



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	3 April 2017		St Peters

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE NEW APPLICATION
Le Coq Epicier, 1 Camden Passage, London, N1 8EA

1. Synopsis

1.1 This is an application for a new premise licence under the Licensing Act 2003.

1.2 The new application is to:

- i) Permit the sale of alcohol on and off the premises on Monday to Friday from 10:00 to 20:00, on Saturday from 09:00 to 21:00 and on Sunday from 10:00 until 19:00.
- ii) The opening hours of the premises are also Monday to Friday from 10:00 to 20:00, on Saturday from 09:00 to 21:00, and on Sunday from 10:00 until 19:00.

2. Relevant Representations

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

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

3. **Background**

3.1 Papers are attached as follows:-

Appendix 1: application form;

Appendix 2: representations;

Appendix 3: suggested conditions and map of premises location.

3.2 The premise falls within the St Peters Cumulative Impact Zone.

3.3 The Licensing Authority has received six letters of representation from the local residents.

3.4 Licensing Officers have visited the premises after the consultation period; they noted that alcohol was already on display, and was being advertised on a black board outside the premise. However no sale of alcohol was witnessed and the applicant said that alcohol was not being sold until he got his licence. It should be noted that the alcohol in the premises was within reach of all customers therefore the licence would not be complying with his suggested operating schedule.

3.5 The applicant was advised to remove all alcohol from the premise, as he was currently not licensed.

3.6 Licensing Officer also noted that the premises sold a wide selection of French delicatessen products. There is no stipulation as to the minimum purchase price for other in items in order to buy alcohol. Members might wish ask the applicant to clarify this aspect of the application.

4. **Planning Implications**

4.1 Planning status has yet to be confirmed and will be confirmed at the Committee hearing.

5. **Recommendations**

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

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

1. Conclusion and reasons for recommendations

- 6.1 The Council is required to consider this application in the light of all relevant information, and if approval is given, it may attach such conditions it considers appropriate to promote the licensing objectives.

Background papers:

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

Final Report Clearance

Signed by



Date 23 March 2017

Service Director – Public Protection

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

* required information

Section 1 of 19

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

System reference

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

Your reference

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

Are you an agent acting on behalf of the applicant?

 Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

Applicant Business

* Is your business registered in the UK with Companies House?

 Yes No

* Registration number

* Business name

If your business is registered, use its registered name.

* VAT number

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

* Legal status

Continued from previous page...

* Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

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NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

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OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

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

Provide a general description of the premises

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

It is a french delicatessen in Camden Passage in Islington.
The size of the shop is 35sq meter. I'm currently selling cheese, charcuterie, condiments, bread...
It is only take away place.

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

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PROVISION OF PLAYS

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

- Yes No

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PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

- Yes No

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

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

- Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Section 15 of 19**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

 Yes No**Standard Days And Timings**

MONDAY

Start End Start End Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start End Start End

WEDNESDAY

Start End Start End

THURSDAY

Start End Start End

FRIDAY

Start End Start End

SATURDAY

Start End Start End

SUNDAY

Start End Start End

Will the sale of alcohol be for consumption:

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

State any seasonal variations

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

Continued from previous page...

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

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

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

Name

First name

Family name

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Continued from previous page...

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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.

no

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

Continued from previous page...

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

During the summer, later at night for special events.

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.

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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.

This is going to be an upmarket delicatessen that sells fine wines. All alcohol will be out of customer reach. Wines will only be sold along with other items from the delicatessen and we will not be selling cheap wines. If any wine is consumed on the premises, this will be for cheese board once a week when customers will be invited to taste our cheeses and a glass of wine will be given to each customer. Also wine tasting event and these events will be subject to advanced booking and no children will be permitted to attend. I will comply with all statutory requirements in regard to public safety.

b) The prevention of crime and disorder

There will be no heavy drinking, only wine tasting events that will take place from time to time.

c) Public safety

I will comply with all statutory requirements and staff will ensure that there is no heavy drinking by customers. There will be safe exit through the doors out to the street.

d) The prevention of public nuisance

There will be no off-sales to individuals other than customers purchasing along with other items from the delicatessen. There will be no sale of cheap wines and customers will not be allowed to gather outside the premises. Staff will monitor this. The doors will be closed during wine tasting events.

e) The protection of children from harm

No children will be allowed at wine tastings. Staff will be taught to ensure that customers who appear to be underage provide valid identification and in the case of any concern, such customers will be refused.

