green, EC1R 0NA

[External]

Dear Sir/Madam,

In relation to the above application, I wish to confirm the following ;

\* This application is looking to overturn the decisions made in the original and subsequent applications re extended licensing hours, outside seating and dining and the serving of alcohol, live music and increased customer capacity.

\* Bearing in mind that these requests have been been applied for and refused previously, with the committee considering factors like, noise management, unsociable hours of trading (the guests leaving would likely take an additional 30-60 mins to vacate the area), table noise (moving the tables, chairs and other furniture after closing as the pubs do) after closing and that none of these important issues appear to have changed, nor do the applicants appear to have reconsidered how they may counter any of these issues, once would hope that this application is refused.

Clerkenwell Green has is a residential area as well as a commercial area but all the commercial activities cease at a reasonable hour. Residents already have to deal with the excessive noise, waste and loitering of the ZAPP riders, who regularly defecate in St John's Gardens (at 2-7 Clerkenwell Green). Adding more noise and disturbance is openly going to affect the area negatively.

The Old Sessions House already has a longer license does it really need extending any further.

Yours sincerely,



# Licensing representation for Knotel UK Ltd, Old Sessions House, 22 Clerkenwell Green, EC1R 0NA

Dear Licensing and Councillors,

I object to this licence application for Knotel UK Ltd at Old Sessions House (OSH). The application shows a disregard for Islington's licensing policies, the CIA, local residents and the many other concerns listed below. It is not an exception to policy.

This application is functionally equivalent to a Nightclub licence application for a large 300person late-night, 7-day-a-week premises with extensive use of outdoor space at street & rooftop levels, on & off alcohol sales, noisy licensable activities (films, music).

The application seeks to change the hours, activities, location and patrons currently allowed for in the existing licence. Those hours and conditions were settled after numerous rounds of applications and appeals by various applicants dating back almost 10 years.

No justification for the application has been provided to differentiate it from previous applications that were opposed and no changes to facts or circumstances have rendered the rationales for the current licence to be altered.

This is not the typical licence granted in the area, and for good reason. This application would cause significant negative cumulative impact on local residents and the area due to the size and extent of the operation which will significantly increase late-night foot and road traffic. This is an <u>inappropriate location</u> for such a late-night alcohol-led offering in a site surrounded by residents. Clerkenwell is already an area of cumulative impact, saturation, ASB and crime.

Clerkenwell Green has undergone significant change in being largely pedestrianised. However, that provides no justification for extended hours and extensive use of outdoor space. Extended hours and the attendant noise of those leaving at 0100 still have the same objections as were upheld 7 years ago.

The proposed hours are notably longer than nearby licensees, wherein multiple Licensing Committee decided to restrict hours due to proximity to residents in Cumulative Impact Area.

The application seeks to:

- Extend hours
- Extend activities
- Extend location
- Extend customer base
- Add music, films and late-night refreshment
- Remove the current condition for alcohol only inside the building
- Add on-and off-licence alcohol sales for an outdoor street-level area

This proposal fails to:

- adequately demonstrate the promotion of the Licensing Objectives
- adequately address the impact of the proposed activities on this Cumulative Impact Area and Conservation Area
- propose an offering that is not alcohol-led (vertical drinking)
- analyse the noise impact of the proposed activities despite proposing vast outdoor uses and hours and despite having Grade II\* listed windows that cannot be acoustically sealed to mitigate the negative impact of indoor activities such as drinking, live music, recorded music and films.
- consider a noise management plan, dispersal management plan or other critical conditions to demonstrate the promotion of the licensing objectives.
- demonstrate valid reasons to be considered an exception to the CIA
- remove outdoor queues or outdoor drinking at street level or terraces items prohibited by recently licenced premises in the area
- demonstrate valid reasons to be considered an exception to licensing policy 6
- propose hours in-line with recently licenced premises in the vicinity, where Licensing Sub-Committees limited hours to mitigate cumulative impact
- failed to supply a noise management plan to demonstrate no cumulative impact of extended hours, new outdoor seating and new outdoor off licence

This application creates significant risk of disturbance to residents in a Cumulative Impact Area. The sheltered housing residents of Clerkenwell Green Estate will be overwhelmed by up to 300 customers entering/exiting the premises, drinking in outdoor seating and on the rooftop - just 19m away. The many other residents of Clerkenwell Green and surrounding streets will also be negatively impacted.

There is no sound insulation to protect residents from the increased noise of late-night crowds 7 days a week using the roof top terrace and street-level outdoor seating areas. And there is no reason for the Licensing Committee to grant longer hours and outdoor drinking, especially given the site's proximity to vulnerable residents.

### Objections based on the four licensing objectives

### Public Nuisance

The application would significantly increase noise levels with outdoor licensable activities at street-level and rooftop. It will increase the noise of people coming in and out of the premises at later hours, especially after having consumed alcohol and been in noisy environments with live music and films. Plus, alcohol-related antisocial behaviour and crime and off sales.

This would increase foot and road traffic, especially at late night hours 7 days a week, with higher volume of people walking, talking, smoking and driving. And increase late night public nuisance caused by cleaning of the facilities and arrival/departure of cleaning staff. And with the request for outdoor licensable activities at street level this would also be increased noise of tables and chairs being set-up in the early hours and removed in the middle of the night. And again, this is 19m from residential housing.

Specific concerns also include: dispersal of a large number of people with late night alcohol, but no enforceable dispersal policy; no policy to actively manage or limit patrons smoking, queuing and/or waiting for tables outside the premises, thus creating a cumulative impact upon noise disturbance and blocking the pavement; no waiting area to avoid external queues; and no evidence that noise will not emanate from premises.

#### Crime and Disorder

The application does not demonstrate that the proposed later hours and outdoor service would not give cause to negative cumulative impact. It does not rebut the presumption in Licensing Policy 2 that applications for new premises in areas such as Clerkenwell are likely to add to the existing cumulative impact and will normally be refused.

The application to allow members of the public in the bar and restaurant (versus the existing licence only being open to private members) – combined with the application to extend alcohol service and off licence sales to outside seating areas – further increases the risk of crime and disorder. The existing application was granted on the condition of licensable activities specifically only WITHIN the demise of the premises (with a specific prohibition on outdoor tables, chairs etc) and only for private members who had previously been vetted. These conditions were extremely important to the Licensing Committee's decision to grant the license as it currently stands. And they remain just as critical now.

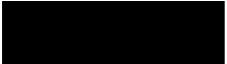
Clerkenwell is an area the Council recognises as having a high number of licensed premises, which lead to problems related to the licensing objectives. Further licenses could provide disproportionately negative effects for local residents. An increase in crime and disorder, disorderly conduct, littering, public urination, violence, noise nuisance, thefts, damage to property and vehicles, obstruction of the public highway and other unlawful activity.

#### Protection of Children from Harm

The application fails to demonstrate that the changes would not cause negative cumulative impact on the Protection of Children. Licensing Policy 1 considers the character of an area. The increase in crime, disorder and antisocial behaviour also further threatens children.

#### Public Safety

This application threatens public safety not only due to the aforementioned increase in crime, disorder, and antisocial behaviour associated with alcohol consumption, but also due to loitering in the street after the licensed hours.



| From:        |   |
|--------------|---|
| Sent:        | 19 March 2024 16:07   |
| То:          | Licensing   |
| Cc:          | Jones, Carol  |
| Subject:     | Fw: Urgent - Midnight deadline to object to 1am Old Sessions  |
| Attachments: | FoCG objection.docx; resident objection.docx; Old Sessions House - Application Form (with<br>Annex A).pdf |

# [External]

Hello there

Please see below (resend due to typo in your email address).

Thanks and kind regards

# Sent from Yahoo Mail on Android

| Hi there |  |  |  |
|----------|--|--|--|

I would like to add my voice to the Friends of Clerkenwell Green.

My name's and I live at

When we all received a consultation document for pedestrianising the Green, there was no suggestion that this might lead to longer licensing hours.

I do think this would lead to more noise into the early morning from people leaving the Sessions House. We have the Sekforde Arms which is restricted to 10.15.

Thank you and kind regards

Sent from Yahoo Mail on Android

Apologies for the short notice but this deadline caught us off guard.

Please email Licensing today... licensing@islington.gov.uk, Carol.Jones@islington.gov.uk

Knotel is applying to change the alcohol licence for Old Sessions House, extending hours till 1am, adding extensive outdoor areas in the Green, etc. Basically all the things that previous License applications for the building tried and failed to get because of the negative impact on nearby residents.

They're looking for late-night hours 7-days-a-week open till 23:30 Mon-Wed and 01:00 Thu-Sun.

The licence application is attached in case you'd like to review it.

The objection we've sent is attached, as well as a shorter one if you'd like to use it.

Thank you for your help.



# Licensing representation for Knotel UK Ltd, Old Sessions House, 22 Clerkenwell Green, EC1R 0NA

Dear Licensing and Councillors,

I object to this licence application for Knotel UK Ltd at Old Sessions House (OSH). The application shows a disregard for Islington's licensing policies, the CIA, local residents and the many other concerns listed below. It is not an exception to policy.

This application is functionally equivalent to a Nightclub licence application for a large 300person late-night, 7-day-a-week premises with extensive use of outdoor space at street & rooftop levels, on & off alcohol sales, noisy licensable activities (films, music).

The application seeks to change the hours, activities, location and patrons currently allowed for in the existing licence. Those hours and conditions were settled after numerous rounds of applications and appeals by various applicants dating back almost 10 years.

No justification for the application has been provided to differentiate it from previous applications that were opposed and no changes to facts or circumstances have rendered the rationales for the current licence to be altered.

This is not the typical licence granted in the area, and for good reason. This application would cause significant negative cumulative impact on local residents and the area due to the size and extent of the operation which will significantly increase late-night foot and road traffic. This is an <u>inappropriate location</u> for such a late-night alcohol-led offering in a site surrounded by residents. Clerkenwell is already an area of cumulative impact, saturation, ASB and crime.

Clerkenwell Green has undergone significant change in being largely pedestrianised. However, that provides no justification for extended hours and extensive use of outdoor space. Extended hours and the attendant noise of those leaving at 0100 still have the same objections as were upheld 7 years ago.

The proposed hours are notably longer than nearby licensees, wherein multiple Licensing Committee decided to restrict hours due to proximity to residents in Cumulative Impact Area.

The application seeks to:

- Extend hours
- Extend activities
- Extend location
- Extend customer base
- Add music, films and late-night refreshment
- Remove the current condition for alcohol only inside the building
- Add on-and off-licence alcohol sales for an outdoor street-level area

This proposal fails to:

- adequately demonstrate the promotion of the Licensing Objectives
- adequately address the impact of the proposed activities on this Cumulative Impact Area and Conservation Area
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- consider a noise management plan, dispersal management plan or other critical conditions to demonstrate the promotion of the licensing objectives.
- demonstrate valid reasons to be considered an exception to the CIA
- remove outdoor queues or outdoor drinking at street level or terraces items prohibited by recently licenced premises in the area
- demonstrate valid reasons to be considered an exception to licensing policy 6
- propose hours in-line with recently licenced premises in the vicinity, where Licensing Sub-Committees limited hours to mitigate cumulative impact
- failed to supply a noise management plan to demonstrate no cumulative impact of extended hours, new outdoor seating and new outdoor off licence

This application creates significant risk of disturbance to residents in a Cumulative Impact Area. The sheltered housing residents of Clerkenwell Green Estate will be overwhelmed by up to 300 customers entering/exiting the premises, drinking in outdoor seating and on the rooftop - just 19m away. The many other residents of Clerkenwell Green and surrounding streets will also be negatively impacted.

There is no sound insulation to protect residents from the increased noise of late-night crowds 7 days a week using the roof top terrace and street-level outdoor seating areas. And there is no reason for the Licensing Committee to grant longer hours and outdoor drinking, especially given the site's proximity to vulnerable residents.

#### Objections based on the four licensing objectives

#### Public Nuisance

The application would significantly increase noise levels with outdoor licensable activities at street-level and rooftop. It will increase the noise of people coming in and out of the premises at later hours, especially after having consumed alcohol and been in noisy environments with live music and films. Plus, alcohol-related antisocial behaviour and crime and off sales.

This would increase foot and road traffic, especially at late night hours 7 days a week, with higher volume of people walking, talking, smoking and driving. And increase late night public nuisance caused by cleaning of the facilities and arrival/departure of cleaning staff. And with the request for outdoor licensable activities at street level this would also be increased noise of tables and chairs being set-up in the early hours and removed in the middle of the night. And again, this is 19m from residential housing.

Specific concerns also include: dispersal of a large number of people with late night alcohol, but no enforceable dispersal policy; no policy to actively manage or limit patrons smoking, queuing and/or waiting for tables outside the premises, thus creating a cumulative impact upon noise disturbance and blocking the pavement; no waiting area to avoid external queues; and no evidence that noise will not emanate from premises.

#### Crime and Disorder

The application does not demonstrate that the proposed later hours and outdoor service would not give cause to negative cumulative impact. It does not rebut the presumption in Licensing Policy 2 that applications for new premises in areas such as Clerkenwell are likely to add to the existing cumulative impact and will normally be refused.

The application to allow members of the public in the bar and restaurant (versus the existing licence only being open to private members) – combined with the application to extend alcohol service and off licence sales to outside seating areas – further increases the risk of crime and disorder. The existing application was granted on the condition of licensable activities specifically only WITHIN the demise of the premises (with a specific prohibition on outdoor tables, chairs etc) and only for private members who had previously been vetted. These conditions were extremely important to the Licensing Committee's decision to grant the license as it currently stands. And they remain just as critical now.

Clerkenwell is an area the Council recognises as having a high number of licensed premises, which lead to problems related to the licensing objectives. Further licenses could provide disproportionately negative effects for local residents. An increase in crime and disorder, disorderly conduct, littering, public urination, violence, noise nuisance, thefts, damage to property and vehicles, obstruction of the public highway and other unlawful activity.

#### Protection of Children from Harm

The application fails to demonstrate that the changes would not cause negative cumulative impact on the Protection of Children. Licensing Policy 1 considers the character of an area. The increase in crime, disorder and antisocial behaviour also further threatens children.

