ISLINGTON

**Environment & Regeneration**
**Municipal Office, 222 Upper Street, London, N1 1XR**

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

| **Meeting of** | **Date** | **Agenda Item** | **Ward(s)** |
|---|---|---|---|
| Licensing Sub-Committee | 21st June 2018 | | Barnsbury |

| | | |
|---|---|---|
| **Delete as appropriate** | | Non-exempt |

**Subject:** **PREMISES LICENCE VARIATION APPLICATION**
**RE: TOP'S PIZZA, 22 PENTON STREET, LONDON, N1 9PS**

## 1. Synopsis

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

1.2 The premises currently holds a licence allowing:

- The sale by retail of alcohol, deliveries only, Mondays to Saturdays from 11:00 until 23:00 and Sundays from 11:00 until 22:30;
- The provision of late night refreshment (Phone orders and delivery only), Mondays to Thursdays from 23:00 until 01:00 the following day, Fridays & Saturdays from 23:00 until 02:00 the following day and Sundays from 23:00 until 00:00; and
- The premises to be open to the public, Mondays to Saturdays from 11:00 until 23:00 and Sundays from 11:00 until 22:30.

1.3 The variation application is to allow:

- The sale by retail of alcohol, on & off supplies, Mondays to Saturdays from 11:00 until 23:00 and Sundays from 11:00 until 22:30;
- The provision of late night refreshment, Mondays to Thursdays from 23:00 until 01:00 the following day, Fridays & Saturdays from 23:00 until 02:00 the following day and Sundays from 23:00 until 00:00;

- The premises to be open to the public, Mondays to Thursdays from 11:00 until 01:00 the following day, Fridays & Saturdays from 11:00 until 02:00 the following day and Sundays from 11:00 until 00:00; and

- Non-standard timings until 03:00 the following day for Late Night Refreshment and Opening Hours on the below days:

  Vaisakhi, Diwali, Valentine's Day, Eid, Christmas Eve, Christmas Day, New Year's Eve, New Year's Day.

## 2. Relevant Representations

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

## 3. Background

3.1 Papers are attached as follows:-

Appendix 1: application form;
Appendix 2: current premises licence;
Appendix 3: representations
Appendix 4: licensee response to representations;
Appendix 5: suggested conditions and map of premises location.

3.2 Brief licensing history:

- 6th March 2017, new premises licence was granted to the current licensees before a Licensing Sub-Committee for the hours and activities currently authorised;

- 12th April 2018, variation application received.

## 4. Planning Implications

4.1 None.

## 5 Recommendations

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

5.2 These premises are located in the King's Cross Cumulative Impact Area therefore the Licensing Committee will need to consider Licensing Policy 3, which states that there is a presumption of refusal unless the Committee is satisfied that there will be no adverse cumulative impact on 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 5)

ii. any conditions deemed appropriate by the Committee to promote the four licensing objectives.(see appendix 5)

## 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**

Jane Gibbons

Service Director – Public Protection

11 June 2018

Date

**Received by**

Head of Scrutiny and Democratic Services

Date

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/We** Tops Pizza) Mahmoud Ahmadi [redacted] & Alireza Bahmani [redacted]
*(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**<br>**LN/17542-220217** |

**Part 1 – Premises Details**

| | | | |
|---|---|---|---|
| Postal address of premises or, if none, ordnance survey map reference or description<br>**22 Penton street** | | | |
| Post town | Islington | Postcode | **N1 9PS** |

| | |
|---|---|
| Telephone number at premises (if any) | **02072786000** |
| Non-domestic rateable value of premises | £12250 |

**Part 2 – Applicant details**

| | | | |
|---|---|---|---|
| Daytime contact telephone number | **02072786000** | | |
| E-mail address (optional) | | | |
| Current postal address if different from premises address | | | |
| Post town | | Postcode | |

**Part 3 - Variation**

Please tick as appropriate

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

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

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

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

To remove the restriction of delivery only.

**Currant operation schedule:**

Opening hours:
Monday-Thursday 11:00- 01:00, Friday Saturday 11:00-02:00, Sunday 11:00-00:00.
(**Delivery only from 23:00 Monday-Sunday).**

**L**ate-night refreshment (**delivery only)**
Monday-Thursday 23:00- 01:00, Friday Saturday 23:00-02:00, Sunday 23:00-00:00**.**

Alcohol supply Monday- Saturday 11:00 – 23:00, Sunday 11:00-22:30) (**Delivery only)**
Alcohol **sold with meals of the menu only.**

**Proposed operation schedule:**

Opening hours:
Monday-Thursday 11:00- 01:00, Friday Saturday 11:00-02:00, Sunday 11:00-00:00.

