



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	25 June 2014		BUNHILL

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE NEW APPLICATION
MARKET CAFÉ, 132 WHITECROSS STREET, LONDON EC1Y 8QJ**

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:

- Supply alcohol for consumption on and the premises from 12:00 to 23:30 on Monday to Saturday and from 12:00 to 22:30 on Sunday;
- Opening hours of the premises from 07:00 to 00:00 Monday to Saturday and from 07:00 to 23:00 on Sunday.

2. Relevant Representations

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

Trading Standards	No
Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes: 3 local residents
Other bodies	No:

3. Background

3.1 Papers are attached as follows:-

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

3.2 The premises is currently unlicensed.

4. Planning Implications

4.1 The property was granted a certificate of lawfulness for existing use of the ground floor as a café (A3) on 16 February 2005. There are no opening hours restrictions. If the sale of alcohol will be associated with the sale of food there is a change of use to A4.

5 Recommendations

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

5.2 To consider that this address is in the Bunhill Saturation or "Cumulative Impact Policy" of Islington. This special policy creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that are likely to add to the existing cumulative impact will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.

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

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

6 Conclusion and reasons for recommendations

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

Background papers:

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

Final Report Clearance

Signed by


Service Director – Public Protection

Date

16/6/14

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

WK / 201444697

APPLICANTS ADDRESS CORRECTED

TL 23/4/14

TL
OK 3
28/4



Islington
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 19

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

System reference 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

Other telephone number

Include country code.

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

Is the applicant:

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

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

IP2 / 115176
£190.00/ELMS
25/04/14

Continued from previous page...

Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

An agent that is a business or organisation, including a sole trader

A private individual acting as an agent

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

Your Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Address official correspondence should be sent to.

Continued from previous page...

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	MARKET CAFE
Street	132 WHITECROSS STREET
District	
City or town	LONDON
County or administrative area	
Postcode	EC1Y 8QJ
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	10,750

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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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INDIVIDUAL APPLICANT DETAILS

Applicant Name

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

- Yes No

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

First name

MEHMET ALI

Family name

KAYA

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Applicant Postal Address

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

Yes

No

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

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

Yes

No

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

E-mail

Telephone number

Other telephone number

Add another applicant

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OPERATING SCHEDULE

When do you want the premises licence to start?

<input type="text" value="26"/>	/	<input type="text" value="05"/>	/	<input type="text" value="2014"/>
dd		mm		yyyy

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

<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>
dd		mm		yyyy

Provide a general description of the premises

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

THE PREMISE IS LOCATED ON WHITECROSS STREET AND ITS AN A3 USE CLASS COFFEE SHOP. THE PROPOSAL IS TO GET PERMISSION FOR SUPPLYING OF ALCOHOL BETWEEN THE HOURS;
MONDAY TO SATURDAY 12:00 NOON - 23:30 PM
SUNDAY 12:00 NOON - 22:30 PM
(NO SELL OF ALCOHOL AFTER 22:00 PM AT FRONT AREA)

*Amendments to the 2003 Act by the 2012 Act and the 2013 Order, no licence is

Continued from previous page...

required for the following activities to the extent that they take place between 08:00-23:00 on any day:

- a performance of a play in the presence of any audience of no more than 500 people;
- most 1 performances of dance in the presence of any audience of no more than 500 people; and
- live music, where the live music comprises:
 - a performance of unamplified live music;
 - a performance of live amplified music in a workplace with an audience of no more than 200 people

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

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Continued from previous page...

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?

Yes

No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

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

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

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

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

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

Name

First name

Family name

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Personal Licence number
(if known)

Issuing licensing authority
(if known)

LONDON BOROUGH OF REDBRIDGE

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'.

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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.

N/A

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

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

Continued from previous page...

THURSDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

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

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

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

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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.

The applicant will accept the following conditions:

The alcohol only will sale in operation hours and the alcohol will be consumed on the premises.

Alcohol will be served for people to sit and enjoy a drink and order food by table service.

CCTV will be installed to the premises, installed the CCTV system that meet the standard in 'UK police requirements for digital CCTV system'.

Emergency lighting will be provided.

Smoke detector will be installed.

The premises operates the "challenge 21" the proof of age scheme.

Continued from previous page...

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

b) The prevention of crime and disorder

A CCTV system shall be installed, operated and maintained at the premises.