#### Public Safety

This application threatens public safety not only due to the aforementioned increase in crime, disorder, and antisocial behaviour associated with alcohol consumption, but also due to loitering in the street after the licensed hours.

| From:           |                             |
|-----------------|-----------------------------|
| Sent:           | 17 March 2024 12:47         |
| To:             | Licensing                   |
| Subject:        | Opposing a premises licence |
| Follow Up Flag: | Follow up                   |
| Flag Status:    | Flagged                     |

#### [External]

Sent via BT Email App



17/03/24

I am opposing the extended license for KNOTEL WORKCLUB, PART BASEMENT, THE OLD SESSIONS HOUSE, 23 CLERKENWELL GREEN, LONDON EC1R ONA

ref: WK/230045938

My licensing objectives are 1, The prevention of public noise. My bedroom window faces the Side door of the Old sessions house. On the evenings when there is a function, the noise is intolerable! Taxi's arriving up until 2am, slamming of doors , Intoxicated people who are screaming, shouting and swearing. The staff use that particular exit to gather and smoke, I can hear every word as can my elderly neighbour who is 86 and very poorly. Then when the function is over...we have lorries/Vans arriving to make collections and the noise all starts up again! 2, The prevention of public nuisance I and all my neighbours fear that by granting this license, there will be disorder from very Intoxicated people. Shouting, arguing and fighting to name just a few of the things that we are very concerned about. Lack and disturbance of sleep is another major factor.

I ask that you do not grant this

new license as I fear for my mental health, it isn't very good at the best of times.

I already take anti depressants and medication for anxiety.

Thanking you for your kind attention to this matter.



| From:           |                             |
|-----------------|-----------------------------|
| Sent:           | 17 March 2024 17:35         |
| To:             | Licensing                   |
| Subject:        | Opposing a premises license |
| Follow Up Flag: | Follow up                   |
| Flag Status:    | Completed                   |

#### [External]



I am opposing a premises license possibly being granted to: KNOTEL WORKCLUB PART BASEMENT THE OLD SESSIONS HOUSE 23 CLERKENWELL GREEN LONDON EC1R ONA

17/03/24

1, The prevention of public noise.

I have already emailed your department earlier today.

I did not read the reverse of the letter you sent out and overlooked the fact that the above premises are applying to have live music, films being shown and also food and beverages being consumed.

Are we residents to believe that live music will go ahead outside the premises or just food and beverages will be served? Even if its just the latter, it will still take time to clear away glasses, bottles and outside furniture all of which will be a very noisy and lenghty process!! That's without the staff trying to clear the area of very noisy and Intoxicated people!! When considering this extended license, please spare a thought for the residents that have to get up for work, the residents that are elderly and infim and the residents that have mental health issues! Granting this license will have a very detrimental effect on so many people's lives.

Thanking you for your kind attention to this matter.

| From:           |  |
|-----------------|--|
| Sent:           | 15 March 2024 11:55                                      |
| To:             | Licensing  |
| Subject:        | Objection to variation of license. Your ref WK/230045938 |
| Follow Up Flag: | Follow up  |
| Flag Status:    | Flagged  |

#### [External]

Your Ref WK/230045938

Dear Sirs,

I wish to objection to the variation of licence for Knotel Workclub at the Old Sessions House, 23 Clerkenwell Green, primarly on the grounds of public nuisance.

My first complaint is that of the letter I received from Islington Council however. My letter was dated 27<sup>th</sup> February, but it was not delivered until 10 days later on 8<sup>th</sup> March. I'm not sure that leaving only 11 days to make an objection is fair and the process needs to be looked at. I believe that if any objections are received after the cut-off date of 19<sup>th</sup> March, that they should be accepted, and decisions made in the knowledge that others may have been put off because adequate notice was not given.

I recall as far back as 2016 (a hearing took place on 24<sup>th</sup> May) and 2017 (Planning P2016/4841/S73 & P2016/4842/S73) that variations of licence have been applied for at the Old Sessions House. From memory, this was after initial variations had been granted as part of a planning application. The relentless stream of applications is something that residents become weary of and strikes me as an abuse of process. This variation request should be turned down for all the reasons it has done in the past.

I lodged a complaint about a noise disturbance coming from these premises after a temporary licence had been granted last year (event 17<sup>th</sup> June, email sent to <u>licensing@islington.gov.uk</u> 19<sup>th</sup> June 2023 at 10:11am). My bedroom window is less than 40 meters from the Old Sessions House. I found the right person from there who was actually taking sound meter readings around Clerkenwell Green. Even though he agreed that the music was clearly audible whilst standing outside my building where I live and it was past midnight, nothing was done to reduce the sound levels. This is the not the action of a responsible person.

Since 2016, Clerkenwell Green has become a low traffic neighbourhood. This aims to make things quieter. Having an additional establishment with late hours that will create disturbances is in contravention of what that was supposed to achieve, and especially one where the appropriate people acknowledge a disturbance, yet choose to do nothing about it.

Additionally, I do not believe that this application meets Islington's published Licensing Policy in that it would add to the cumulative impact on the area of licensed premises. That goes for any extension of licence.

To summarise, my primary objection is on the grounds of public nuisance. The nuisance has manifested itself in the past when temporary licences have been granted and no action was taken to rectify or improve the problem by the current operators of the building. My complaint on this topic is on record with the licensing team. I trust the decision won't be made on a "compromise" basis as asking for more hours than needed is a common strategy employed by these variations.

Regards,

| From:    |  |
|----------|--|
| Sent:    | 19 March 2024 14:13  |
| To:      | Licensing; Jones, Carol  |
| Subject: | Licensing representation for Knotel UK Ltd, Old Sessions House, 22 Clerkenwell Green, EC1R 0NA |

#### [External]

#### Licensing representation for Knotel UK Ltd, Old Sessions House, 22 Clerkenwell Green, EC1R 0NA

#### Dear Sirs,

I suspect you will read the below email (if you read it at all) in various forms in the next few days/weeks, but this should not detract from its message. Given that I only have today to object I find I have no choice but to echo the sentiments below.

I have lived in Clerkenwell Green (or Clerkenwell Concrete), as it is now known by London cabbies, for over six years, and I (like so many others) do feel like the forgotten residents of the Green. We have a voice, but it is never listened to, and my disabilities are ignored in favour of commercial enterprises. I have the term of the people sitting on benches shouting on phones during the night. Whoever thought it was a good idea to position benches outside the only residential flats on the Green should consider a different role – if anyone else would employ them. The ZAPP delivery store which delivers throughout the night has made the vicinity one large dumping ground and St James's Park, one large toilet. I note the grass in St James's Park is being re-laid again, just in time to be ruined by Clerkenwell Design Week (as it was last year). I rather suspect those people making these decisions don't live close to the area and would call the police if someone as much as dropped a crisp packet outside their front door. It is perhaps this hypocrisy that has led the Daily Mail to reach out and ask the longer-term residents for interviews ahead of its piece in response to a suggestion in the press over the weekend that Clerkenwell was the best place to live in London (who knows, the journalist may actually live in the area!)

I suspect the reality is that those in charge will grant this application (I am sure they have their reasons as they head to retirement) and I will simply leave my flat and give notice to the landlord whom I believe is thinking of selling his flats in the area to a Russian based company (good luck getting your council tax from them).

Anyway, possibly because I know this email will not be read, I have been free to say what I think, perhaps it is my closure.

#### Dear sirs...

I object to this licence application for Knotel UK Ltd at Old Sessions House (OSH). The application shows a disregard for Islington's licensing policies, the CIA, local residents and the many other concerns listed below. It is not an exception to policy.

This application is functionally equivalent to a Nightclub licence application for a large 300-person late-night, 7-day-aweek premises with extensive use of outdoor space at street & rooftop levels, on & off alcohol sales, noisy licensable activities (films, music).

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This is not the typical licence granted in the area, and for good reason. This application would cause significant negative cumulative impact on local residents and the area due to the size and extent of the operation which will significantly increase late-night foot and road traffic. This is an <u>inappropriate location</u> for such a late-night alcohol-led offering in a site surrounded by residents. Clerkenwell is already an area of cumulative impact, saturation, ASB and crime.

Clerkenwell Green has undergone significant change in being largely pedestrianised. However, that provides no justification for extended hours and extensive use of outdoor space. Extended hours and the attendant noise of those leaving at 0100 still have the same objections as were upheld 7 years ago.

The proposed hours are notably longer than nearby licensees, wherein multiple Licensing Committee decided to restrict hours due to proximity to residents in Cumulative Impact Area.

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- Extend hours
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- Extend location
- Extend customer base
- Add music, films and late-night refreshment
- Remove the current condition for alcohol only inside the building
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This proposal fails to:

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- remove outdoor queues or outdoor drinking at street level or terraces items prohibited by recently licenced premises in the area
- demonstrate valid reasons to be considered an exception to licensing policy 6
- propose hours in-line with recently licenced premises in the vicinity, where Licensing Sub-Committees limited hours to mitigate cumulative impact
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There is no sound insulation to protect residents from the increased noise of late-night crowds 7 days a week using the roof top terrace and street-level outdoor seating areas. And there is no reason for the Licensing Committee to grant longer hours and outdoor drinking, especially given the site's proximity to vulnerable residents.

#### Objections based on the four licensing objectives

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This would increase foot and road traffic, especially at late night hours 7 days a week, with higher volume of people walking, talking, smoking and driving. And increase late night public nuisance caused by cleaning of the facilities and arrival/departure of cleaning staff. And with the request for outdoor licensable activities at street level this would also be increased noise of tables and chairs being set-up in the early hours and removed in the middle of the night. And again, this is 19m from residential housing.

Specific concerns also include: dispersal of a large number of people with late night alcohol, but no enforceable dispersal policy; no policy to actively manage or limit patrons smoking, queuing and/or waiting for tables outside the premises, thus creating a cumulative impact upon noise disturbance and blocking the pavement; no waiting area to avoid external queues; and no evidence that noise will not emanate from premises.

#### Crime and Disorder

The application does not demonstrate that the proposed later hours and outdoor service would not give cause to negative cumulative impact. It does not rebut the presumption in Licensing Policy 2 that applications for new premises in areas such as Clerkenwell are likely to add to the existing cumulative impact and will normally be refused.

The application to allow members of the public in the bar and restaurant (versus the existing licence only being open to private members) – combined with the application to extend alcohol service and off licence sales to outside seating areas – further increases the risk of crime and disorder. The existing application was granted on the condition of licensable activities specifically only WITHIN the demise of the premises (with a specific prohibition on outdoor tables, chairs etc) and only for private members who had previously been vetted. These conditions were extremely important to the Licensing Committee's decision to grant the license as it currently stands. And they remain just as critical now.

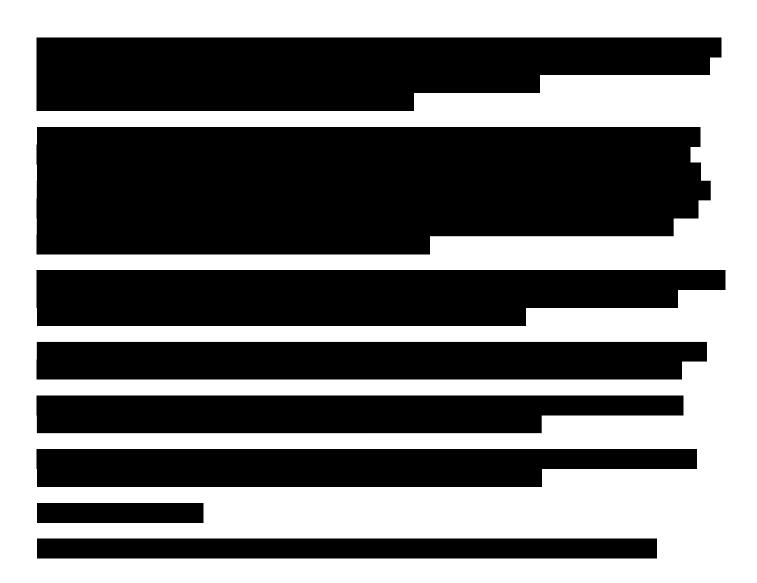
Clerkenwell is an area the Council recognises as having a high number of licensed premises, which lead to problems related to the licensing objectives. Further licenses could provide disproportionately negative effects for local residents. An increase in crime and disorder, disorderly conduct, littering, public urination, violence, noise nuisance, thefts, damage to property and vehicles, obstruction of the public highway and other unlawful activity.

#### Protection of Children from Harm

The application fails to demonstrate that the changes would not cause negative cumulative impact on the Protection of Children. Licensing Policy 1 considers the character of an area. The increase in crime, disorder and antisocial behaviour also further threatens children.

#### Public Safety

This application threatens public safety not only due to the aforementioned increase in crime, disorder, and antisocial behaviour associated with alcohol consumption, but also due to loitering in the street after the licensed hours.



| From:    |                     |
|----------|---------------------|
| Sent:    | 19 March 2024 23:33 |
| To:      | Licensing           |
| Cc:      | Jones, Carol        |
| Subject: | Old Sessions House  |

#### [External]

Dear Licensing

I am writing to object to the licensing application that has been submitted by Knofel and in particular the extensive outside drinking area on the Green.

This application has come to my attention late in the day and therefore I intend to keep my objections brief. Please do not see the brevity of these submissions as in any view undermining the strength of my objection.

The Old Session House is located within close proximity of the residential street of Clerkenwell. We have genuine concerns that by permitting outside drinkers, it will create unacceptable levels of noise that will interfere with the peaceful enjoyment of our homes. Due to the properties being Grade 2 listed, there is little escape or protection from unreasonable levels of outside noise. Outdoor drinking is already too extensive within the borough.

If this matter proceeds to a licensing hearing, I would like to attend so please do keep me posted of the progress of this application.

Kind regards,

# Licensing representation for Knotel UK Ltd, Old Sessions House, 22 Clerkenwell Green, EC1R 0NA

Dear Licensing and Councillors,

I object to this licence application for Knotel UK Ltd at Old Sessions House (OSH). The application shows a disregard for Islington's licensing policies, the CIA, local residents and the many other concerns listed below. It is not an exception to policy.

This application is functionally equivalent to a Nightclub licence application for a large 300person late-night, 7-day-a-week premises with extensive use of outdoor space at street & rooftop levels, on & off alcohol sales, noisy licensable activities (films, music).

The application seeks to change the hours, activities, location and patrons currently allowed for in the existing licence. Those hours and conditions were settled after numerous rounds of applications and appeals by various applicants dating back almost 10 years.

No justification for the application has been provided to differentiate it from previous applications that were opposed and no changes to facts or circumstances have rendered the rationales for the current licence to be altered.