**L**ate-night refreshment
Monday-Thursday 23:00- 01:00, Friday Saturday 23:00-02:00, Sunday 23:00-00:00**.**

Alcohol supply Monday- Saturday 11:00 – 23:00, Sunday 11:00-22:30) **Alcohol sold with meals of the menu only.**

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.

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

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

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

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

A

| Plays<br>Standard days and timings (please read guidance note 8) | | | Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4) | Indoors | ☐ |
|---|---|---|---|---|---|
| | | | | Outdoors | ☐ |
| Day | Start | Finish | | Both | ☐ |
| Mon | | | Please give further details here (please read guidance note 5) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | State any seasonal variations for performing plays (please read guidance note 6) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7) | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |
| | | | | | |

B

| Films<br>Standard days and timings (please read guidance note 8) | | | Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4) | Indoors | ☐ |
|---|---|---|---|---|---|
| | | | | Outdoors | ☐ |
| Day | Start | Finish | | Both | ☐ |
| Mon | | | Please give further details here (please read guidance note 5) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | State any seasonal variations for the exhibition of films (please read guidance note 6) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7) | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |
| | | | | | |

C

| Indoor sporting events Standard days and timings (please read guidance note 8) | | | Please give further details (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 indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7) |
| | | | |
| Fri | | | |
| | | | |
| Sat | | | |
| | | | |
| Sun | | | |
| | | | |

D

| Boxing or wrestling entertainments Standard days and timings (please read guidance note 8) | | | Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4) | Indoors | ☐ |
|---|---|---|---|---|---|
| | | | | Outdoors | ☐ |
| Day | Start | Finish | | Both | ☐ |
| Mon | | | Please give further details here (please read guidance note 5) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7) | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |
| | | | | | |

E

| Live music<br>Standard days and timings (please read guidance note 8) | | | Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4) | Indoors | ☐ |
|---|---|---|---|---|---|
| | | | | Outdoors | ☐ |
| Day | Start | Finish | | Both | ☐ |
| Mon | | | Please give further details here (please read guidance note 5) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | State any seasonal variations for the performance of live music (please read guidance note 6) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7) | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |
| | | | | | |

F

| Recorded music Standard days and timings (please read guidance note 8) | | | Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4) | Indoors | ☐ |
|---|---|---|---|---|---|
| | | | | Outdoors | ☐ |
| Day | Start | Finish | | Both | ☐ |
| Mon | | | Please give further details here (please read guidance note 5) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | State any seasonal variations for the playing of recorded music (please read guidance note 6) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7) | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |
| | | | | | |

G

| **Performances of dance** Standard days and timings (please read guidance note 8) | | | **Will the performance of dance take place indoors or outdoors or both – please tick** (please read guidance note 4) | Indoors | ☐ |
|---|---|---|---|---|---|
| | | | | Outdoors | ☐ |
| Day | Start | Finish | | Both | ☐ |
| Mon | | | **Please give further details here** (please read guidance note 5) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | **State any seasonal variations for the performance of dance** (please read guidance note 6) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | **Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list** (please read guidance note 7) | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |
| | | | | | |

H

| **Anything of a similar description to that falling within (e), (f) or (g)**<br>Standard days and timings (please read guidance note 8) | | | Please give a description of the type of entertainment you will be providing | | |
|---|---|---|---|---|---|
| Day | Start | Finish | **Will this entertainment take place indoors or outdoors or both – please tick** (please read guidance note 4) | Indoors | ☐ |
| Mon | | | | Outdoors | ☐ |
| | | | | Both | ☐ |
| Tue | | | **Please give further details here** (please read guidance note 5) | | |
| | | | | | |
| Wed | | | | | |
| | | | | | |
| Thur | | | **State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)** (please read guidance note 6) | | |
| | | | | | |
| Fri | | | | | |
| | | | | | |
| Sat | | | **Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list** (please read guidance note 7) | | |
| | | | | | |
| Sun | | | | | |
| | | | | | |