Continued from previous page...

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

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

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

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

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

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

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

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

* Fee amount (£)

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

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

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

Continued from previous page...

* Full name	<input type="text" value="Meignen Yohann"/>
* Capacity	<input type="text" value="limited company"/>
* Date	<input type="text" value="09"/> / <input type="text" value="02"/> / <input type="text" value="2017"/> dd mm yyyy

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

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/islington/apply-1> to upload this file and continue with your application.

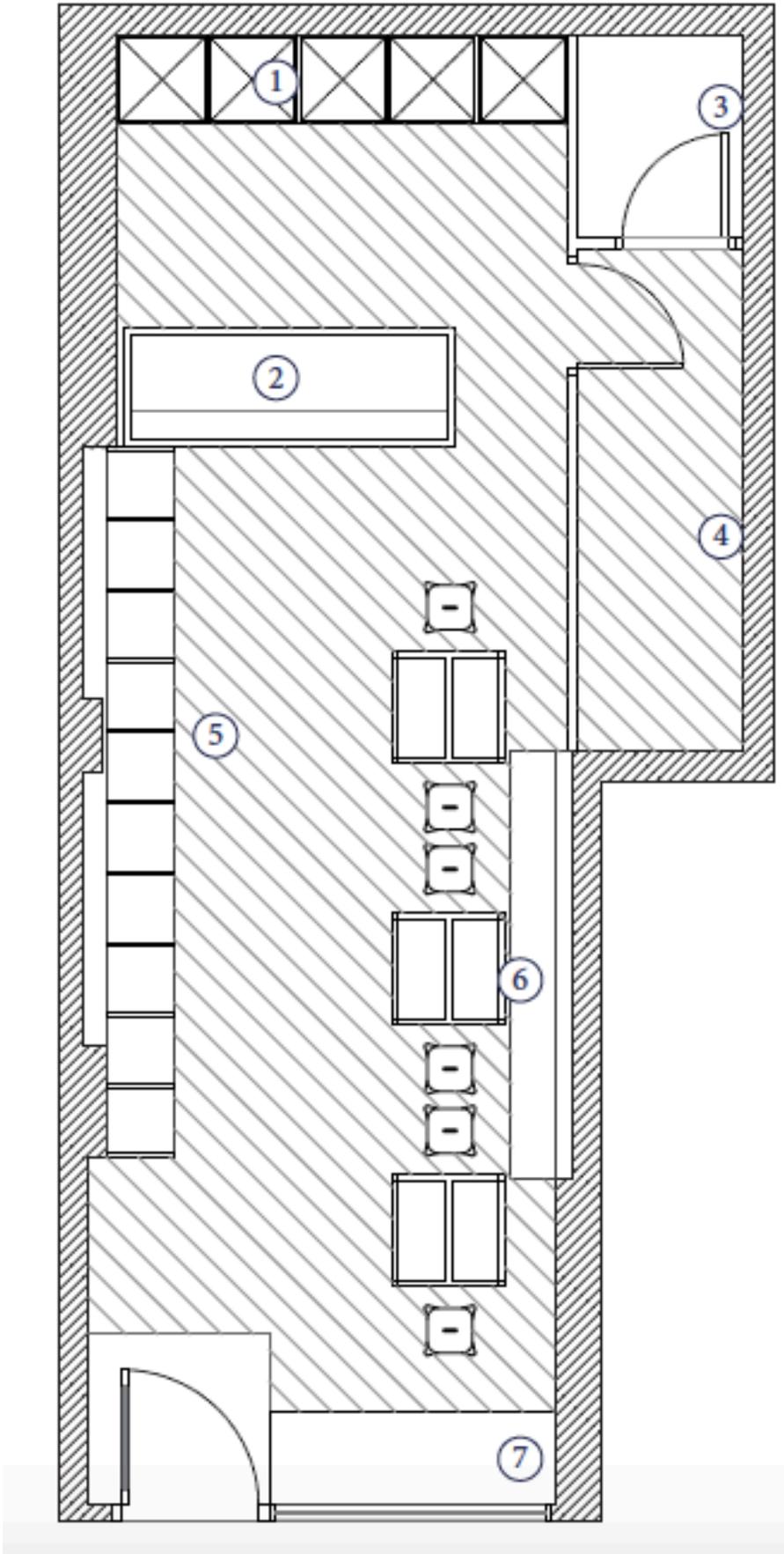
Don't forget to make sure you have all your supporting documentation to hand.