This is not the typical licence granted in the area, and for good reason. This application would cause significant negative cumulative impact on local residents and the area due to the size and extent of the operation which will significantly increase late-night foot and road traffic. This is an <u>inappropriate location</u> for such a late-night alcohol-led offering in a site surrounded by residents. Clerkenwell is already an area of cumulative impact, saturation, ASB and crime.

Clerkenwell Green has undergone significant change in being largely pedestrianised. However, that provides no justification for extended hours and extensive use of outdoor space. Extended hours and the attendant noise of those leaving at 0100 still have the same objections as were upheld 7 years ago.

The proposed hours are notably longer than nearby licensees, wherein multiple Licensing Committee decided to restrict hours due to proximity to residents in Cumulative Impact Area.

The application seeks to:

- Extend hours
- Extend activities
- Extend location
- Extend customer base
- Add music, films and late-night refreshment
- Remove the current condition for alcohol only inside the building
- Add on-and off-licence alcohol sales for an outdoor street-level area

This proposal fails to:

- adequately demonstrate the promotion of the Licensing Objectives
- adequately address the impact of the proposed activities on this Cumulative Impact Area and Conservation Area
- propose an offering that is not alcohol-led (vertical drinking)
- analyse the noise impact of the proposed activities despite proposing vast outdoor uses and hours and despite having Grade II\* listed windows that cannot be acoustically sealed to mitigate the negative impact of indoor activities such as drinking, live music, recorded music and films.
- consider a noise management plan, dispersal management plan or other critical conditions to demonstrate the promotion of the licensing objectives.
- demonstrate valid reasons to be considered an exception to the CIA
- remove outdoor queues or outdoor drinking at street level or terraces items prohibited by recently licenced premises in the area
- demonstrate valid reasons to be considered an exception to licensing policy 6
- propose hours in-line with recently licenced premises in the vicinity, where Licensing Sub-Committees limited hours to mitigate cumulative impact
- failed to supply a noise management plan to demonstrate no cumulative impact of extended hours, new outdoor seating and new outdoor off licence

This application creates significant risk of disturbance to residents in a Cumulative Impact Area. The sheltered housing residents of Clerkenwell Green Estate will be overwhelmed by up to 300 customers entering/exiting the premises, drinking in outdoor seating and on the rooftop - just 19m away. The many other residents of Clerkenwell Green and surrounding streets will also be negatively impacted.

There is no sound insulation to protect residents from the increased noise of late-night crowds 7 days a week using the roof top terrace and street-level outdoor seating areas. And there is no reason for the Licensing Committee to grant longer hours and outdoor drinking, especially given the site's proximity to vulnerable residents.

#### Objections based on the four licensing objectives

#### Public Nuisance

The application would significantly increase noise levels with outdoor licensable activities at street-level and rooftop. It will increase the noise of people coming in and out of the premises at later hours, especially after having consumed alcohol and been in noisy environments with live music and films. Plus, alcohol-related antisocial behaviour and crime and off sales.

This would increase foot and road traffic, especially at late night hours 7 days a week, with higher volume of people walking, talking, smoking and driving. And increase late night public nuisance caused by cleaning of the facilities and arrival/departure of cleaning staff. And with the request for outdoor licensable activities at street level this would also be increased noise of tables and chairs being set-up in the early hours and removed in the middle of the night. And again, this is 19m from residential housing.

Specific concerns also include: dispersal of a large number of people with late night alcohol, but no enforceable dispersal policy; no policy to actively manage or limit patrons smoking, queuing and/or waiting for tables outside the premises, thus creating a cumulative impact upon noise disturbance and blocking the pavement; no waiting area to avoid external queues; and no evidence that noise will not emanate from premises.

#### Crime and Disorder

The application does not demonstrate that the proposed later hours and outdoor service would not give cause to negative cumulative impact. It does not rebut the presumption in Licensing Policy 2 that applications for new premises in areas such as Clerkenwell are likely to add to the existing cumulative impact and will normally be refused.

The application to allow members of the public in the bar and restaurant (versus the existing licence only being open to private members) – combined with the application to extend alcohol service and off licence sales to outside seating areas – further increases the risk of crime and disorder. The existing application was granted on the condition of licensable activities specifically only WITHIN the demise of the premises (with a specific prohibition on outdoor tables, chairs etc) and only for private members who had previously been vetted. These conditions were extremely important to the Licensing Committee's decision to grant the license as it currently stands. And they remain just as critical now.

Clerkenwell is an area the Council recognises as having a high number of licensed premises, which lead to problems related to the licensing objectives. Further licenses could provide disproportionately negative effects for local residents. An increase in crime and disorder, disorderly conduct, littering, public urination, violence, noise nuisance, thefts, damage to property and vehicles, obstruction of the public highway and other unlawful activity.

#### Protection of Children from Harm

The application fails to demonstrate that the changes would not cause negative cumulative impact on the Protection of Children. Licensing Policy 1 considers the character of an area. The increase in crime, disorder and antisocial behaviour also further threatens children.

#### Public Safety

This application threatens public safety not only due to the aforementioned increase in crime, disorder, and antisocial behaviour associated with alcohol consumption, but also due to loitering in the street after the licensed hours.

| From:           | 18 March 2024 09:16  |
|-----------------|--|
| Sent:           | Licensing  |
| To:             | LICENSING APPLICATION - KNOTEL WORKCLUB, OLD SESSIONS HOUSE, CLERKENWELL GREEN , |
| Subject:        | EC1R 0NA.  |
| Follow Up Flag: | Follow up  |
| Flag Status:    | Completed  |

#### [External]

#### You ref:WK/230045938

We are writing to strongly oppose the above application on the grounds that there will be constant noise which we already have from the restaurant with people coming in and out all the time, especially when it's closing time. The noise is added to when cabs and hire cars constantly opening and slamming doors closed. When the drivers are waiting for their fare they too congregate talking and shouting to each other obviously ignoring the fact that this is a residential area. Some even use our archway as a toilet- not nice, especially the smell. This is also the case when events are taking place at the Sessions House.

We have delivery lorries/trucks constantly coming and going especially with the several events that take place. Unpacking and packing of their cargo, sometimes in the early hours of the morning and it is becoming more frequent.

Our evenings are disturbed as is our sleep. We have elderly neighbours as well as babies in our block who are being disturbed too. The guests from the Sessions House make enough noise as it is. We can only imagine what would happen if alcohol and food is supplied and consumed outside the Sessions House.

If you were to permit this added application it will create added disorder not to mention who and what it would attract, namely thieves etc., as well as the mess created. it is becoming a joke around here and not a funny one. In fact it's a shame that it should come to this. It seems that the management of the Sessions House is treating Clerkenwell Green as their personal private patio.

Thank you for your attention in this matter.



Sent from my iPad

| From:    |   |
|----------|---|
| Sent:    | 19 March 2024 20:39   |
| To:      | Licensing; Jones, Carol   |
| Subject: | Objection to licence application for Knotel UK Ltd at Old Sessions House (OSH). |

#### [External]

Dear Licensing and Councillors,

I have been a resident of Clerkenwell for over twenty years and have supported the improvements in the parks and the opening up of Clerkenwell Green. An improvement to the area which has seen the welcoming of more families and mixed age generations.

I wish to register my objection to this licence application for Knotel UK Ltd at Old Sessions House (OSH). This application appears to disregard the Licensing Sub-Committee's decisions of 2016. It does not reflect Islington's licensing policies, the CIA, local residents and the many other concerns listed below. It appears to be requesting to be made an exception to the existing policy. Please reject this application.

This application is functionally equivalent to a Nightclub licence application for a large 300-person late-night, 7-day-aweek premises with extensive use of outdoor space at street & rooftop levels, on & off alcohol sales, noisy licensable activities (films, music). And all this located just 19m from sheltered housing for the elderly.

This application seeks to change the hours, activities, location and patrons currently allowed for in the existing licence. No justification for the application has been provided to differentiate it from previous applications which have been opposed and no changes to facts or circumstances have rendered the rationales for the current licence to be altered.

This is not the typical licence that is granted in the area, and for good reason. This application would cause significant negative cumulative impact on local residents and the area due to the size and extent of the operation which will significantly increase late-night foot and road traffic.

This is an <u>inappropriate location</u> for such a late-night alcohol-led offering in a site surrounded by residents. Clerkenwell Green & Clerkenwell Close Estates with elderly residents 19m away, Peabody Estate 118m, Priory House for elderly 160m and many other residential premises. Islington is London's 2nd highest density of licensed premises and suffers from higher than London average for violent crimes attributable to alcohol. Clerkenwell is already an area of cumulative impact, saturation, ASB and crime. Please don't further aggravate this. A reasonable number of reasonably sized licensed premises are welcome provided they respect their domestic neighbours' reasonable needs. This application does not.

Clerkenwell Green has undergone significant change in being largely pedestrianised. However, that provides no justification for extended hours and extensive use of outdoor space. The private and council residential housing on the north side of the OSH all remain unchanged as do the residential blocks opposite the OSH on the west of Farringdon Road. Extended hours and the attendant noise of those leaving at 0100 still have the same objections as were upheld 7 years ago.

The pedestrianisation of the Green was not created to provide the OSH or anyone else with the ability to extend food service and alcohol service onto the pavements. It was done with public consultation to increase amenity for residents. The applicant has 33,000 sq ft of premises within which to provide food and alcohol service along with a large roof terrace which seems more than adequate. The residents of this area never intended and have objected to the Green being turned into another Covent Garden or Exmouth Market. And various Licensing Committees have supported that objection with the conditions set on the existing OSH and other nearby licences.

The application proposes no noise analysis and no detailed management, noise or dispersal plans, despite being surrounded by residents and being located in a Cumulative Impact Area (CIA).

The proposed alcohol licensable hours are also outside the restricted hours required of nearby licensees – and those were restricted in multiple Licensing Committee decisions due to proximity to residents in a Cumulative Impact Area. Conditions have not changed in the area, and these restrictions are still necessary to avoid cumulative negative impact.

And the proposal seeks to remove previous restrictions that were set by the Licensing Sub-Committee) specifically to protect local residents.

The application seeks to:

- Extend hours
- Extend activities
- Extend location of licensable activities
- Extend who can access licensable activities to non-members
- Add live & recorded music, films and late-night refreshment 7 days a week

• Remove the current condition that no chairs or tables or signage or display boards of any kind shall be placed on the pavement or carriageway outside the premises at any time

• Add on-and off-licence alcohol sales for an outdoor street-level area in Clerkenwell Green (something that is specifically prevented by the conditions of the current licence)

This proposal fails to:

adequately demonstrate the promotion of the Licensing Objectives

• adequately address the impact of the proposed activities on this Cumulative Impact Area and Conservation Area

propose an offering that is not alcohol-led (vertical drinking)

• analyse the noise impact of the proposed activities – despite proposing vast outdoor uses and hours and despite having Grade II\* listed windows that cannot be acoustically sealed to mitigate the negative impact of indoor activities such as drinking, live music, recorded music and films.

- consider a noise management plan, dispersal management plan or other critical conditions to demonstrate the promotion of the licensing objectives.
- demonstrate valid reasons to be considered an exception to the CIA
- remove outdoor queues or outdoor drinking at street level or terraces items prohibited by recently licenced premises in the area
- demonstrate valid reasons to be considered an exception to licensing policy 6

• propose hours in-line with recently licenced premises in the vicinity, where Licensing Sub-Committees limited hours to mitigate cumulative impact

• failed to supply a noise management plan to demonstrate no cumulative impact of extended hours, new outdoor seating and new outdoor off licence

This application creates significant risk of disturbance to residents in a Cumulative Impact Area. The sheltered housing residents of Clerkenwell Green Estate will be overwhelmed by up to 300 customers entering/exiting the premises, drinking in outdoor seating and on the rooftop - just 19m away. The many other residents of Clerkenwell Green and surrounding streets will also be negatively impact by increased noise – including the 1 Britton St block of residential flats mere metres from the proposed rooftop drinking area.

They and other neighbouring residents will be further inundated with cumulative impact noise and nuisance from late night opening hours, music and drinking 7 nights a week. The late-night hours are far longer than other licensed premises in this CIA.

There is no sound insulation to protect residents from the increased noise of late-night crowds 7 days a week using the roof top terrace and street-level outdoor seating areas.

The applicant provides no management plan or noise plan to adequately explain how it will be able to operate multiple units with vast outdoor space, so many more hours and so many more customers without adding cumulative impact.

There is no reason for the Licensing Committee to grant longer hours and outdoor drinking, especially given the site's proximity to vulnerable residents.

By comparison, the Granger & Co restaurant is opposite OSH on the east side of Clerkenwell Green (120 metres away). The closest residents to Granger & Co are 40 metres from the premises (vs. 19 metres). It has a maximum capacity of 90 people which is a fraction the size of OSH. Grangers must operate solely as a restaurant with a full table meal required for alcohol service, so 0% vertical drinking opportunity. No new patrons are permitted to enter after 22:00. There is no live music, recorded music, films, dance or other entertainment. No queuing is permitted outside the premises at any time. No more than 5 patrons or staff are permitted to smoke outside at any time. No deliveries are permitted on Sundays, and very limited deliveries by van on Saturdays. And Granger has no off-licence.

There is no rationale as to why Knotel should benefit from such a vast competitive advantage at the expense of local residents and in contravention to Licensing Policy and the protection of the CIA.

The Grade II\* listed windows of this premises cannot be acoustically sealed to keep the noise from patrons inside so as not to cause a nuisance to local residents. This differs from the modern insulated glazing at all the recently licensed premises in the vicinity – none of which pose the added nuisance risk from entertainment since their licences do not include films, dance, live music etc.

Furthermore, other licence applicants have consulted with neighbours and community groups to successfully adopt policies that would mitigate negative impact, including nearby applicants like Granger & Co and The Piano Works. This applicant approached a few neighbours but did not provide adequate time to engage and consult with them.

#### Objections based on the four licensing objectives

#### Public Nuisance

The application would significantly increase noise levels with outdoor licensable activities at street-level and rooftop – where noise will emanate around Clerkenwell Green. It will also increase the noise of people coming in and out of the premises at later hours, especially after having consumed alcohol and been in noisy environments with live music and films. Plus, alcohol-related antisocial behaviour and crime and off sales.