I

| **Late night refreshment** Standard days and timings (please read guidance note 8) | | | **Will the provision of late night refreshment take place indoors or outdoors or both – please tick** (please read guidance note 4) | Indoors | ☐ |
|---|---|---|---|---|---|
| | | | | Outdoors | ☐ |
| Day | Start | Finish | | Both | ☒ |
| Mon | 23:00 | 01:00 | **Please give further details here** (please read guidance note 5) | | |
| | | | | | |
| Tue | 23:00 | 01:00 | | | |
| | | | | | |
| Wed | 23:00 | 01:00 | **State any seasonal variations for the provision of late night refreshment** (please read guidance note 6)<br>Vaisakhi, Diwali, Valentines Day, Eid, Christmas Eve, Christmas Day, New Years Eve, New Years Day<br>23:00 - 03:00 | | |
| | | | | | |
| Thur | 23:00 | 01:00 | | | |
| | | | | | |
| Fri | 23:00 | 02:00 | **Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list** (please read guidance note 7) | | |
| | | | | | |
| Sat | 23:00 | 02:00 | | | |
| | | | | | |
| Sun | 23:00 | 00:00 | | | |
| | | | | | |

J

| **Supply of alcohol** Standard days and timings (please read guidance note 8) | | | **Will the supply of alcohol be for consumption – please tick** (please read guidance note 9) | On the premises | ☐ |
|---|---|---|---|---|---|
| | | | | Off the premises | ☐ |
| Day | Start | Finish | | Both | ☒ |
| Mon | 11:00 | 23:00 | **<u>State any seasonal variations for the supply of alcohol</u>** (please read guidance note 6) | | |
| Tue | 11:00 | 23:00 | | | |
| Wed | 11:00 | 23:00 | | | |
| Thur | 11:00 | 23:00 | **<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u>** (please read guidance note 7) | | |
| Fri | 11:00 | 23:00 | | | |
| Sat | 11:00 | 23:00 | | | |
| Sun | 11:00 | 23:00 | | | |

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).<br>NONE |
|---|

L

| **Hours premises are open to the public** Standard days and timings (please read guidance note 8) | | |
|---|---|---|
| Day | Start | Finish |
| Mon | 11:00 | 01:00 |
| | | |
| Tue | 11:00 | 01:00 |
| | | |
| Wed | 11:00 | 01:00 |
| | | |
| Thur | 11:00 | 01:00 |
| | | |
| Fri | 11:00 | 02:00 |
| | | |
| Sat | 11:00 | 02:00 |
| | | |
| Sun | 11:00 | 12:00 |
| | | |

**State any seasonal variations** (please read guidance note 6)
Vaisakhi, Diwali, Valentines Day, Eid, Christmas Eve, Christmas Day, New Years Eve, New Years Day
11:00 - 03:00

**Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list** (please read guidance note 7)

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. |
| --- |
| |

**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)**

It will be ensured that all four licensing objectives will be promoted as detailed in each section below:

-Only wines and beer shall be sold by the premises.
-Alcohol will be served auxiliary to food
-Alcohol will only be sold accompanied by food of the menu
-Alcohol will only be purchased from an approved supplier and purchase receipt will be made available for inspection upon request by a relevant officer of a responsible authority.
-Part A (the full Premises Licence) either the original or a certified copy should be retained at the premises for production to an authorised person.
-Part B (the summary of the Premises Licence) should be prominently displayed at the venue where it can be easily read by anyone wishing to do so. Please note that both pages of the summary should be visible.
-No alcohol shall be sold after 23:00 Monday-Saturday, 22:30 Sunday.
-Vehicles used for delivery must switch of their engines when waiting outside of the Premises for the collection of food for delivery.
-Drivers shall wait inside the premises between deliveries/for deliveries.
-Home deliveries shall only be carried out by in-house employees of the business.