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

OFFICE USE ONLY

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

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- 1) Wine rack
- 2) Products
- 3) Toilets
- 4) Storage
- 5) Shelves
- 6) Refrigerated counter
- 7) Display

Rep 1

Dear Sirs

I am happy with this tenant having a licence to sell alcohol, provided that it is conditioned to him alone, and that it could not be transferred to another occupier, where it could become a bar.

The number of occasions wine tasting could happen should be limited to once a week, otherwise, again, it could in effect be a bar.

Regards

[REDACTED]

Rep 2

Dear Sirs

I object to this application for a licence to serve alcohol on and off premises.

Le coq epicier is in Camden Passage (adjacent to Upper St) where there are 5 licensed restaurants , 2 off licences between Crepeaffair and Coffeeworks and vibrant pubs at each end of Camden Passage. It is firmly placed in Islington's Cumulative Impact Zone which has reached saturation point and there are residential dwellings nearby which are likely to be affected. The application for a licence should be declined.

If the Licensing Cttee is minded to agree a licence to sell alcohol, bearing in mind that the licence remains with the premises, then the licence should be restricted to the sale of fine wines only and not other alcoholic beverages or spirits, and only if sold with substantive deli products . No more than 15% of the gross internal space of the premises should be dedicated to the display of alcohol .

Yours sincerely

[REDACTED]

Rep 3

I object to this application for a number of reasons.

The premises are in the cumulative impact area. The application for an on and off licence by Appestat was refused and the owner of Coffee Works project withdrew the off licence application. The reasoning for these decisions remains

There are already two off licence shops in the section from Charlton Place to Duncan Street-the Japanese at 100 Islington High Street and Pistachio and Pickle the latter also has an on licence.

In addition there are 8 outlets in the section from (including Coffee Works Project and Pistachio and Pickle) which have full on licences 3 of which have one or more bars and at the end of what the Camden Passage/Islington High street shopping street there is The York. And just past the Camden Head at the other end there is Tesco which has a full off licence. That is a large number of outlets for such a small narrow area and that is without taking into account the bars on Upper Street.

The application itself is of concern. It has to be recognised that the licence will be for the premises so the terms of any licence have to ensure that a subsequent operator cannot use the premises for say a general off licence.

The application says that the applicant sells fine wines but the application is not limited to wine so other alcohol could be sold. Indeed the application states the "alcohol" will be out of the customers reach.

There is no limit on the amount of shelf space that can be used to display alcohol and whilst it will be out of the customers reach that could merely be a high shelf, behind the counter or in cupboards with glass fronts. The majority of the sales and produce could be alcohol

Although off sales (again not limited to wine) will only be to customers purchasing other items from the deli; this could just be a packet of crisps or a bar of chocolate and this could permit the customer to buy several bottles of alcohol.

There is to be no sale of "cheap wines" but what does this mean? Is there to be a minimum price which rises by the RPI index. That would be the only way to have legal certainty to such a statement. There is no such statement about other alcohol which will be sold so this could be cheap spirits or cider or beer.

I am unclear what is intended for the on sales. There are conflicting statements. There seems to be a suggestion of a cheese board which will only be once a week and a glass of wine will be "given" to each customer. Is this limited to one glass and is it free of charge. How many people will be served at these events and how long will they last-without qualification they could go on all day with a succession of customers some coming back more than once.

Then there seems to be a separate wine tasting event and it is not clear how often these will occur. The phrase used is "from time to time" but that is unquantifiable.

There is no prohibition on vertical drinking and no limit on the numbers of customers. This could lead to noise and people drinking more than they should. Again the applicant says there will be no heavy drinking but that is a very subjective description.