This would increase foot and road traffic, especially at late night hours 7 days a week, with increased volume of people walking, talking, smoking and driving in the area. It stands to increase disorder in the street at closing time, noise from customers leaving later at night, noise from increased traffic later at night, noise from deliveries and rubbish removal, noise and blocking of pavement from customers smoking outside, and noise and blocking of pavement from customers queuing/waiting outside.

And increased late night public nuisance caused by cleaning of the facilities and arrival/departure of cleaning staff. Cleaning is likely to be done between 00:00 and 08:00 given that the application requests opening times of 08:00-23:00/00:00 7 days a week.

And with the request for outdoor licensable activities at street level this would also be increased noise of tables and chairs being set-up in the early hours and removed in the middle of the night. And again, this is 19m from residential housing.

Specific concerns also include: dispersal of a large number of people with late night alcohol, but no enforceable dispersal policy; no policy to actively manage or limit patrons smoking, queuing and/or waiting for tables outside the premises, thus creating a cumulative impact upon noise disturbance and blocking the pavement; no waiting area to avoid external queues; and no evidence that noise will not emanate from premises.

#### Crime and Disorder

The application does not demonstrate that the proposed later hours and outdoor service would not give cause to negative cumulative impact on the Licensing Objective for the Prevention of Crime and Disorder. It does not rebut the presumption in Licensing Policy 2 that applications for new premises in areas such as Clerkenwell are likely to add to the existing cumulative impact and will normally be refused.

The application to allow members of the public in the bar and restaurant (versus the existing licence only being open to private members) – combined with the application to extend alcohol service and off licence sales to outside seating areas – further increases the risk of crime and disorder.

The existing application was granted on the condition of licensable activities specifically only WITHIN the demise of the premises (with a specific prohibition on outdoor tables, chairs etc) and only for private members who had previously been vetted. These conditions were extremely important to the Licensing Committee's decision to grant the license as it currently stands. And they remain just as critical now.

Clerkenwell is an area the Council recognises as having a high number of licensed premises, which lead to problems related to the licensing objectives. Further licenses could provide disproportionately negative effects for local residents. An increase in crime and disorder, disorderly conduct, littering, public urination, violence, noise nuisance, thefts, damage to property and vehicles, obstruction of the public highway and other unlawful activity.

#### Protection of Children from Harm

The application fails to demonstrate that the proposed changes would not cause negative cumulative impact on the Licensing Objective for Protection of Children. Licensing Policy 1 considers the character of an area. The increase in crime, disorder and antisocial behaviour also further threatens children.

#### Public Safety

The application fails to demonstrate that the proposed changes would not cause cumulative impact on the Licensing Objective for the Protection of Public Safety. This application threatens public safety not only due to the

aforementioned increase in crime, disorder, and antisocial behaviour associated with alcohol consumption, but also due to loitering in the street after the licensed hours.

Kind regards

From:

Sent: Tuesday, March 19, 2024 10:00 AM

To: Licensing <Licensing@islington.gov.uk>; Jones, Carol <Carol.Jones@islington.gov.uk>

Cc:

Subject: FW: Old Sessions House - Premises Licence - Extensions

#### [External]

**Dear Islington Licensing** 

The Old Sessions House new operators are seeking to extend the licence that was settled over 7-10 years ago after a large number of meetings, hearings and attempts by various owners and operators to turn the OSH into a late night venue. Local residents were obliged to take up a considerable amount of time and devote significant effort to oppose those attempts and the Licensing Committee obliged to consider all those representations at significant expense.

Now Knotel want to try their hand at getting late licensing but present not a single argument to justify their demands whilst ignoring the previous objections and the reasoned decisions of the various Committees. I replied to the applicant's lawyer's suggestion of a tour below on 1 March setting out why neither a tour nor their extensions were justified. I fully endorse the objections of Leora Neidle and should be taken as having submitted those objections in full.

In bullet point summary, I object as follows:

- NOTHING HAS CHANGED no changes to the surroundings of the OSH have occurred since the current licence that justify ANY change in the licence. All the residential property immediately adjacent to the OSH some literally across the road) still exists and indeed more new residential property now exists opposite the front of the OSH.
- No justification has been advanced at all beyond Knotel wanting to have longer licences and food and alcohol service on the newly pedestrianised Green
- If Knotel get these extensions, they or the next operator will then have the opportunity to argue in another 7 years that the licence should go another hour longer.
- NO MEANS NO. Huge effort was involved in establishing the current licence from local residents and the Council. Unless applicants can demonstrate clear materially substantial changes to the circumstances of the premises or the bases for the current licence, they should be refused. Knotel have demonstrated nothing but lazy baseless greed which does not deserve any serious consideration by the Committee let alone yet more vast effort from the locals or the Council

I therefore submit that the Council should say NO to KNOTEL so the message goes out to the Licensing community that chancing your arm a few years down the line will not work so don't waste everyone's time.

Yours sincerely



# Licensing representation for Knotel UK Ltd, Old Sessions House, 22 Clerkenwell Green, EC1R 0NA

Dear Licensing and Councillors,

Friends of Clerkenwell Green (FoCG) objects to this licence application for Knotel UK Ltd at Old Sessions House (OSH). This application is an attempt to circumvent the Licensing Sub-Committee's decisions of 2016. The application shows a disregard for Islington's licensing policies, the CIA, local residents and the many other concerns listed below. It is not an exception to policy. Please reject this application.

This application is functionally equivalent to a Nightclub licence application for a large 300person late-night, 7-day-a-week premises with extensive use of outdoor space at street & rooftop levels, on & off alcohol sales, noisy licensable activities (films, music). And all this located just 19m from sheltered housing for the elderly.

This application seeks to change the hours, activities, location and patrons currently allowed for in the existing licence. Those hours and conditions were settled after numerous rounds of applications and appeals by various applicants dating back almost 10 years. No justification for the application has been provided to differentiate it from previous applications which have been opposed and no changes to facts or circumstances have rendered the rationales for the current licence to be altered.

This is not the typical licence that is granted in the area, and for good reason. This application would cause significant negative cumulative impact on local residents and the area due to the size and extent of the operation which will significantly increase late-night foot and road traffic.

This is an <u>inappropriate location</u> for such a late-night alcohol-led offering in a site surrounded by residents. Clerkenwell Green & Clerkenwell Close Estates with elderly residents 19m away, Peabody Estate 118m, Priory House for elderly 160m and many other residential premises. Islington is London's 2nd highest density of licensed premises and suffers from higher than London average for violent crimes attributable to alcohol. Clerkenwell is already an area of cumulative impact, saturation, ASB and crime. Please don't further aggravate this. A reasonable number of reasonably sized licensed premises are welcome provided they respect their domestic neighbours' reasonable needs. This application does not.

Clerkenwell Green has undergone significant change in being largely pedestrianised. However, that provides no justification for extended hours and extensive use of outdoor space. The private and council residential housing on the north side of the OSH all remain unchanged as do the residential blocks opposite the OSH on the west of Farringdon Road. Extended hours and the attendant noise of those leaving at 0100 still have the same objections as were upheld 7 years ago.

The pedestrianisation of the Green was not created to provide the OSH or anyone else with the ability to extend food service and alcohol service onto the pavements. It was done with public consultation to increase amenity for residents. The applicant has 33,000 sq ft of premises within which to provide food and alcohol service along with a large roof terrace which seems more than adequate. The residents of this area never intended and have objected to the Green being turned into another Covent Garden or Exmouth Market. And various Licensing Committees have supported that objection with the conditions set on the existing OSH and other nearby licences.

The application proposes no noise analysis and no detailed management, noise or dispersal plans, despite being surrounded by residents and being located in a Cumulative Impact Area (CIA), proposing extensive use of outdoor space and roof terraces, and

The proposed alcohol licensable hours are also outside the restricted hours required of nearby licensees – and those were restricted in multiple Licensing Committee decisions due to proximity to residents in a Cumulative Impact Area. Conditions have not changed in the area, and these restrictions are still necessary to avoid cumulative negative impact.

And the proposal seeks to remove previous restrictions that were set by the Licensing Sub-Committee) specifically to protect local residents.

The application seeks to:

- Extend hours
- Extend activities
- Extend location of licensable activities
- Extend who can access licensable activities to non-members
- Add live & recorded music, films and late-night refreshment 7 days a week
- Remove the current condition that no chairs or tables or signage or display boards of any kind shall be placed on the pavement or carriageway outside the premises at any time
- Add on-and off-licence alcohol sales for an outdoor street-level area in Clerkenwell Green (something that is specifically prevented by the conditions of the current licence)

This proposal fails to:

- adequately demonstrate the promotion of the Licensing Objectives
- adequately address the impact of the proposed activities on this Cumulative Impact Area and Conservation Area
- propose an offering that is not alcohol-led (vertical drinking)
- analyse the noise impact of the proposed activities despite proposing vast outdoor uses and hours and despite having Grade II\* listed windows that cannot be acoustically sealed to mitigate the negative impact of indoor activities such as drinking, live music, recorded music and films.
- consider a noise management plan, dispersal management plan or other critical conditions to demonstrate the promotion of the licensing objectives.
- demonstrate valid reasons to be considered an exception to the CIA
- remove outdoor queues or outdoor drinking at street level or terraces items prohibited by recently licenced premises in the area
- demonstrate valid reasons to be considered an exception to licensing policy 6
- propose hours in-line with recently licenced premises in the vicinity, where Licensing Sub-Committees limited hours to mitigate cumulative impact
- failed to supply a noise management plan to demonstrate no cumulative impact of extended hours, new outdoor seating and new outdoor off licence

This application creates significant risk of disturbance to residents in a Cumulative Impact Area. The sheltered housing residents of Clerkenwell Green Estate will be overwhelmed by up to 300 customers entering/exiting the premises, drinking in outdoor seating and on the rooftop - just 19m away. The many other residents of Clerkenwell Green and surrounding streets will also be negatively impact by increased noise – including the 1 Britton St block of residential flats mere metres from the proposed rooftop drinking area.

They and other neighbouring residents will be further inundated with cumulative impact noise and nuisance from late night opening hours, music and drinking 7 nights a week. The latenight hours are far longer than other licensed premises in this CIA.

There is no sound insulation to protect residents from the increased noise of late-night crowds 7 days a week using the roof top terrace and street-level outdoor seating areas.

The applicant provides no management plan or noise plan to adequately explain how it will be able to operate multiple units with vast outdoor space, so many more hours and so many more customers without adding cumulative impact.

There is no reason for the Licensing Committee to grant longer hours and outdoor drinking, especially given the site's proximity to vulnerable residents.

By comparison, the Granger & Co restaurant is opposite OSH on the east side of Clerkenwell Green (120 metres away). The closest residents to Granger & Co are 40 metres from the premises (vs. 19 metres). It has a maximum capacity of 90 people which is a fraction the size of OSH. Grangers must operate solely as a restaurant with a full table meal required for alcohol service, so 0% vertical drinking opportunity. There is no outside space and no outside tables or chairs are permitted. No new patrons are permitted to enter after 22:00. There is no live music, recorded music, films, dance or other entertainment. No queuing is permitted outside the premises at any time. No more than 5 patrons or staff are permitted to smoke

outside at any time. No deliveries are permitted on Sundays, and very limited deliveries by van on Saturdays. And Granger has no off-licence.

There is no rationale as to why Knotel should benefit from such a vast competitive advantage at the expense of local residents and in contravention to Licensing Policy and the protection of the CIA.

The Grade II\* listed windows of this premises cannot be acoustically sealed to keep the noise from patrons inside so as not to cause a nuisance to local residents. This differs from the modern insulated glazing at all the recently licensed premises in the vicinity – none of which pose the added nuisance risk from entertainment since their licences do not include films, dance, live music etc.

Furthermore, other licence applicants have consulted with neighbours and community groups to successfully adopt policies that would mitigate negative impact, including nearby applicants like Granger & Co and The Piano Works. This applicant approached a few neighbours but did not provide adequate time to engage and consult with them.

#### Status of the Applicant

Knotel UK Ltd is now three months late filing its accounts. Link: https://find-and-update.company-information.service.gov.uk/company/11135999

Friends of Clerkenwell Green asked about this and was told that the accounts were delayed because of the complex audit requirements of a US-listed group. We've spoken to experienced corporate lawyers and understand this is false. There are many US listed groups with UK subsidiaries - they all file UK accounts on time. It is unlawful not to, and potentially a criminal offence.

FoCG therefore does not believe the explanation given to the licensing lawyer.

We are concerned that this demonstrates either a poor level of management and governance, or that the company is in financial difficulty. We note that Knotel went bankrupt in 2021.

#### Objections based on the four licensing objectives

#### Public Nuisance

The application would significantly increase noise levels with outdoor licensable activities at street-level and rooftop – where noise will emanate around Clerkenwell Green. It will also increase the noise of people coming in and out of the premises at later hours, especially after having consumed alcohol and been in noisy environments with live music and films. Plus, alcohol-related antisocial behaviour and crime and off sales.

This would increase foot and road traffic, especially at late night hours 7 days a week, with increased volume of people walking, talking, smoking and driving in the area. It stands to increase disorder in the street at closing time, noise from customers leaving later at night, noise from increased traffic later at night, noise from deliveries and rubbish removal, noise and blocking of pavement from customers smoking outside, and noise and blocking of pavement from customers queuing/waiting outside.

And increased late night public nuisance caused by cleaning of the facilities and arrival/departure of cleaning staff. Cleaning is likely to be done between 00:00 and 08:00 given that the application requests opening times of 08:00-23:00/00:00 7 days a week.

And with the request for outdoor licensable activities at street level this would also be increased noise of tables and chairs being set-up in the early hours and removed in the middle of the night. And again, this is 19m from residential housing.

Specific concerns also include: dispersal of a large number of people with late night alcohol, but no enforceable dispersal policy; no policy to actively manage or limit patrons smoking, queuing and/or waiting for tables outside the premises, thus creating a cumulative impact upon noise disturbance and blocking the pavement; no waiting area to avoid external queues; and no evidence that noise will not emanate from premises.

#### Crime and Disorder

The application does not demonstrate that the proposed later hours and outdoor service would not give cause to negative cumulative impact on the Licensing Objective for the Prevention of Crime and Disorder. It does not rebut the presumption in Licensing Policy 2 that applications for new premises in areas such as Clerkenwell are likely to add to the existing cumulative impact and will normally be refused.

The application to allow members of the public in the bar and restaurant (versus the existing licence only being open to private members) – combined with the application to extend alcohol service and off licence sales to outside seating areas – further increases the risk of crime and disorder.