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

- The premises shall install and maintain a comprehensive CCTV system as per the Minimum requirements of a Metropolitan Police Crime Prevention Officer.
All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
-The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31-day period.
-A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
-Joining neighbourhood schemes and liaising with the local police.
-Appropriate staff training in responsible alcohol retailing to be completed, training records shall be made available for inspection upon request by a relevant officer of a responsible authority.
-Highly visible sign outside the premises that shows opening hours under the terms of the premises license during which licensable activities are permitted.
-Prominent signage indicating the permitted hours for the late night refreshment shall be displayed so as to be visible before entering the premises.
-Adequate lighting provided inside and outside the premises.
-No serving of alcohol to persons who are intoxicated.
-Abide by the law

**c) Public safety**

-To comply with all current, fire and health and safety legislation as required by the law.
-Health and safety risk assessments to be carried out regularly
-All employees will receive training on health and safety & food safety
-Staff to be trained in fire evacuation procedures
-Installation of appropriate and adequate safety equipment

**d) The prevention of public nuisance**

-No noise shall emanate from the premises nor vibration be transmitted through the structure
of the premises which gives rise to a nuisance.
-All staff shall be trained; training records shall be made available for inspection upon request by a relevant officer of a responsible authority.
-Notice to customers regarding consideration shall be displayed at the entrance and exit
-Deliveries of goods will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby businesses and residents. Staff who arrive in the morning or depart late at night will be asked not to cause disturbance to nearby residents.
-Depositing of waste will be at times that minimise any nuisance to nearby neighbours.
-Strict policy not to serve drunken customers.
-All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
-No rubbish will be moved, removed or placed outside between the hours of 23:00 and 08:00.
-Monitor anti-social behaviour through CCTV.
-DPS contact details shall be clearly displayed for the public living with the vicinity
- An incident log shall be kept at the premises, and made available on request to an authorised officer or the Police

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

-Valid ID (UK driver's license or a passport) and all staff will be trained on how to tell whether the ID is authentic.
-Alcohol will not be sold unless a valid ID document is produced in these cases. A sign explaining all this will be prominently displayed at the premises.
-Appropriate staff training in responsible alcohol retailing to be completed, training records shall be made available for inspection upon request by a relevant officer of a responsible authority.
-Challenge 25 to be implemented strictly, acceptable forms of proof of age will be a passport, a photo card driving licence or pass accredited identification card.
-Refusal book shall be operated and maintained.

Checklist:

**Please tick to indicate agreement**

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

**IT IS AN OFFENCE, 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 | |
| Date | 22/03/2018 |
| Capacity | Agent |

**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 | |

| | | | |
|---|---|---|---|
| **Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 15)<br>Hilda Cameron<br>Licensing & Qualifications Ltd<br>Westminster Business Centre<br>Printing House Lane | | | |
| **Post town** | **Hayes** | **Post code** | **UB3 1AP** |
| **Telephone number (if any)** | 07502224452 | | |
| **If you would prefer us to correspond with you by e-mail, your e-mail address (optional)** **hilda@lqaa.co.uk** | | | |

**Notes for Guidance**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
    - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
    - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
    - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
    - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
    - Live music: no licence permission is required for:
        - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
        - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
        - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
        - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
        - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
    - Recorded Music: no licence permission is required for:

    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
9. If you wish people to be able to consume alcohol on the premises, please tick ‘on the premises’. If you wish people to be able to purchase alcohol to consume away from the premises, please tick ‘off the premises’. If you wish people to be able to do both, please tick ‘both’.
10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.

13. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

Appendix 2

ISLINGTON

# PREMISES LICENCE

# LICENSING ACT 2003

| | | | |
|---|---|---|---|
| **Premises licence number** | **LN/17542-220217** | **Date of original grant*** | **22nd February 2017** |

***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**

**TOPS PIZZA**
**22 PENTON STREET**

| | | | |
|---|---|---|---|
| **Post town** | London | **Post code** | N1 9PS |
| **Telephone number** | 020 7278 6000 | | |

**Where the licence is time limited the dates**
Not Applicable

**Licensable activities authorised by the licence**

- The provision of late night refreshment
- The sale by retail of alcohol

**The times the licence authorises the carrying out of licensable activities**

- The provision of late night refreshment (Delivery only from 23:00):

| | | | | |
|---|---|---|---|---|
| Monday | 23:00 | to | 01:00 | the following day |
| Tuesday | 23:00 | to | 01:00 | the following day |
| Wednesday | 23:00 | to | 01:00 | the following day |
| Thursday | 23:00 | to | 01:00 | the following day |
| Friday | 23:00 | to | 02:00 | the following day |
| Saturday | 23:00 | to | 02:00 | the following day |
| Sunday | 23:00 | to | 00:00 | |

Except on:

Vaisakhi, Diwali, Valentine's Day, Eid, Christmas Eve, Christmas Day, New Year's Eve, New Year's Day authorised from 23:00 until 03:00 the following day.