1. Cameras must be sited to observe the entrance and exit doors, the alcohol displays, and floor areas.
2. Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i. e. capable of identification.
3. Cameras viewing till areas must capture frames not less than 50% of screen.
4. Cameras overlooking floor areas should be wide angled to give an overview of the premises.
5. Cameras must capture a minimum of 16 frames per second.
6. Be capable of visually confirming the nature of the crime committed.
7. Provide a linked record of the date, time, and place of any image.
8. Provide good quality images – colour during opening times.
9. Operate under existing light levels within and outside the premises.
10. Have the recording device located in a secure area or locked cabinet.
11. Have a monitor to review images and recorded picture quality.
12. Be regularly maintained to ensure continuous quality of image capture and retention.
13. Have signage displayed in the customer area to advise that CCTV is in operation.
14. Digital images must be kept for 31 days.
15. Police will have access to images at any reasonable time.
16. The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police on request.

c) Public safety

Emergency lights and fire extinguishers will be installed.

d) The prevention of public nuisance

All occasions when persons have been refused service will be recorded in a refusals book, which shall be kept at the premises for not less than 12 months.

Suitable signage will be displayed at the point of exit advising customers leave the premises quietly.

Deliveries to the premises shall only be made during normal working hours.

e) The protection of children from harm

We will be very strict to not sell alcohol to children and under age.

Any alcohol must be sold by DPS or a person authorised by the DPS at all times.

All staff who sells alcohol will be trained in the role by the DPS with regular refresher training.

Records of training will be kept and made available for examining officers of the relevant authorities.

Where a person appears to be under the age 21, identification in the form of passport, photo driving licence or a proof of age card bearing the pass hologram will be sought and if not provided service of alcohol will be refused.

Suitable signage will be displayed at the point of entry and at the service area advising customers that the premises operates the "challenge 21" proof of age scheme.

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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.

Continued from previous page...

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 (£)

190.00

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?"

* Full name

A. ENDER CEMGIL

* Capacity

AGENT

* Date

23 / 04 / 2014

dd mm yyyy

Continued from previous page...

Add another signatory

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

1. Save this form to your computer by clicking file/save as...

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

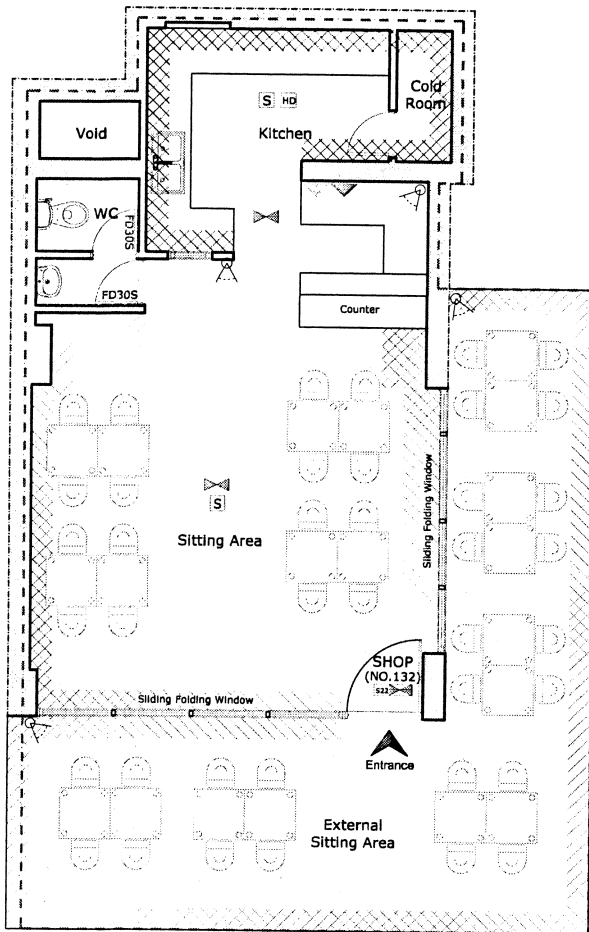
Don't forget to make sure you have all your supporting documentation to hand.