The existing application was granted on the condition of licensable activities specifically only WITHIN the demise of the premises (with a specific prohibition on outdoor tables, chairs etc) and only for private members who had previously been vetted. These conditions were extremely important to the Licensing Committee's decision to grant the license as it currently stands. And they remain just as critical now.

Clerkenwell is an area the Council recognises as having a high number of licensed premises, which lead to problems related to the licensing objectives. Further licenses could provide disproportionately negative effects for local residents. An increase in crime and disorder, disorderly conduct, littering, public urination, violence, noise nuisance, thefts, damage to property and vehicles, obstruction of the public highway and other unlawful activity.

#### Protection of Children from Harm

The application fails to demonstrate that the proposed changes would not cause negative cumulative impact on the Licensing Objective for Protection of Children. Licensing Policy 1 considers the character of an area. The increase in crime, disorder and antisocial behaviour also further threatens children.

#### Public Safety

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

| ANNEX A – AMENDED PROPOSED CONDITIONS   |                      |
|---|----------------------|
| <u>KNOTEL WORKCLUB</u><br><u>OLD SESSIONS HOUSE</u><br>23 CLERKENWELL GREEN, LONDON EC1R 0NA  |                      |
| Annex 2 - Conditions consistent with the Operating Schedule<br>1. Licensable activities shall only be provided to:<br>a. Members of a private club; or<br>b. Bona fide guests of members of a private club; or<br>c. Persons attending a pre booked function or event at the premises; or<br>d. To persons attending the restaurant hatched green on the approved plan.   | Formatted: Highlight |
| 2. Save for in the restaurant area, tThere shall be no bars at the premises accessible to general members of the public.  | Formatted: Highlight |
| 3. Licensable activities shall only be provided on the <u>roof terrace</u> , basement, ground<br>and first floors in the areas shown on the licence plan.   | Formatted: Highlight |
| 4. The supply of alcohol shall be ancillary to the use of the premises as co-working private members venue, restaurant and private function/event venue.  | Formatted: Highlight |
| 5. SIA supervisors shall be employed based on a risk assessment undertaken in respect of each function/event held at the premises.  |                      |
| 6. CCTV shall be installed, operated and maintained in agreement with the Police.<br>The system will enable frontal identification of every person entering the premises.<br>The system shall record in real time and operate whilst the premises are open for<br>licensable activities. The recordings shall be kept available for a minimum of 31 days.<br>Recordings shall be made available to an Authorised Officer or a Police Officer<br>(subject to the Data Protection Act 1998) within 24 hours of any request. |                      |
| 7. Alcoholic drinks may only be consumed within the demise of the premises or to patrons seated in an area covered by a tables and chairs/pavement licence. The premises licence holder must ensure that no alcohol is consumed outside the demise of the premises at any time.   | Formatted: Highlight |
| 8. In the areas hatched green on the approved plan alcohol shall only be consumed with table meals to persons that are seated.  |                      |
| 9. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:  |                      |
| <ul> <li>a. all crimes reported to the venue</li> <li>b. all ejections of patrons</li> <li>c. any complaints received concerning crime and disorder</li> <li>d. any incidents of disorder</li> <li>e. all seizures of drugs or offensive weapons</li> </ul>   |                      |

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f. any faults in the CCTV system, searching equipment or scanning equipment g. any refusal of the sale of alcohol

h. any visit by a relevant authority or emergency service

10. In the event that an 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.

11. All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified.

12. Where chairs and tables are provided, internal gangways shall be kept unobstructed.

13. Exit doors shall be regularly checked to ensure that they function satisfactorily and a record of the check shall be kept.

14. The edges of the treads of steps and stairways must be maintained so as to be in good condition and be conspicuous.

15. When disabled people are present, there must be sufficient numbers of staff and adequate arrangements must be in place to enable their safe evacuation in the event of an emergency. Disabled people on the premises must be made aware of such arrangements by staff and by the use of appropriate signage.

16. Emergency lighting shall be maintained and fully operational.

17. Adequate and appropriate supply of first aid equipment and materials must be available on the premises at all times.

18. The licensee shall develop a Noise Management and Dispersal Policy to control noise coming from the venue, including people noise, and to control noise from guests either congregating outside or leaving the area. The Noise Management and Dispersal Policy shall be agreed with the Council's Licensing Authority and be reviewed and revised periodically or after incidences to ensure that public nuisance is prevented from recurring.

19. The licensee shall appoint a noise consultant registered with the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of sound insulation and noise control measures, which shall include the installation of a noise limiting device, to prevent persons in the neighbourhood from being unreasonably disturbed by noise of music from the premises. The scheme shall be submitted for approval by the Council, and the approved scheme fully implemented to the

satisfaction of the Council and the licensee notified in writing accordingly, prior to the premises being used for regulated entertainment.

20. Once agreed maximum levels of sound shall be expressed on the premises licence for each area designated for entertainments as follows:

| Area/Room (e.g. lower<br>ground floor<br>bar area) | Linear   | "A"      | 125<br>Hz | 63 Hz    |
|--|----------|----------|-----------|----------|
| Measurement point:                                 | XX dB (1 | XX dB (1 | XX dB (1  | XX dB (1 |
| XXXXXXXXXXXXXXXXXXXXXXXX                           | min)     | min)     | min)      | min)     |

21. In the event of a noise complaint substantiated by an authorised officer, the licensee shall immediately take appropriate measures in order to prevent further disturbance.

22. Windows shall be closed at all times when regulated entertainments are on-going and in any case by 21:00 every night. Windows (apart from windows designated as fire exits) shall be locked closed after 21:00 using key operated locks.

23. All doors to noise generating rooms shall be kept closed apart from access and egress when entertainments are on-going.

24. The dedicated smoking area shall be the roof terrace located on the 2nd floor of the premises.

25. There shall be no amplified sound in any outside areas.

26. Exterior lighting shall be directed away from residential properties.

27. There shall be no bottling out after 23:00.

28. There shall be no deliveries or loading or unloading of vehicles between 8pm and 8am, Mondays to Saturdays, and no deliveries before 10am or after 4pm on Sundays or Bank Holidays.

29. No rubbish including bottles will be moved, removed or placed in outside areas on Sundays or Bank/Public Holidays and between the hours of 11pm and 7am other days of the week.

30. The licensee shall adopt the Challenge 25 and the BII National Standards Proof of Age Scheme.

31. The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards e.g. Citizencard, a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.

32. The licensee and staff should note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor.

| The refusals log shall be made available for inspection by the licensing team, police or trading standards.<br>33. Staff shall be trained as appropriate in respect of relevant licensing law, the   |                               |
|--|-------------------------------|
| trading standards.   |                               |
| trading standards.   |                               |
| 33. Staff shall be trained as appropriate in respect of relevant licensing law, the  |                               |
| implementation of licence conditions, health and safety, first aid, alcohol and drug awareness and conflict management.  |                               |
| 34. Off sales of alcohol shall be restricted to the demise of the premises as edged in blue on   |                               |
| the approved plan and to patrons seated in an area covered by a tables and Formatted: Font: (Default) +Bod chairs/pavement licence. Formatted: Font: (Default) +Bod  |                               |
| Chairs/pavement licence  | y (Calibri), 11 pt, Highlight |
| 35. Any alcohol supplied at a private function shall be served with a meal, canapés or buffet.<br>Any activities at the premises shall not be alcohol led.   |                               |
| 35. Alcoholic drinks shall only be served on the premises and shall never be   |                               |
| consumed outside the premises at any time.   |                               |
| 36. Staff shall be able to provide the number of an allocated taxi firm as and when required.  |                               |
| 37. Clear notices shall be displayed around the premises asking customers to leave the premises quietly.   |                               |
| 38. The service of alcohol shall cease 30 minutes before the premises close to provide a<br>"wind down" period. Staff shall be required to take all practical measures to ensure that<br>everyone leaves the premises quietly with due respect to the amenity of local residents.  |                               |
| 39. A direct telephone number for the manager at the premises shall be publicly available at<br>all times the premises is open. This telephone number is to be made available to residents<br>and businesses in the vicinity.  |                               |
| 40. The licence holder shall ensure that the area in the vicinity of the premises is kept clean<br>and tidy and shall ensure that any litter outside the premises is cleared. No food or drinks<br>shall be permitted to be taken outside. Non-intoxicating beverages, including drinking water,<br>shall be available in all parts of the premises where alcohol is to be sold or supplied for<br>consumption on the premises |                               |
| 41. Staff shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised so as to ensure that there is no public nuisance or obstruction to the public highway.  |                               |
| 12-No chairs or tables or signage or display boards of any kind shall be placed on the Formatted: Highlight pavement or carriageway outside the premises at any time.  |                               |
| 42. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly. The premises shall have a defined dispersal policy to ensure that customers and staff leave safely and quietly and be assisted where necessary.  |                               |
| 43. This premises licence can only be transferred to parent or sister companies of Knotel UK<br>Ltd.   |                               |
|  |                               |

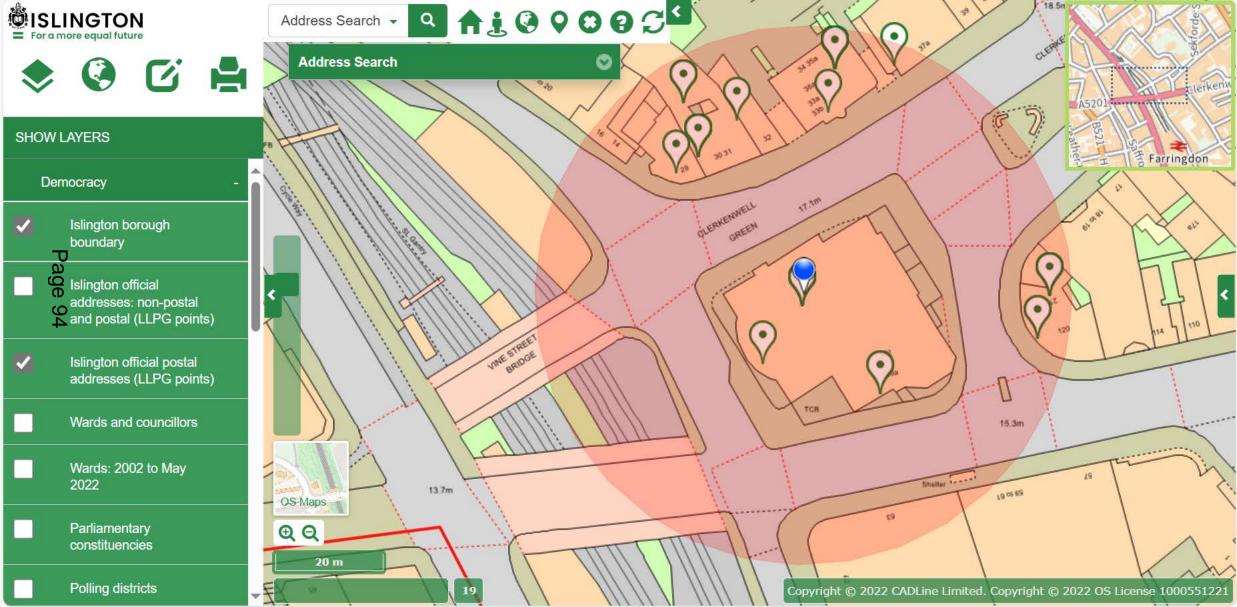
44. There be a maximum capacity of up to 300 guests for two events per month and a maximum capacity of up to 150 guests at any other time.

45. Only polycarbonate glasses will be permitted to be used on the top roof terrace.

46. The capacity of the top roof terrace (excluding staff) is 50.

#### Conditions proposed by Islington's Noise Service – Agreed

1. Any area covered by a pavement/tables and chairs licence will cease to be used for the consumption of food and drink from the premises from 22.00 hrs until 08.00 hrs the following day.





Public Protection/Licensing 222 Upper Street, London N1 1XR

Report of: Director of Community Safety, Resilience and Community

Meeting of: Licensing Sub-Committee

Date: 11/04/2024

Ward(s): Bunhill

[\_\_\_\_\_] Subject:

PREMISES LICENCE NEW APPLICATION

# Re: Biryani Guys, 42 Old Street, EC1V 9AE

# 1. Synopsis

- 1.1. This is an application for a new premise licence under the Licensing Act 2003.
- 1.2. The new application is to allow:
  - The Provision of Late Night Refreshment from 23:00 until 04:00 Monday to Sunday.
  - Opening Hours from 08:00 until 04:00 Monday to Sunday.
- 1.3. Relevant Representations:

| Licensing Authority | Yes                    |
|---------------------|------------------------|
| Metropolitan Police | No - Conditions Agreed |
| Noise               | No - Conditions Agreed |
| Health and Safety   | No                     |

| Trading Standards     | No                                  |
|-----------------------|-------------------------------------|
| Public Health         | No                                  |
| Safeguarding Children | No                                  |
| London Fire Brigade   | No                                  |
| Local residents       | Yes: Three resident representations |
| Other bodies          | No:                                 |

# 2. Recommendations

- 2.1. To determine the application for a new premises licence under Section 17 of the Licensing Act 2003.
- 2.2. This premises is located in the Bunhill Cumulative Impact Area therefore the Licensing Sub-Committee will need to consider Licensing Policy 3, which states that there is a presumption of refusal unless the Sub-Committee is satisfied that there will be no adverse cumulative impact on the licensing objectives.
- 2.3. The application form does not appear to address the Cumulative Impact Area and Policy and has not suggested suitable conditions, which would be effective in ensuring there would be no nuisance created by the premises or its patrons, in the Operating Schedule. The applicants have accepted conditions suggested by the Police and Islington Council's Noise Service.
- 2.4. If the Licensing Sub-Committee grants the application it should be subject to:
  - i. Conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (see appendix 5); and
  - ii. Any conditions deemed appropriate by the Licensing Sub-Committee to promote the four licensing objectives.

# 3. Background

- 3.1 The application describes the premises as being a commercial shop unit, selling day and late night food and refreshments.
- 3.2 The premises was previously licensed as an Off Licence, with a licence for the Off sales of alcohol from 08:00 until 23:00 Monday to Saturday and from 10:00 until 22:30 on Sundays. This licence was surrendered.
- 3.3 The application received three let prace of representation from local residents and from the Licensing Authority.