Given the other outlets selling alcohol in the immediate area this application should be refused. It runs the real risk that the premises could become an alcohol lead business .

[REDACTED]

Rep 4

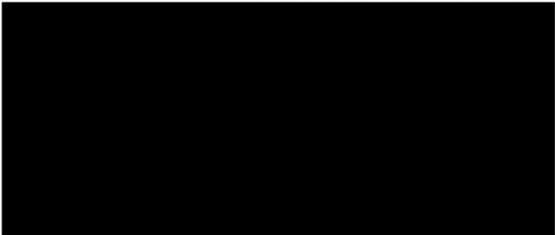
Dear Sir/ Ms,

Ref.No: WK/170003920. Application from Le Coq Epicier 1 Camden Passage N1 8EA for an on/off alcohol sales premises license.

I am a resident living at and I do not think we need another food outlet serving alcohol near my house. Can we please put a stop to the dismemberment of Camden Passage. The continuous infiltration of restaurant/bars will ultimately lead to the demise of the World renowned Antique Market. Camden Passage should be given Special Policy Area Status to help preserve its character and to stop it becoming indistinguishable from any other high street.

[REDACTED]
[REDACTED]

Licensing Administrator
Licensing Team
Islington Council
222 Upper Street
London N1



March 7 2017

Ref. No: WK/170003920. Application from Le Coq Epicier
1 Camden Passage N1

for an on/off alcohol sales premises license.

I wish to object to the above application for the following reasons:

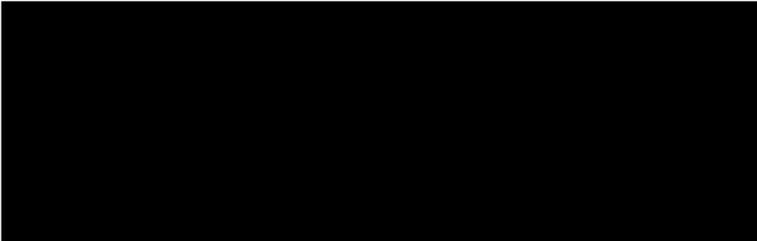
As a long-standing resident of Camden Passage (over 50 years), I have seen the change in Camden Passage from an internationally famous antique centre to an area of specialist retail shops. This acceptable development has been threatened recently by a large number of food and drink outlets, a number of which have been granted alcohol licenses.

As a result, the nature of the public has changed in Camden Passage. It largely consists of people attracted by the food and drink outlets (including those selling alcohol which has led to noise and disturbance in the evenings in Camden Passage).

In my view the alarming growth of food and drink outlets granted Alcohol Licenses has long reached saturation point and the granting of a license to the applicant would tip the balance still further, to the detriment of both the residents and specialist shops.

The Licensing Committee has the ability to refuse applications for further licensed premises in the Camden Passage area but in practice almost always grants these applications. However, not long ago an alcohol license was refused to Appestat. It is to be hoped that this precedent will be followed in the present case.

Also there is a safety concern if the premises becomes a kind of wine bar, in that the narrow pavement outside with the traffic passing so close could be hazardous to drinkers leaving in the evenings.



Appendix 3

Suggested conditions of approval consistent with the operating schedule

1. All alcohol shall be kept out of customers' reach.
2. There will be no off sales of wines to individuals other than customers purchasing alcohol along with other items from the delicatessen.

Suggested conditions approval as consistent with representations from the Noise Team (Agreed)

1. All off sales shall be limited to sealed bottles of wine.
2. There shall be no collections of refuse or deliveries of consumables between the hours of 22:00 – 08:00
3. Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.

Suggested conditions approval as consistent with representations from the Police

1. Alcoholic products consumed on the premises will be under the following two conditions.
2. Ancillary to food with a maximum of 17 customers either in the premises or directly outside.
3. During wine tasting events with invited guests only where the premises will be closed for walk in trade.
4. All alcoholic products sold/advertised/displayed on the premises, must have originated from France.
5. The licence holder shall enforce the challenge 25 proof of age scheme.

LLPG Points (Postal)_Base Mapping [Total no of records: 34]