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

OFFICE USE ONLY

Applicant reference number	<input type="text" value="0235.14.PL"/>
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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LEGEND

- AMBIT OF PREMISES
- LIQUOR SALES
- KITCHEN
- WC, PASSAGEWAY, ETC
- SAFETY LIGHTING
- SMOKE DETECTOR
- HEAT DETECTOR
- CARBON DIOXIDE FIRE EXTINGUISHER
- 9 LT. WATER FIRE EXTINGUISHER
- INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
- 30min FIRE RESISTANCE DOOR (FIRE DOOR TO HAVE INTUMESCENT STRIPS AND SELF CLOSER)
- CCTV OPERATING SYSTEM

GROUND FLOOR AREA: 48.00m²

GROUND FLOOR PLAN

SCALE: 1/100



<p>Drawing Title</p> <p>Existing Ground Floor Plan Scale 1:100</p>	<p>Client: Mr. Mehmet Ali Kaya</p> <p>Address: Market Cafe, 132 Whitecross Street, London, EC1Y 8QJ</p> <p>ALL DIMENSIONS TO BE VERIFIED ON SITE</p>	<p>Revision: Apr. 2014</p> <p>Scale: 1:100 @ A4</p> <p>Drawing Number: 14.0235.01</p>	<p> PLANNING LICENSING CONSULTANCY</p> <p>33b Grand Parade, Green Lanes, Haringey, London N4 1LG</p> <p>Telephone: (020) 9809 2320 Mobile: (078) 4241 0527 E-Mail: info@archpl.co.uk website: www.archpl.co.uk</p>
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Your
Our Licensing/NI
Date: 03/05/2014



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

Telephone: 07799133204
Facsimile:
Email:
licensingpolice@islington.gov.uk

Mr Mehmet ALI

Dear Sir

Re: Premises Licence Application 132 Whitecross Street, EC1Y 8QJ

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives, being the Prevention of Crime and Disorder.

The venue is situated in the designated 'Bunhill Cumulative Impact Area'; a locality where there is traditionally high crime and disorder and a large number of licensed bars and off-licenses in the immediate area. There have been over 20 crimes recorded in Whitecross Street alone, in the last six months. Islington has almost double the national average of licensed premises per resident, and this is why the Police supported the implementation of the Council's Cumulative Impact Policy. This large number of licensed premises and the issues associated with these impacts greatly on the Police and all other emergency service's resources.

There are already over 35 licensed premises within a 250 metre radius of your proposed premises.

It is only for the above reasons that we are objecting to the application and propose that it is refused.

Should you wish to discuss the matter further please contact me on Mobile 07799133204 or via email, licensingpolice@islington.gov.uk

Yours sincerely

Peter Conisbee Pc 575NI

Paul Hoppe Pc 208NI
Steven Harrington Pc 425NI

Islington Police Licensing Team

REP 2.

Williams, John

From:
Sent: 08 May 2014 11:37
To: Williams, John
Subject: WK/201444697 Market Cafe 132 Whitecross Street

Dear John

REPRESENTATION FOR MARKET CAFÉ 132 Whitecross Street

I have no problem with the said premises licence as long as the tables and chairs outside are not allowed to serve food or alcohol after 21:00 Hours.

We already have to endure noise from the Market Cafe from 06:30 in the Morning when people arrive to sit outside and have Breakfast I think it only fair that as a local resident we have 9 hours of non disturbance from the premises in order to have a decent nights sleep.

Kind Regards



This email is free from viruses and malware because avast! Antivirus protection is active.

REP 3

PUBLIC PROTECTION DIVISION
222 UPPER ST, LONDON N1 1XR
4 MAY 2014
COMMUNITY LICENSING/ OBJECTIVES (please see the guidance notes for further advice)

Licensing Act 2003 representation pro-forma

Should you wish to comment on the licence application please use this form to help you. Please feel free to attach additional sheets.

You do not have to make any comment, and comments may be made in support of, as well as against the application, providing they refer to one or more of the licensing objectives (please see the guidance notes for further advice).

Premises Name and address MARKET CAFE
132 WHITECROSS STREET, LONDON. EC1Y 8QJ

Your Name: _____

Interest: RESIDENT

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

Your Address: _____

Email: _____

Telephone: _____

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

Public Nuisance FIRSTLY I DO NOT OBJECT TO THE ABOVE NAMED PREMISES BEING GIVEN AN ALCOHOL LICENCE. BUT DO CONSIDER THE HOURS OF OPENING FOR SUCH LICENCE FAR TOO LONG, TAKING INTO CONSIDERATION THE VERY CLOSE PROXIMITY OF GEORGE GILLET CT. 4 OF THE FLATS IN GEORGE GILLET ARE SITUATED ON TOP OF THE MARKET CAFE. ALSO THERE HAS BEEN NO MENTION OF ANY MUSIC THAT MAY BE PLAYED. LIVE, TAPED, OR OTHERWISE. I DO NOT THINK THIS WOULD BE SUITABLE AT ANY TIME, OWING TO THE FLATS BEING SO CLOSE TO THE ABOVE-NAMED CAFE.