- 3.4 On 21 March, the Licensing Authority sent an addendum to their representation, which set out a number of allegations of the premises being open and operating in breach of the Licensing Act 2003.
- 3.5 Licensing officers visited the premises at 23:40 on 22 March 2024 and noticed the hatch at the side of the building open and the premises open and operating. They also looked up the premises on Uber Eats and noticed it was advertised as being open until 04:00. The notes from the Offices can be found at Appendix 3.
- 3.6 The applicant's representative was made aware of these breaches on Monday 25th and responded to the allegations of the premises being open. The response can be found at Appendix 4.

# 4. Implications

# 4.1. Financial Implications

4.1.1. The Head of Finance reports that the applicant has paid the application fee of  $\pounds$ 190.00. Should the application be refused, the fee is not refundable.

## 4.2. Legal Implications

- 4.2.1. The legal implications are set out in Paragraph 2.
- 4.2.2. Legal advice will be provided at the meeting of the Licensing Sub-Committee as necessary.

# 4.3. Environmental Implications and contribution to achieving a net zero carbon Islington by 2030

4.3.1. The Licensing Sub-Committee need to consider the impacts that the proposals will have on the environment. An impact is defined as any change to the environment, whether positive or negative, wholly or partially resulting from Council activities. Almost all human activity has some impact on the environment, and it is very unlikely that any activity will not have any implications.

## 4.4. Equalities Impact Assessment

4.4.1. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

4.4.2. An Equalities Impact Assessment is not required in relation to this report, because this is a decision relating to a Premises Licence application under the Licensing Act 2003.

### 4.5. **Planning implications**

4.5.1 The Planning Authority have confirmed that there are no planning conflict in terms of established use or conditions or restrictive conditions in relation to hours. There are no planning enforcement cases open in relation to the property

# 5. Conclusion and reasons for recommendations

5.1. That the Licensing Sub-Committee determines this application.

### Appendices:

| Appendix 1: | Application form;                                    |
|-------------|--|
| Appendix 2: | Representations;                                     |
| Appendix 3: | Licensing Officers Visit to the Premises;            |
| Appendix 4: | Applicants Representative to the Breach Allegations; |
| Appendix 5: | Suggested conditions and map of premises location    |

Report author: Licensing Service Tel: 020 75027 3031 E-mail: <u>licensing@islington.gov.uk</u>

# Background papers:

• None.

# Final report clearance:

Authorised by: Janice Gibbons Head of Regulatory Services

Report author: Licensing Service Tel: 020 75027 3031 E-mail: licensing@islington.gov.uk

| * | ISLINGTON | 1 |
|---|-----------|---|

Islington Council Application for a premises licence Licensing Act 2003

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

|   |   | * required information  |
|---|---|---|
| Section 1 of 21                               |   |   |
| You can save the form at any t                | me and resume it later. You do not need to be                 | logged in when you resume.  |
| System reference                              | Not Currently In Use  | This is the unique reference for this application generated by the system.  |
| Your reference                                | 42OldStreet1  | You can put what you want here to help you<br>track applications if you make lots of them. It<br>is passed to the authority.  |
| Are you an agent acting on be                 | Nexest Links where is a transmission in the second statements | Put "no" if you are applying on your own<br>behalf or on behalf of a business you own or<br>work for.   |
| Applicant Details                             |   |   |
| * First name                                  | Ali   | ]   |
| * Family name                                 | Muhammad  | ]   |
| * E-mail                                      |   | ]   |
| Main telephone number                         |   | Include country code.   |
| Other telephone number                        |   |   |
| 🛛 Indicate here if the appli                  | cant would prefer not to be contacted by telep                | phone   |
| Is the applicant:                             |   |   |
| <ul> <li>Applying as a business of</li> </ul> | r organisation, including as a sole trader                    | A sole trader is a business owned by one  |
| Applying as an individual                     |   | person without any special legal structure.<br>Applying as an individual means the<br>applicant is applying so the applicant can be<br>employed, or for some other personal reason,<br>such as following a hobby. |

| Continued from previous page                                      |  |   |
|---|--|---|
| Address   |  |   |
| * Building number or name   |  |   |
|   |  | ]   |
| * Street  |  |   |
| District  |  |   |
| * City or town  |  |   |
| County or administrative area                                     |  |   |
| * Postcode  |  |   |
| * Country   |  |   |
|   |  |   |
| Agent Details   |  |   |
| * First name  | Nana   |   |
| * Family name   | Appiah                                       |   |
| * E-mail  |  |   |
| Main telephone number   |  | Include country code.   |
| Other telephone number  |  |   |
| 🖂 Indicate here if you wou  | ld prefer not to be contacted by telephone   |   |
| Are you:  |  |   |
| An agent that is a busine   | ess or organisation, including a sole trader | A sole trader is a business owned by one                                  |
| <ul> <li>A private individual actir</li> </ul>                    | ng as an agent                               | person without any special legal structure.                               |
| Agent Business  |  |   |
| Is your business registered in<br>the UK with Companies<br>House? | Yes O No                                     | Note: completing the Applicant Business section is optional in this form. |
| Registration number   |  |   |
| Business name   | Press Investments Ltd                        | If your business is registered, use its registered name.                  |
| VAT number -  |  | Put "none" if you are not registered for VAT.                             |
| Legal status  | Private Limited Company                      |   |
| Your position in the business                                     | Director                                     |   |
| Home country  | United Kingdom                               | The country where the headquarters of your business is located.           |
|   |  |   |

| Continued from previous page   |  |  |
|--|--|--|
| Agent Registered Address   |  | Address registered with Companies House. |
| Building number or name  |  |  |
| Street   |  |  |
| District   |  |  |
| City or town   |  |  |
| County or administrative area  |  |  |
| Postcode   |  |  |
| Country  | United Kingdom                                   |  |
|  |  |  |
| Section 2 of 21  |  |  |
| PREMISES DETAILS   |  |  |
| I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003. |  |  |
| Premises Address   |  |  |
| Are you able to provide a post   | al address, OS map reference or description of t | he premises?                             |
| Address O OS ma  | p reference O Description                        |  |
| Postal Address Of Premises   |  |  |
| Building number or name  | 42   |  |
| Street   | Old Street                                       |  |
| District   | Islington  |  |
| City or town   | London   |  |
| County or administrative area  |  |  |
| Postcode   | EC1V 9AE   |  |
| Country  | United Kingdom                                   |  |
| Further Details  |  |  |
| Telephone number   |  |  |
| Non-domestic rateable value of premises (£)  |  |  |

| Secti  | Section 3 of 21  |  |   |
|--|--|--|---|
| APPL   | APPLICATION DETAILS  |  |   |
| In wh  | what capacity are you applying for the premises licence?   |  |   |
| $\boxtimes$  | An individual or individua   | als  |   |
|  | A limited company / limited liability partnership  |  |   |
|  | A partnership (other than limited liability)   |  |   |
|  | An unincorporated assoc  | iation   |   |
|  | Other (for example a state   | utory corporation)   |   |
|  | A recognised club  |  |   |
|  | A charity  |  |   |
|  | The proprietor of an educ  | cational establishment   |   |
|  | A health service body  |  |   |
|  | NEW BOUNDARY OF AND TRADUCTORY OF ANY AND AND ANY AND  | ed under part 2 of the Care Standards Act<br>n independent hospital in Wales |   |
|  | A person who is registered under Chapter 2 of Part 1 of the Health and<br>Social Care Act 2008 in respect of the carrying on of a regulated<br>activity (within the meaning of that Part) in an independent hospital in<br>England |  |   |
|  | The chief officer of police  | of a police force in England and Wales                                       |   |
| Conf   | irm The Following  |  |   |
| $\boxtimes$  | I am carrying on or proposing to carry on a business which involves<br>the use of the premises for licensable activities   |  |   |
|  | I am making the application pursuant to a statutory function   |  |   |
| I am making the application pursuant to a function discharged by virtue of His Majesty's prerogative |  |  |   |
| Secti  | on 4 of 21   |  |   |
| INDI   | /IDUAL APPLICANT DET/  | AILS   |   |
|  | Applicant Name         Is the name the same as (or similar to) the details given in section one?       If "Yes" is selected you can re-use the details from section one, or amend them as required                                 |  |   |
| •  | /es  | ○ No   | Select "No" to enter a completely new set of details. |
| First name   |  | Ali  |   |
| Family name Muhammad   |  | Muhammad   |   |
| Is the applicant 18 years of age or older?   |  |  |   |
| •  | ● Yes ○ No   |  |   |
|  |  | Page 102   |   |

| Continued from previous page                    |   |  |
|---|---|--|
| <b>Current Residential Address</b>              | i.  |  |
|   | similar to) the address given in section one?     | If "Yes" is selected you can re-use the details from section one, or amend them as |
| <ul><li>Yes</li></ul>                           | ○ No  | required. Select "No" to enter a completely new set of details.                    |
| Building number or name                         |   |  |
| Street  |   |  |
| District  |   |  |
| City or town                                    |   |  |
| County or administrative area                   |   |  |
| Postcode  |   |  |
| Country   |   |  |
| <b>Applicant Contact Details</b>                |   |  |
| Are the contact details the sa                  | me as (or similar to) those given in section one? | If "Yes" is selected you can re-use the details                                    |
|   |   | from section one, or amend them as   |
| Yes   | ⊖ No  | required. Select "No" to enter a completely<br>new set of details.                 |
| E-mail  |   |  |
| Telephone number                                |   |  |
| Other telephone number                          |   |  |
| * Date of birth                                 |   |  |
|   | dd mm yyyy  |  |
| * Nationality                                   | British   | Documents that demonstrate entitlement to work in the UK                           |
| Right to work share code                        |   | Right to work share code if not submitting<br>scanned documents                    |
|   | Add another applicant                             | 1  |
| Section 5 of 21                                 |   | 1  |
| OPERATING SCHEDULE                              |   |  |
| When do you want the                            | ·   |  |
| When do you want the premises licence to start? | 01 / 02 / 2024<br>dd mm yyyy                      |  |
| If you wish the licence to be                   |   |  |
| valid only for a limited period,                |   |  |
| when do you want it to end                      | dd mm yyyy  |  |
| Provide a general description                   | of the premises                                   |  |

| Continued from previous page  |  |  |
|---|--|--|
| For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises. |  |  |
| Commercial shop unit selling da   | ay and late night food and refreshments. |  |
| If 5,000 or more people are<br>expected to attend the<br>premises at any one time,<br>state the number expected to<br>attend  |  |  |
| Section 6 of 21   |  |  |
| PROVISION OF PLAYS  |  |  |
| See guidance on regulated ente  | ertainment                               |  |
| Will you be providing plays?  |  |  |
| ⊖ Yes (   | No                                       |  |
| Section 7 of 21   |  |  |
| PROVISION OF FILMS  |  |  |
| See guidance on regulated ente  | rtainment                                |  |
| Will you be providing films?  |  |  |
| ⊖ Yes   | No                                       |  |
| Section 8 of 21   |  |  |
| PROVISION OF INDOOR SPORT   | Less Processon (Less No. Margare Less    |  |
| See guidance on regulated ente  | ertainment                               |  |
| Will you be providing indoor sp   | orting events?                           |  |
| ⊖ Yes (   | No                                       |  |
| Section 9 of 21   |  |  |
| PROVISION OF BOXING OR WR   | ESTLING ENTERTAINMENTS                   |  |
| See guidance on regulated ente  | rtainment                                |  |
| Will you be providing boxing or   | wrestling entertainments?                |  |
| ⊖ Yes (   | No                                       |  |
| Section 10 of 21  |  |  |
| PROVISION OF LIVE MUSIC   |  |  |
| See guidance on regulated ente  | rtainment                                |  |
| Will you be providing live music  | .?                                       |  |
| ⊖ Yes (   | No                                       |  |
| Section 11 of 21  |  |  |
| PROVISION OF RECORDED MU  | Page 104                                 |  |
| See guidance on regulated ente  | ertainment                               |  |

| Continued from previous page                       |                       |                    |            |  |
|--|-----------------------|--------------------|------------|--|
| Will you be providing recorded music?              |                       |                    |            |  |
| ⊖ Yes  | No                    |                    |            |  |
| Section 12 of 21                                   |                       |                    |            |  |
| PROVISION OF PERFOR                                | RMANCES OF DANCE      |                    |            |  |
| See guidance on regula                             | ted entertainment     |                    |            |  |
| Will you be providing pe                           | erformances of dance? |                    |            |  |
| ⊖ Yes  | No                    |                    |            |  |
| Section 13 of 21                                   |                       |                    |            |  |
| PROVISION OF ANYTHI<br>DANCE                       | ING OF A SIMILAR DE   | SCRIPTION TO LIVE  | MUSIC, REC | ORDED MUSIC OR PERFORMANCES OF   |
| See guidance on regula                             | ted entertainment     |                    |            |  |
| Will you be providing ar<br>performances of dance? |                       | music, recorded mu | sic or     |  |
| ⊖ Yes  | No                    |                    |            |  |
| Section 14 of 21                                   |                       |                    |            |  |
| LATE NIGHT REFRESHM                                | IENT                  |                    |            |  |
| Will you be providing la                           | te night refreshment? |                    |            |  |
| Yes  | ⊖ No                  |                    |            |  |
| Standard Days And Tir                              | mings                 |                    |            |  |
| MONDAY   |                       |                    |            | C  |
|  | Start 08:00           | End                | 22:59      | Give timings in 24 hour clock.<br>(e.g., 16:00) and only give details for the days |
|  |                       |                    |            | of the week when you intend the premises   |
|  | Start 23:00           | End                | 04:00      | to be used for the activity.   |
| TUESDAY  |                       |                    |            |  |
|  | Start 08:00           | End                | 22:59      |  |
|  | Start 23:00           | End                | 04:00      |  |
| WEDNESDAY  |                       |                    |            |  |
|  | Start 08:00           | End                | 22:59      |  |
|  | Start 23:00           | End                |            |  |
|  |                       | LIIG               | 01.00      |  |
| THURSDAY   |                       |                    |            |  |
|  | Start 08:00           | End                | 22:59      |  |
|  | Start 23:00           | End                | 04:00      |  |
| FRIDAY   |                       |                    |            |  |
|  | Start 08:00           | End                | 22:59      |  |
|  | Start 23:00           | End                |            |  |
|  | I                     |                    | L          |  |