- The sale by retail of alcohol (Delivery only):

| | | | |
|---|---|---|---|
| Monday | 11:00 | to | 23:00 |
| Tuesday | 11:00 | to | 23:00 |
| Wednesday | 11:00 | to | 23:00 |
| Thursday | 11:00 | to | 23:00 |
| Friday | 11:00 | to | 23:00 |
| Saturday | 11:00 | to | 23:00 |
| Sunday | 11:00 | to | 22:30 |

**Gaming Machine Provision:**
Not permitted

Licence

**The opening hours of the premises:**

| | | | |
|---|---|---|---|
| Monday | 11:00 | to | 23:00 |
| Tuesday | 11:00 | to | 23:00 |
| Wednesday | 11:00 | to | 23:00 |
| Thursday | 11:00 | to | 23:00 |
| Friday | 11:00 | to | 23:00 |
| Saturday | 11:00 | to | 23:00 |
| Sunday | 11:00 | to | 22:30 |

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

Off supplies - Authorised for delivery only.

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

Mr Mahmoud Ahmadi

And

Mr Alireza Bahmani

**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**

Pejman Eftekhari

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

Service Manager (Commercial)

Date of Issue

Licence

**Annex 1 - Mandatory conditions**

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

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

**Annex 2 - Conditions consistent with the Operating Schedule**

1. There will be no external or internal advertisement at the premises indicating the sale of alcohol other than via the internet.
2. Regarding all off sales by way of delivery from telephone/internet orders, the following will be adhered to:
   a) Alcohol will be served auxiliary to food;
   b) No more than four beers of 330ml or a 750ml bottle of wine per meal;
   c) Couriers will be trained on relevant aspects of the Licensing Act 2003 including underage sales, sales to a person who is drunk, obtaining alcohol for a child or a person who is drunk and delivering alcohol to someone under that age of 18;
   d) Any person taking an order for the supply of alcohol on behalf of the premises licence holder will inform all customers that proof of age by way of photographic driving licence, passport or a form of identification with the PASS hologram will be required before alcohol is supplied; and
   e) A delivery register to include the full details of any order for the supply of alcohol to be maintained and available for inspection by a Police Officer or authorised Officer for a period of 31 days.
3. When the premises is providing late night refreshment after 23:00 the following conditions will be complied with:
   a) The premises must be closed to the public;
   b) Sales are by way of deliveries only;
   c) There must be no external advertisement to suggest the premises is open for business;
   d) The premises must have adequate shutters/blinds so as not to emit any light from the premises or give any persons the impression it is open for walk in trade;
   e) Any advertisement in any media form for customers must clearly state deliveries only; and
   f) Any deliveries from online/telephone sales must be to a recognisable royal mail address and not to persons outside of buildings/dwellings.

Licence

4. Home deliveries shall only be carried out by in-house employees of the business

5. Vehicles used for delivery must switch of their engines when waiting outside of the Premises for the collection of food for delivery.

6. Drivers shall wait inside the premises between deliveries/for deliveries.

7. CCTV shall be installed, operated and maintained, at all times that the premises is open for licensable activities, so as to 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. A record of these checks, showing the date and name of the person checking, shall be kept and made available to Police or authorised Council officers on request;

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

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

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

   e) The system shall record in real time and recordings will be date and time stamped;

   f) Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to Police or authorised Council officers on request (subject to the Data Protection Act 1998) within 24 hours of any request; and

   g) At all times, there will be a person on the premises who can operate the system sufficiently to allow Police or authorised Council officers to view footage on request and to supply a copy of footage immediately to Police to assist with the immediate investigation of an offence.

8. An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record the following:

   a) All crimes reported to the venue;

   b) Any complaints received;

   c) Any incidents of disorder;

   d) Any faults in the CCTV system;

   e) Any visit by a relevant authority or emergency service;

   f) Any refusal of the sale of alcohol

9. Appropriate staff training in responsible alcohol retailing to be completed, training records shall be made available for inspection upon request by a relevant officer of a responsible authority.

10. Alcohol will only be purchased from an approved supplier and purchase receipt will be made available for inspection upon request by a relevant officer of a responsible authority.

11. Challenge 25 policy will be implemented at the premises, acceptable forms of proof of age will be a passport, a photo card driving licence or pass accredited identification card.