Crime and Disorder THE SEATING PLAN SHOWS ALCOHOL TO BE SERVED DURING MON-SAT. 12.00 TO 23.30 - SUNDAY 12.00 TO 22.30. FIRSTLY MANY TENANTS ARE UNWARE THAT SEATING OF TABLES AND CHAIRS WILL BE OUTSIDE ON THE PAVEMENT OF BANNER ST AND DIRECTLY UNDERNEATH THE FOUR FLATS MENTIONED ABOVE. NO GROUND FLOOR PLAN WAS ATTACHED TO THE INFORMATION FORWARDED TO THE TENANTS. I HAVE SEEN THIS PLAN, AS IT WAS GIVEN TO ME BY THE CHAIR OF THE T.A. I THEREFORE THINK IT ONLY FAIR THAT THE OUTSIDE TABLES IN BANNER ST, AND UNDER THE WINDOWS OF THE FOUR FLATS DIRECTLY ABOVE THE CAFE SHOULD BE TAKEN INSIDE BY 9.00 P.M. THEREBY GIVING THE TENANTS A LITTLE BIT OF PEACE FROM ANY NOISE. ALSO ANY TROUBLE THAT MAY BE CAUSED BY ROWDY PASSERS BY.

Protection of Children from Harm

THE FOUR FLATS MENTIONED PREVIOUSLY, THAT ARE SITUATED DIRECTLY ABOVE THE CAFE, TO MY KNOWLEDGE, THREE OF THESE FLATS HAVE CHILDREN OF SCHOOL AGE. SURELY IT MUST BE APPRECIATED THAT IT IS HARDLY SUITABLE TO EXPECT A CHILD TO BE PUT TO BED, AND HAVE THE NOISE OF CUSTOMERS FROM DIRECTLY BELOW, CONTINUING UNTIL 23.30PM. MON-SAT. AND 22.30PM SUNDAY. I THEREFORE THINK IT QUITE FAIR TO ASK THAT THESE TABLES, ALONG WITH THOSE IN BANNER ST. BE TAKEN IN BY 21.00 HRS. (9.00 P.M)

Public Safety AS STATED. I DO NOT OBJECT TO THE MARKET CAFE HAVING AN ALCOHOLIC LICENCE. BUT UNFORTUNATELY THERE IS QUITE A LOT OF NUISANCE EXPERIENCED, WITH LOUD AND ROWDY YOUTHS FROM TIME TO TIME, AND I WOULD NOT WISH TO SEE ANY TROUBLE ARISING FROM THESE TYPE OF INDIVIDUALS AND INNOCENT DINERS. THEREFORE MY REASONS FOR OUTSIDE DRINKING UNTIL SUCH LATE HOURS SHOULD BE CONSIDERED FAR TOO LATE, ALONG WITH TENANTS BEING ABLE TO RETIRE EARLY, IF SO WISHED, AND BEING ABLE TO OPEN THEIR WINDOWS, AND GET A GOOD NIGHTS SLEEP.

I wish my identity to be kept anonymous ~~Yes~~/No -

We will treat representations as anonymous where there is a genuine reason to do so; if you wish your name and address details to be withheld then please explain the reason:

[Empty box for providing reasons for anonymity]

Copies of this representation will be sent to the applicant, or their agent/solicitor, including name and address details (but other personal contact information such as telephone numbers and email addresses will be removed) unless you have specifically requested anonymity. Copies of this representation will be included in a report that will be available to the public and will be published on the internet; however the published on-line version of the report will have name and address details removed.

Signature: _____

Date: _____

13TH MAY 2014

Please ensure name and address details completed above

Return to:

Licensing Service
London Borough of Islington
3rd Floor
222 Upper Street
London N1 1XR
licensing@islington.gov.uk

or send by email to:

Tomashevski, Katie

From:
Sent: 18 May 2014 09:47
To: Tomashevski, Katie
Cc:
Subject: Market Cafe, 132 Whitecross Street, London EC1Y 8QJ

Dear Katie

Here is our objection under the heading public nuisance. A hard copy is in the post.

Public Nuisance

Islington council has made this a saturation zone and seeks to limit the cumulative impact on this area. However, although this application is exempt it will still add to the cumulative impact as it is so close to residential properties which surround this venue and this venue is, in fact, within the same block as social housing. It is also within an area of several other housing estates. The street layout also has the effect of amplifying any noise especially at night and has a detrimental impact on the lives of residents.