Page 105

| Continued from previous page  |  |  |  |  |
|---|--|--|--|--|
| SATURDAY  |  |  |  |  |
| Start 08:00 End 22:59   |  |  |  |  |
| Start         23:00         End         04:00   |  |  |  |  |
| SUNDAY  |  |  |  |  |
| Start 08:00 End 22:59   |  |  |  |  |
| Start 23:00 End 04:00   |  |  |  |  |
| Will the provision of late night refreshment take place indoors or outdoors or both?  |  |  |  |  |
| <ul> <li>Indoors</li> <li>Outdoors</li> <li>Both</li> <li>Where taking place in a building or other<br/>structure tick as appropriate. Indoors may<br/>include a tent.</li> </ul>           |  |  |  |  |
| State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified. |  |  |  |  |
|   |  |  |  |  |
| State any seasonal variations   |  |  |  |  |
| For example (but not exclusively) where the activity will occur on additional days during the summer months.  |  |  |  |  |
|   |  |  |  |  |
|   |  |  |  |  |
|   |  |  |  |  |
| Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below                  |  |  |  |  |
| For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.  |  |  |  |  |
|   |  |  |  |  |
|   |  |  |  |  |
|   |  |  |  |  |
| Section 15 of 21  |  |  |  |  |
| SUPPLY OF ALCOHOL   |  |  |  |  |
| Will you be selling or supplying alcohol?   |  |  |  |  |
| ⊖ Yes   |  |  |  |  |
| PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT   |  |  |  |  |
| How will the consent form of the proposed designated premises supervisor be supplied to the authority?  |  |  |  |  |
| <ul> <li>Electronically, by the proposed designated premiagg plot or</li> </ul>   |  |  |  |  |

| Continued from prev | vious page |
|---------------------|------------|
|---------------------|------------|

○ As an attachment to this application

| Reference number for consent form (if known) | If the consent form is already submitted, ask the proposed designated premises |
|--|--|
|  | supervisor for its 'system reference' or 'your reference'.                     |

## Section 16 of 21

#### ADULT ENTERTAINMENT

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

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

### Section 17 of 21

#### HOURS PREMISES ARE OPEN TO THE PUBLIC

#### Standard Days And Timings

| MONDAY    |       |       |      | Give timings in 24 hour clock.  |
|-----------|-------|-------|------|---|
|           | Start | 08:00 | End  | 22:59 (e.g., 16:00) and only give details for the days                        |
|           | Start | 23:00 | End  | 04:00of the week when you intend the premises<br>to be used for the activity. |
| TUESDAY   |       |       |      |   |
|           | Start | 08:00 | End  | 22:59   |
|           | Start | 23:00 | End  | 04:00   |
| WEDNESDAY |       |       |      |   |
|           | Start | 08:00 | End  | 22:59   |
|           | Start | 23:00 | End  | 04:00   |
| THURSDAY  |       |       |      |   |
|           | Start | 08:00 | End  | 22:59   |
|           | Start | 23:00 | End  | 04:00   |
| FRIDAY    |       |       |      |   |
|           | Start | 08:00 | End  | 22:59   |
|           | Start | 23:00 | End  | 04:00   |
| SATURDAY  |       |       |      |   |
|           | Start | 08:00 | End  | 22:59   |
|           | Start | 23:00 | Page | የፀም   |
|           |       |       |      |   |

| Continued from previous page  |  |  |  |
|---|--|--|--|
| SUNDAY  |  |  |  |
| Start 08:00 End 22:59   |  |  |  |
| Start 23:00 End 04:00   |  |  |  |
| State any seasonal variations   |  |  |  |
| For example (but not exclusively) where the activity will occur on additional days during the summer months.  |  |  |  |
|   |  |  |  |
|   |  |  |  |
|   |  |  |  |
|   |  |  |  |
| Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below  |  |  |  |
| For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.  |  |  |  |
|   |  |  |  |
|   |  |  |  |
|   |  |  |  |
| Section 18 of 21  |  |  |  |
| LICENSING OBJECTIVES  |  |  |  |
| Describe the steps you intend to take to promote the four licensing objectives:   |  |  |  |
| a) General – all four licensing objectives (b,c,d,e)  |  |  |  |
| List here steps you will take to promote all four licensing objectives together.  |  |  |  |
| As below.   |  |  |  |
| Also, on site safety and fire equipment such as fire hydrants.  |  |  |  |
|   |  |  |  |
| b) The prevention of crime and disorder   |  |  |  |
| The property benefits from dual window frontage so the internal area of the unit is visible to passers by which encourages  |  |  |  |
| incidental overlooking. The property also benefits from CCTV cameras for the safety of the staff and customers. Should an incident take place this would be reported to the police who would be able to view the footage if required.   |  |  |  |
|   |  |  |  |
| c) Public safety  |  |  |  |
| As per 'b)' above. In addition, public toilets are provided.  |  |  |  |
| Th property would comply with all Environmental Health standards for the public consumption of food and would be  |  |  |  |
| receiving annual visits for inspection. The management of the property would also include the a continuous diligent and   |  |  |  |
| preventive approach to any collection of food waste and likely attraction to rodents. All staff will be trained to ensure that they have a personal responsibility to alert any hygiene issues so that they can be tackled immediately. |  |  |  |
| The storage of Refuse and recycling would be done on a daily basis with food waste and other recycling separate where   |  |  |  |
| possible. Refuse would be placed for collection as per Westminster City collection times.   |  |  |  |
| d) The prevention of public nuisance Page 108   |  |  |  |

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Continued from previous page...

It is unlikely that there would be significant noise or other nuisance as the unit is relatively small. However, should a crowd be gathered in front of the unit, staff will look to disburse them. Any theft or other criminal activity on the premisses will also be reported to the local police service.

e) The protection of children from harm

The proposed use is unlikely to result in the harm of any children. Alcohol is not sold and no child services are provided. Also, the provision of the food and drink would be safe for children.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

| Continued from previous page   |   |  |  |  |
|--|---|--|--|--|
| Address  |   |  |  |  |
| Building number or name  |   |  |  |  |
| Street   |   |  |  |  |
| District   |   |  |  |  |
| City or town   |   |  |  |  |
| County or administrative area  |   |  |  |  |
| Postcode   |   |  |  |  |
| Country  | United Kingdom  |  |  |  |
| DECLARATION  |   |  |  |  |
| <ul> <li>understand I am not entitled<br/>am subject to a condition pre-<br/>licence will become invalid if<br/>The DPS named in this applic</li> </ul>  | licants only, including those in a partnership wh<br>to be issued with a licence if I do not have the e<br>eventing me from doing work relating to the car<br>I cease to be entitled to live and work in the UK<br>ation form is entitled to work in the UK (and is n | ntitlement to live and work in the UK (or if I<br>rying on of a licensable activity) and that my<br>(please read guidance note 15).<br>Not subject to conditions preventing him or |  |  |
| <ul> <li>her from doing work relating<br/>appropriate (please see note</li> </ul>  | to a licensable activity) and I have seen a copy (<br>15)   | of his or her proof of entitlement to work, if   |  |  |
| □ Ticking this box indicat   | es you have read and understood the above de  | claration  |  |  |
| This section should be complete<br>behalf of the applicant?"   | ted by the applicant, unless you answered "Yes"   | to the question "Are you an agent acting on  |  |  |
| * Full name  |   |  |  |  |
| * Capacity   |   |  |  |  |
| Date (dd/mm/yyyy)  |   |  |  |  |
|  | Add another signatory   |  |  |  |
| Once you're finished you need to do the following:<br>1. Save this form to your computer by clicking file/save as<br>2. Go back to <u>https://www.gov.uk/apply-for-a-licence/premises-licence/islington/apply-1</u> to upload this file and continue<br>with your application.<br>Don't forget to make sure you have all your supporting documentation to hand.  |   |  |  |  |
| IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION   |   |  |  |  |
| IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY<br>KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF<br>THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO<br>CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION,<br>ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN<br>OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE<br>IS DISQUALIFIED |   |  |  |  |
|  |   |  |  |  |

## Licensing Authority Representation

#### Licensing Act 2003

Application for a new Premises Licence in respect of:

### Biryani Guys, 42 Old Street EC1V 9AE

Licensable activities and timings applied for are for provision of late-night refreshment on and off the premises from 0800 to 0400 each day.

### The grounds for the representation are:

Public nuisance

Prevention of crime and disorder

### **Licensing Policy Considerations**

Licensing Policy 6 - Licensing Hours

Licensing Policy 22 and 23 Public Nuisance and Noise associated with licensable activities.

Licensing Policy 25 - Noise relating to deliveries from the premises.

### **Issues of Concern**

The applicant has not put forward any mitigation or information in the operating schedule to demonstrate that these premises would not have a negative impact in an area saturated with outlets for take away and delivery of food. The area also has many late-night outlets for alcohol consumption and may attract customers from these venues who have been drinking and could cause disturbance and anti-social behaviour.

The applicant has not explained how the premises would be managed and operated in a manner that would not cause disturbance to nearby residents.

Licensing Policy 6 - Licensing Hours- The hours applied for are outside of the recommended policy hours for premises selling hot food and drink supplied by takeaway and fast-food premises, which is Sundays to Thursday 11pm to midnight and on Fridays and Saturdays 11pm to 1am.

Licensing Policy 22 & 23- 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 and controls on the premises licence to prevent public nuisance and undue disturbance to residents from licensed premises.

Licensing Police 25 - Delivery drivers from this and the other food outlets close by will congregate outside while waiting to pick up orders. Islington now has several areas where delivery drivers are congregating and causing noise and anti-social behaviour, leading to complaints from residents and businesses.

## Recommendations

The Licensing Authority suggests that should the Committee consider granting the application, the effect of delivery drivers in the local area be taken into account and ask that all deliveries be by non-motorised vehicles, there should be a plan of where riders would wait and pick up deliveries and,

that the management of the premises monitor the behaviour of the drivers and operate a procedure for taking action on any drivers causing anti-social behaviour.

The Licensing Sub Committee should consider the application and the lack of information in the operating schedule, bearing in mind that the premises could attract customers from the many late night drinking premises in the area, who may loiter rather than leave the area and consider any resident's representations, any conditions suggested by the Council's Pollution Team and the Police and Islington Council's Licensing Policy.

Terrie Lane Licensing Manager Regulatory Services 0207 527 3031 <u>licensing@islington.gov.uk</u>

27/02/2024

| From:    | Lane, Terrie  |
|----------|---|
| Sent:    | 21 March 2024 17:10   |
| To:      | Licensing; Burrell, Ryan  |
| Cc:      | Jones, Carol  |
| Subject: | Biryani Guys, 42 Old Street - additional information for LA Rep |

Hi,

I wish to add to my LA representation in that we have reports and complaints that the premises has been operating beyond 2300 in contravention of the Licensing Act 2003.

On checking noise and ASB records I have found the following:

24/12/23 0130 Taxi driver reported eating in Biryani Guys and feeling ill, denied access to toilets as told they should close at 1am. Complained to Environmental Health.

5/3/24 0124 Resident complained Biryani Guys serving food from side window to delivery drivers.

5/3/24 0216 ASB Officers responding to above, observed delivery driver on pedal bike picking up food from Biryani Guys.

9/3/24 02.35 Resident complaint stated Biryani Guys open up to 0400 and noisy delivery drivers.

16/3/24 01.45 Parkguard Nightsafe patrol reported Biryani Guys open and serving food to two males and with delivery drivers waiting outside.

In view of the above, the recommendation of the Licensing Authority is that the application should be refused, due to complete disregard of licensing legislation.

Thank you,

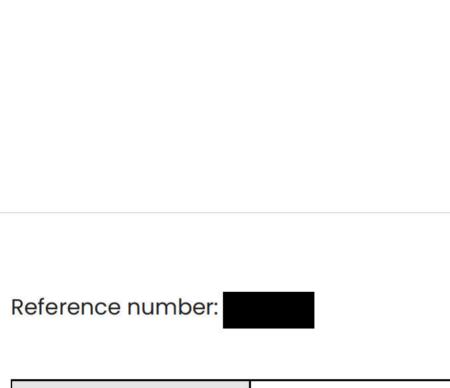
Terrie Lane

Licensing Manager Regulatory Services Community Safety, Security and Resilience Islington Council 222 Upper Street London N1 1RX

0207 527 3233 07522 218255

| From:    | myeaccount@islington.gov.uk   |
|----------|-------------------------------|
| To:      | Licensing                     |
| Subject: | We have received your request |
| Date:    | 12 March 2024 15:54:04        |
|          |                               |

## islington banner



?