12. Staff will be trained on how to tell whether proof of age ID is authentic. Record of all training will be available for inspection on the request of an authorised officer.

13. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

Licence

14. Notice shall be displayed reminding customers to respect the needs of local residents when leaving the premises.
15. Deliveries of goods will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby businesses and residents.
16. Staff who arrive in the morning or depart late at night will be asked not to cause disturbance to nearby residents.
17. Depositing of waste will be at times that minimise any nuisance to nearby neighbours.
18. Strict policy not to serve drunken customers.
19. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
20. No rubbish will be moved, removed or placed outside between the hours of 23:00 and 08:00.
21. Monitor anti-social behaviour through CCTV.
22. DPS contact details shall be clearly displayed for the public living with the vicinity.

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

None

**Annex 4 – Plans**

Reference Number: VP-1674-LI-01-Dec2016

Licence

ISLINGTON

# Premises Licence Summary

## Licensing Act 2003

| Premises licence number | LN/17542-220217 |
|---|---|

| Date of original grant* | 22nd February 2017 |
|---|---|

***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**

**TOPS PIZZA**
**22 PENTON STREET**

| **Post town** | London | **Post code** | N1 9PS |
|---|---|---|---|
| **Telephone number** | 020 7278 6000 | | |

**Where the licence is time limited the dates**
Not Applicable

**Licensable activities authorised by the licence**

- The provision of late night refreshment
- The sale by retail of alcohol

**The times the licence authorises the carrying out of licensable activities**

- The provision of late night refreshment (Delivery only from 23:00):

| | | | | |
|---|---|---|---|---|
| Monday | 23:00 | to | 01:00 | the following day |
| Tuesday | 23:00 | to | 01:00 | the following day |
| Wednesday | 23:00 | to | 01:00 | the following day |
| Thursday | 23:00 | to | 01:00 | the following day |
| Friday | 23:00 | to | 02:00 | the following day |
| Saturday | 23:00 | to | 02:00 | the following day |
| Sunday | 23:00 | to | 00:00 | |

Except on:

Vaisakhi, Diwali, Valentine's Day, Eid, Christmas Eve, Christmas Day, New Year's Eve, New Year's Day authorised from 23:00 until 03:00 the following day.

- The sale by retail of alcohol (Delivery only):

| | | | |
|---|---|---|---|
| Monday | 11:00 | to | 23:00 |
| Tuesday | 11:00 | to | 23:00 |
| Wednesday | 11:00 | to | 23:00 |
| Thursday | 11:00 | to | 23:00 |
| Friday | 11:00 | to | 23:00 |
| Saturday | 11:00 | to | 23:00 |
| Sunday | 11:00 | to | 22:30 |

**Gaming Machine Provision:**
Not permitted

Summary

**The opening hours of the premises:**

| | | | |
|---|---|---|---|
| Monday | 11:00 | to | 23:00 |
| Tuesday | 11:00 | to | 23:00 |
| Wednesday | 11:00 | to | 23:00 |
| Thursday | 11:00 | to | 23:00 |
| Friday | 11:00 | to | 23:00 |
| Saturday | 11:00 | to | 23:00 |
| Sunday | 11:00 | to | 22:30 |

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

Off supplies - Authorised for delivery only.

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

Mr Mahmoud Ahmadi

And

Mr Alireza Bahmani

**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**

Pejman Eftekhari

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

No restrictions

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

Summary

**Whitton, Daniel**

**From:** [redacted]
**Sent:** 10 May 2018 16:46
**To:** Licensing
**Subject:** License change for Tops Pizza, 22 Penton St Islington

Licensing Act 2003 Representation

Application WK/180010311

Premises name: Tops Pizza Islington, 22 Penton St, Islington, London

My name: [redacted]

Interest: resident

My address:

[redacted].

Islington

London [redacted]

email: [redacted]

Telephone: [redacted]

My comments:

Public nuisance

As a resident [redacted] I am concerned about the impact changes in licensing will have. I already I have to deal with the noise of the motorcycles used by the deliverymen as well as cigarette smoke from the deliverymen or from patrons of the pizza shop. This will become even more of a problem during the summer months, when I will need to keep my windows open due to the heat, so any extension to the license will have a significant detriment to my well-being and to that of my neighbours.

There is also already a significant problem with litter on the sidewalk of Penton St. and serving more, possibly intoxicated. patrons late into the evening seems likely to increase this.