There are concerns that if this licence application is approved that this venue will cause a public nuisance as it is within the same block as social housing: George Gillette Court where shift workers, vulnerable adults and children reside just a few feet above. For this reason there are concerns about the tables and chairs outside and a few feet beneath people's homes. Therefore, if tables and chairs are made unusable as diners vacate tables from 9 pm until 10 pm when all tables are made unusable then this would lessen the impact (Licencing Policy 20).

There are concerns about the noise inside the venue as noise may seep up through the ceiling and affect the neighbours above and the increased foot traffic outside as diners leave would also have an impact. It is well-known that the flats in George Gillette Court – the block most effected – has bad soundproofing. Therefore, has sound proofing been installed within the venue as noise inside may seep up to the homes above affecting vulnerable tenants, children and shift-workers (Licencing Policy 18)? There is also the problem of increased foot traffic and taxis being so close to other residential properties.

Because of increased foot traffic and the noise of revelers leaving the venue and the noise of taxis pulling up. In line with Islington Council's Licencing Policy 8 the TRA would oppose drinks being served until 11.30 pm and would prefer they stopped serving drinks at 11 pm during the week and 12 midnight at weekend and the proprietor rigorously preventing noise nuisance of those leaving the premises (Licencing Policy 21).

There is also concern about the other premises in this row of shops. As shops are vacated the granting of this licence may set a precedent making the lives of those living above unlivable.

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COMMISSIONER

20 MAY 2014

Suggested conditions of approval consistent with the operating schedule

1. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for the consumption by such a person as ancillary to their meal.
2. Emergency lighting, smoke detectors and fire extinguishers shall be regularly checked to ensure that they function satisfactorily and a record of the check shall be kept.
3. A CCTV system shall be installed, operated and maintained at the premises. Cameras must be sited to observe the entrance and exit doors, the alcohol displays and floor areas. Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises. Cameras view till area must capture frames not less than 50% of screen. Cameras overlooking floor areas should be wide angled to give an overview of the premises. Cameras must: a. capture a minimum of 16 frames per second; b. be capable of confirming the nature of the crime committed; c. the images must record the date, time and place of any image; d. must provide good quality images in colour during all hours of operation; e. be able to capture images under existing light levels within and outside the premises. The recording device shall be located in a secure area or locked cabinet and have a monitor to review images and recorded picture quality. The CCTV shall be regularly maintained to ensure that continuous quality of image capture and retention. Signage shall be displayed in the customer area to advise that CCTV is in operation. The digital CCTV images shall be kept for 31 days. The licensee shall allow the police access to these images at any reasonable time. Equipment must have a suitable method available so that the police can make an evidential copy of the data that they require. This data should be in the native file format to ensure that no image quality is lost when making the copy. If this format is non-standard then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed on a standard computer. Copies must be made to police on request.
4. The licensee and staff should note any refusals in a refusals log. The refusals log shall be kept at the premises for no less than 12 months.
5. Suitable signage shall be displayed at the point of exit advising customers to leave the premises quietly.
6. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The training shall include the assessment of age; making a challenge; acceptable proof of age; and recording refusals. The licensee shall keep records of training and instruction given to staff, detailing the areas covered, and make them available for inspection upon request by the licensing team, police or trading standards.
7. The licensee shall put arrangements in place to ensure that before serving alcohol to persons they believe to be less than 25, staff ask to see accredited proof of age: that is, proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.

Conditions proposed by the Noise Service

8. The Premises Licence Holder will prepare and implement a dispersal policy to the written approval and satisfaction of the Council's Noise Service.
9. Deliveries shall not take place on Sundays or Bank Holidays.
10. Deliveries should only be made between the hours of 10:00 and 17:00 on other days.
11. Bottling out and refuse disposal shall not take place Sundays or Bank Holidays.
12. Bottling out and refuse disposal shall only take place between the hours of 10:00 and 17:00 other days.
13. The outside area shall not be used after 22:00.
14. No consumption of alcohol shall take place outside the after 22:00 and drinks will not be taken out of the premises except for consumption at tables with food at all other times.

15. The outside tables and chairs to the front and side of the premises shall be cleared of patrons and rendered unusable by 22:00.
16. Adequate notices shall be displayed to inform patrons of the requirement to close the outside area by 22:00
17. Any moveable furniture will be fitted with rubber (or equivalent) feet.
18. Smoking shall be restricted to the front of the premises after 22:00 and kept to reasonable numbers at all times.
19. A suitable container shall be provided for smoking litter for the smoking area at all times in use.
20. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.

Title :

Islington Borough
Boundary

Printed by :
RO RO

Printed at :
06-05-2014