 Reference number:
 Image: Comparison - Comparison -

Page 114

|  | representation form |
|--|---------------------|
| Personal details                                       |                     |
| First name:  |                     |
| Last name:   |                     |
| Home address:  |                     |
| In what capacity are you making this submission?:      | Resident            |
| Telephone number:                                      |                     |
| Email address:   |                     |
| Premises name:   | Biryani Guys        |
| Full postal address of premises:                       |                     |
| Licence application<br>reference number (if<br>known): | WK/230044513        |

# Licensing objectives

| Public nuisance: | My <b>My</b> is located on a       |
|------------------|------------------------------------|
|                  | on Timber Street.                  |
|                  | While the cocktail bar The Gibson  |
|                  | was open since I first moved into  |
|                  | this apartment over 3 years ago    |
|                  | and up to very recently, noise had |
|                  | never been an issue.Since Biryani  |
|                  | Guys opened, they have kept a      |
|                  | service window open on Timber      |
|                  | Page 115                           |

Street. For months, they kept it open until closing time at 4am. This led to a considerable amount of noise coming from the interactions between the restaurant and individuals working on delivery, the high number of motorcycles parking on Timber Street, the number of delivery guys hanging out while waiting to collect orders, and customers who arrived at any time, parking with loud music outside the service window. I have made multiple calls to the restaurant letting them know that much of the problem is solved if they provide services through the front door. They initially told me they had paid over GBP 50,000 per year for the premises, which they seemingly construed to mean they could produce as much noise as possible. They then suggested me to "go out" since 1.30am wasn't that late. I have submitted two complaints to Islington to no avail. As of today, I have not received any response or follow-up.After much insistence, they promised to stop serving food through the window service at 10pm, but did not really uphold it. Last week alone, I woke up four times between 1.30am and

Page 116

| I I I I I I I I I I I I I I I I I I I |
|---------------------------------------|
| 3.30am because of the noise           |
| outside the window. I am also         |
| uncertain as to how they've been      |
| serving food until so late in the     |
| absence of a license.                 |
|                                       |

# Anonymous identity

| I wish my identity to be<br>kept anonymous:  | Yes   |
|--|---|
| If you wish your name and<br>address details to be<br>withheld then please<br>explain the reason:: | Most times I have called Biryani<br>Guys, the owner has asked me for<br>my exact location, and has asked<br>me to go speak with him to the<br>restaurant. Last week alone, I had<br>to call four times after waking up<br>between 1.30am and 3.30am.<br>When I made them aware I would<br>raise this as part of their premises<br>license application, they said that<br>I had also complained about<br>Domino's Pizza (which is<br>inaccurate) and that they'd find a<br>way to push back on my<br>concerns. |

# Supporting documents

| yes |
|-----|
|     |
|     |
|     |
|     |
|     |
|     |
|     |

| From:    |
|----------|
| Sent:    |
| To:      |
| Subject: |

myeaccount@islington.gov.uk 13 March 2024 20:33 Licensing We have received your request

| Reference number: 3                                     | 3678415  |
|---|--|
| Reference number:                                       |  |
| Form details  |  |
| Form name:  | Premises licence application - representation form |
| Personal details  |  |
| First name:   |  |
| Last name:  |  |
| Home address:   |  |
| In what capacity are you<br>making this<br>submission?: | Resident   |
| Telephone number:                                       |  |
| Email address:  |  |
| Premises name:  | Biryani Guys                                       |
| Full postal address of premises:                        | 42 Old Street, London EC1V 9AE                     |

## Licensing objectives

| Public nuisance: | The premises is on the corner of a residential street (Timber Street which my window window) so the arrival and departure of visitors to the premise will cause a significant amount of noise particularly if they have been drinking and leave late into the evening. |  |
|------------------|--|--|
| Public safety:   | The proximity of the property to<br>residential addresses poses risks to public<br>safety if people leave the premises heavily<br>intoxicated and choose to "pick fights" with<br>innocent passers-by.   |  |

## Anonymous identity

| I wish my identity to be<br>kept anonymous:  | Yes   |  |
|--|---|--|
| If you wish your name<br>and address details to be<br>withheld then please<br>explain the reason:: | I would not want the applicants to know<br>where I live given that I'm objecting to the<br>application. |  |

## **Supporting documents**

| By submitting this from I<br>agree that this<br>information shall be<br>distributed as detailed in<br>this form and supporting<br>guidance notes on How<br>to comment or complain<br>about licensed premises: | yes |
|---|-----|
|---|-----|

| × | × | × | × | × |  |
|---|---|---|---|---|--|
|   |   |   |   |   |  |
|   |   |   |   |   |  |

Contact us

Comments and complaints

Privacy statement

Data protection

| From:    |
|----------|
| Sent:    |
| To:      |
| Cc:      |
| Subject: |

| 08 March 2024 13:03   |
|---|
| Licensing   |
|   |
| Licensing Act 2003 - Premises License Application - 42 Old Street, London, EC1V |
| 9AE - Islington reference: WK/130044513   |

[External]

Dear Sirs,

I write to formalise my objection, in the strongest terms, to the application made by Biryani Guys connected to a premises licence at 42 Old Street, London, EC1V 9AE.

The application, as I understand it, seeks a licence covering 7 days a week with permitted hours of operation for between 08:00 hrs until 04:00.

This is frankly staggering and is wholly insensitive to the fact that the building is surrounded on all sides by residential occupants - residents who are already disturbed by the activity in this row of fast food outlets, including this unit.

Previous iterations of businesses in this location have been forced to close due to noise and smell complaints from neighbours and this application risks pushing residents into taking similar action again.

If permitted Islington will be giving the green light to both a public and private nuisance - one created by its licensing office, but which will ultimately end up being dealt with by its noise and anti-social behaviour team - this will come at a financial cost to the public and at a greater cost to the amenity and well being of residents (and likely the business itself).

The scheme, whilst it does not involve an alcohol licence, will unquestionably encourage public drunkenness in the area - most people looking for food at 4am in the morning are not sober.

I strongly feel that the application risks increasing criminal and/or disorderly behaviour in the immediate area, the corollary of which is that public safety will be put at risk and that a public nuisance is created.

This is not an appropriate scheme and it should not be permitted in any way, shape, or form.

Please acknowledge safe receipt.

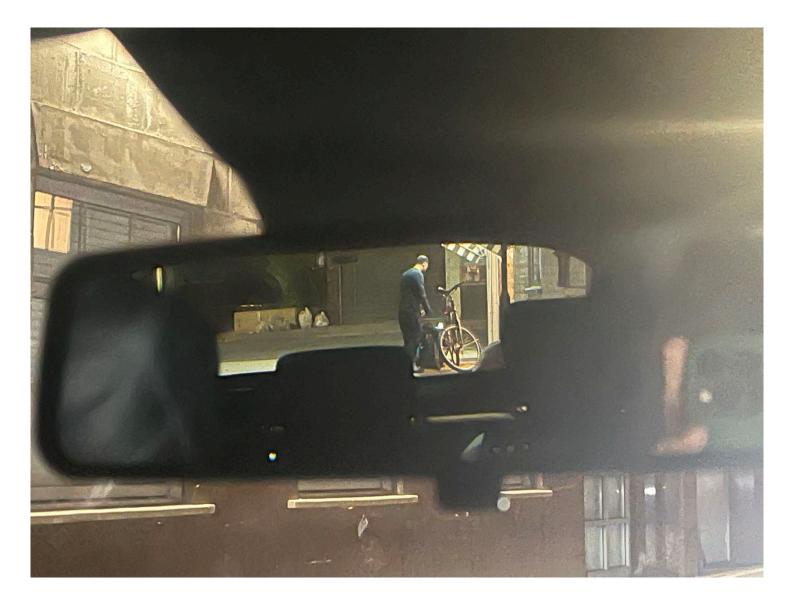
Yours faithfully

Sent from my iPhone

Sent from my iPhone

## 23:40 - 22 March 2024 Biryani Guys, 42 Old Street

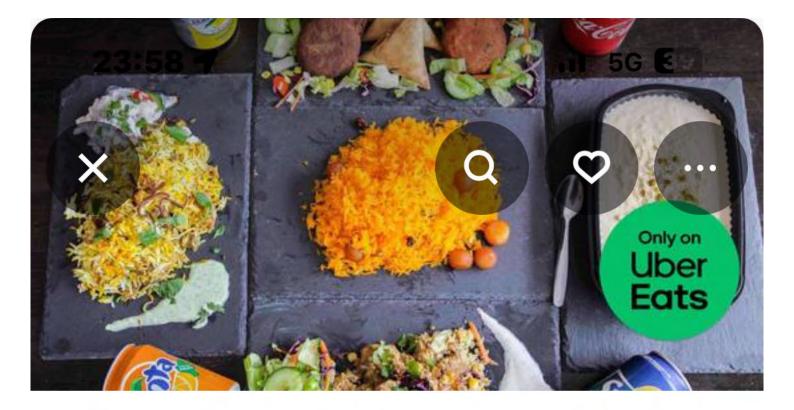
Hatch does appear to be in use and we noted a delivery driver waiting outside as we arrived.



23:47 - Delivery person left the area.

DW, walked past premises and observed what appeared to be dockets for food orders awaiting completion. Kitchen extractor was running so likely food still being cooked.

NF checked UberEats which stated that food was available for delivery until 4am with a delivery charge to deliver to the council offices.



# Biryani Guys

# 4.4 ★ (200+) • £0.79 Delivery Fee • , <sup>①</sup>Uber One • 1.4 mi

Delivery Pick-up Eat-in <sup>2</sup>+ Gro

£0.79 Delivery Fee Pricing and fees 20–35 min Delivery time

Menu 11:00 AM – 4:00 AM Karachi Ka Naasl 11:00 AM – 4:00 Al

The second secon



+

Join now

# From your search Related to "Biryani"

# Chicken Biryani £12.99・心 86% (705)

# Minimum Net weight: 450g. Traditional South East Asian ric

23:59 - Observed a food collection from side hatch

| From:    | Press Investments                   |
|----------|-------------------------------------|
| Sent:    | 25 March 2024 15:48                 |
| To:      | Jones, Carol                        |
| Subject: | Re: New Application - 42 Old Street |

## [External]

Hi Carol

Thank you so much for speaking to me earlier.

I spoke with the applicant and he explained what actually happened. An officer came to the unit at 4:00AM. They let him in ONLY because he said he was an officer. They were not open. Actually, they did listen to the advice given and have been closing at 11:00PM sharp each evening. At that time, they do not serve any food or allow passing trade into the shop. They then come into the shop early to start the preparation for the next day. The problem is the lights in the shop are on, which may give the impression they're open.

He also explained that, due to it being Ramadan, they were pressured to take orders to those fasting via Uber and Deliveroo drivers who come and pickup the food. However they pick up the food from a side window. They do not come into the unit either when it's closed. They were under the impression that since this was a collection only operation, they didn't need a license for it. This is because during COVID, the rules had changed and they hadn't realised that this had since been withdrawn.

In addition, because it was Ramadan, they were getting pressured to deliver food to those who are currently fasting as they see it as sin not to. I appreciate this may not a licensing consideration, however, they are extremely religious so I though it's important for me to mention.

Just clarity were not open to the public for service inside or takeaway. Only third party collections of food were taking place.

Following your contact, they will no longer be providing any services at all after 11:00 until such time a license is agreed.

I apologise for the confusion and the error in our judgement. They were not trying to float the licensing rules. They are a new small business and, unfortunately, are still grappling with these provisions.

I appreciate you're in meetings all this afternoon, and hope to pick up with you tomorrow.

Kind regards,

Nana Appiah MRTPI Planning Consultant

**PIL I Planning** 

## Conditions Consistent with the Operating Schedule

## Appendix 5

## Conditions proposed by Islington's Noise Service – Agreed

- 1. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- 2. Noise, vibration or odours must not emanate from the premises so as to cause a nuisance to nearby properties.
- 3. In the event of a noise/nuisance complaint substantiated by an authorised officer, the licensee shall take all reasonable steps to work with the responsible authority to agree appropriate measures, if necessary.
- 4. Noise and/or Odour from any flue used for the dispersal of cooking smells serving the building shall not cause a nuisance to the occupants of any properties in the vicinity. Any filters, ducting and extract fan shall be cleaned and serviced regularly.
- 5. Waste collections and the delivery of licensable goods to the venue shall be restricted to the hours between 07:00 and 20:00 Monday-Saturday. No waste collections or deliveries shall be made on a Sundays or Bank Holidays.
- 6. No more than 5 patrons, at any one time, shall use the frontage of the premises to smoke. Signage shall be displayed to advise customers of this. Ashtrays or suitable containers/receptacles shall be provided for smokers.
- 7. The licensee shall take reasonable measures to ensure that no internal combustion engine vehicles are used for deliveries from the premises.
- 8. The licensee shall ensure that delivery drivers do not park or loiter in the vicinity of residential premises.
- 9. The premises will operate a no idling policy.
- 10. Delivery drivers will conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery address.
- 11. Drivers will abort delivery where it is believed that a sale is a 'street sale'.
- 12. No deliveries are to be made to an open space.

#### Conditions proposed by the Metropolitan Police- Agreed

1. CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. The CCTV will comply with the following criteria

(a) The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct.

(b) A record of these checks, showing the date and name of the person checking, will be kept and made available to the police or other authorised officer on request;

(c) The Police will be informed if the system will not be operating for longer than one day of business for any reason;

(d) One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering; Page 125

(e) The system will provide full coverage of the interior of the premises and any exterior part of the premises accessible to the public;

(f) The system will record in real time and recordings will be date and time stamped;

(g) The system will be specified so as to operate satisfactorily regardless of lighting conditions;

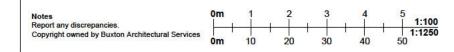
(h) During opening hours, at least 1 member of staff on duty will be able to operate the system sufficiently to allow Police or authorised Council officers to view footage on request;

(i) Recordings will be kept for a minimum of 31 days;

(j) Footage will be provided free of charge to the police or other authorised officers upon request (subject to the Data Protection Act 1998) within 24 hours of any request.

- 2. An incident log shall be kept at the premises, and made available upon request to the police or an authorised officer, which will record:
  - (a) Any and all allegations of crime and/or disorder reported at the venue;
  - (b) Any and all complaints received by any party;
  - (c) Any faults in the CCTV system;
  - (d) Any visit by a relevant authority or emergency service;
  - (e) Any and all ejections of patrons;
- 3. In the event that crime or serious disorder is, or appears to have been, committed on the premises, the management will immediately ensure that:
  - (a) The police and, where appropriate, the London Ambulance Service, are called immediately;
  - (b)As far as is safe and reasonable practicable, all measures will be taken to apprehend any identified suspects pending the arrival of the police;
  - (c)As far as is safe and reasonable practicable, all measures will be taken to preserve any identified crime scene pending the arrival of the police.
- 4. The licence holder will at all times maintain adequate levels of staff. Staffing levels will be disclosed, on request, to the Licensing Authority and the Police. At all times that the premises is open to the public for the LNR hours there will be a minimum of 2 members of staff on duty. The licensee shall ensure that the management and staff prevent the admission of, and ensure the prompt departure from the premises of, any and all drunk and or disorderly people or other people displaying signs of other substance use, without causing any disorder.
- 5. The licensee shall ensure that all staff are trained on relevant matters, including the conditions of the premises licence, managing conflict and the health and safety of the public and staff and [if they are ever left in charge of the shop] the operation of the CCTV system and how to deal with visits from authorised officers. The licensee shall keep written records of training and instructions given to each member of staff, detailing the areas covered to include the Licensing Objectives. Staff shall sign to confirm that they have received and understood the training. All staff who work at the till will be trained for their role on induction and be given refresher training every six months. The written training records kept for each staff member will be produced to police & authorised council officers on request.





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|----------------------|------------------------------|
| Planning Application | Project<br>40 - 42<br>London |
|                      |                              |

Rev Date

ON Project : 40 - 42 Old Street London EC1V 9AE Unit in the existing flats and mansard roof extension to add 1 no 1x bedroom flat (Flat 5) Drawing Title Existing Groups and the existing flats and mansard roof the extension to add 1 no 1x bedroom flat (Flat 5)

| e<br>round Floor<br>ntrance Lobby | Date<br>07/06/22 | Scale:<br>1:100 @ A3 | Drg. No.<br>PA02 | Rev. |  |
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