Public safety:

[redacted] I also concerned about possibly intoxicated people gathering [redacted] in the evening.

Sincerely,

[redacted]

**Whitton, Daniel**

**From:** [redacted]
**Sent:** 10 May 2018 12:42
**To:** Licensing
**Subject:** Fwd: Application WK/180010311

Licensing Service
London Borough of Islington

**Re: Tops Pizza, 22 Penton Street, N1**

Dear Sirs/Madams.

I'm the landlord & owner of [redacted] Penton Street, [redacted] Tops Pizza and I wish to raise my concerns over its extended license application on the following grounds.

1. NUISANCE:

An extended license will mean the premises opening way past reasonable bedtime [redacted] residential property.

Later trading will mean delivery mopeds coming and going at unsocial hours.

Later opening will also cause people to gather [redacted] into the night. (IE smokers from the cafe and take-away customers.)

2. SAFETY:

The flat is currently occupied by [redacted] and I'm concerned about the "after-pub crowd" gathering [redacted].

I've no objection to the cafe's current hours but I would never have purchased the property if I'd known it was going to become a late night destination.

Thank you for your consideration.

Yours faithfully,

[redacted]

**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: Tops Pizza Islington. 22 Penton Street. Islington. London

Your Name: [redacted]

Interest: Resident

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

Your Address:

[redacted]

Email: [redacted]

Telephone: [redacted]

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

**Public Nuisance**

There is already a lot of rubbish (pizza boxes and empty cans) littering the pavement on the weekends. By staying open longer it means more noisey drunk people from the Lexington will congregate outsite [redacted] ~~unde~~ Topo does not clean up the pavements and also the dilevery people make a lot of noise coming and going. Penton Str is noisey enough and the [redacted] is open until 2 am and people sit outside yelling until then. If Topo were open longer it would make living here unbearable. Please do not extend their hours!

**Crime and Disorder**

| Protection of Children from Harm |
| --- |
| |
| **Public Safety** |
| |

I wish my identity to be kept anonymous: Yes / No

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

| |
| --- |
| |

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: _____

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

Return to:

Licensing Service
London Borough of Islington
3rd Floor
222 Upper Street
London
N1 1XR
or send by email to: licensing@islington.gov.uk

# Licences, Qualifications & Applications

05/05/2016

Subject: **Application to vary a premises licence (Tops Pizza's 22 Penton street, N1 9PS).**

Dear Sir/Madam

Further to your representation made regarding the Tops Pizza's Application to vary a premises licence, I would like to take this opportunity to clarify a few points and to alleviate any concerns that it might contribute to disorder or public nuisance in the vicinity.

Tops Pizza is a franchise food business that sells good-quality pizza's plus. Tops Pizza's business model is not an off-licence or a drinking establishment.

It is difficult to operate any business without maintaining pace with other food businesses in the area. I would like to highlight that the submitted application to vary a premises licence did not include extension of hours, some of you understood.

I have also considered all aspects of the Islington Licensing policy and the licensing objectives set out under the Licensing Act 2003, and the needs of residents, so have offered up a robust operating schedule that should the licence be granted then the licensing objectives would be promoted.

Public Nuisance related licensing objectives proposed are;

- There will be no regulated entertainment provided at the premises, and the waste management at the site will be done in strict compliance with the terms of the application to minimise disturbance to local residents.

- Staff will receive training in Preventing Nuisance.

- A notice will be displayed asking customers to dispose rubbish in the bin provided.

- A notices will be displayed stating (No loitering) please leave quietly and respect neighbours.

- The Designated Premises Supervisor contact details shall be clearly displayed for the public living with the vicinity.

- Vehicles used for delivery must switch of their engines when waiting outside of the Premises for the collection of food for delivery.

I thank you in advance for your consideration and look forward to hearing from you. Please let me know if you require any further information or clarification, I'd be more than happy to discuss.

Your sincerely

Hildigar Cameron
Licensing Consultant

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

1. The premises is only authorised to sell wines and beer.
2. Alcohol will only be sold as an ancillary to a food order from the menu.

Note:

If the current restriction on Late Night Refreshment is amended as per the application, the following condition should be deleted from the premises licence:

Annex 2, condition 3

When the premises is providing late night refreshment after 23:00 the following conditions will be complied with:

a) The premises must be closed to the public;

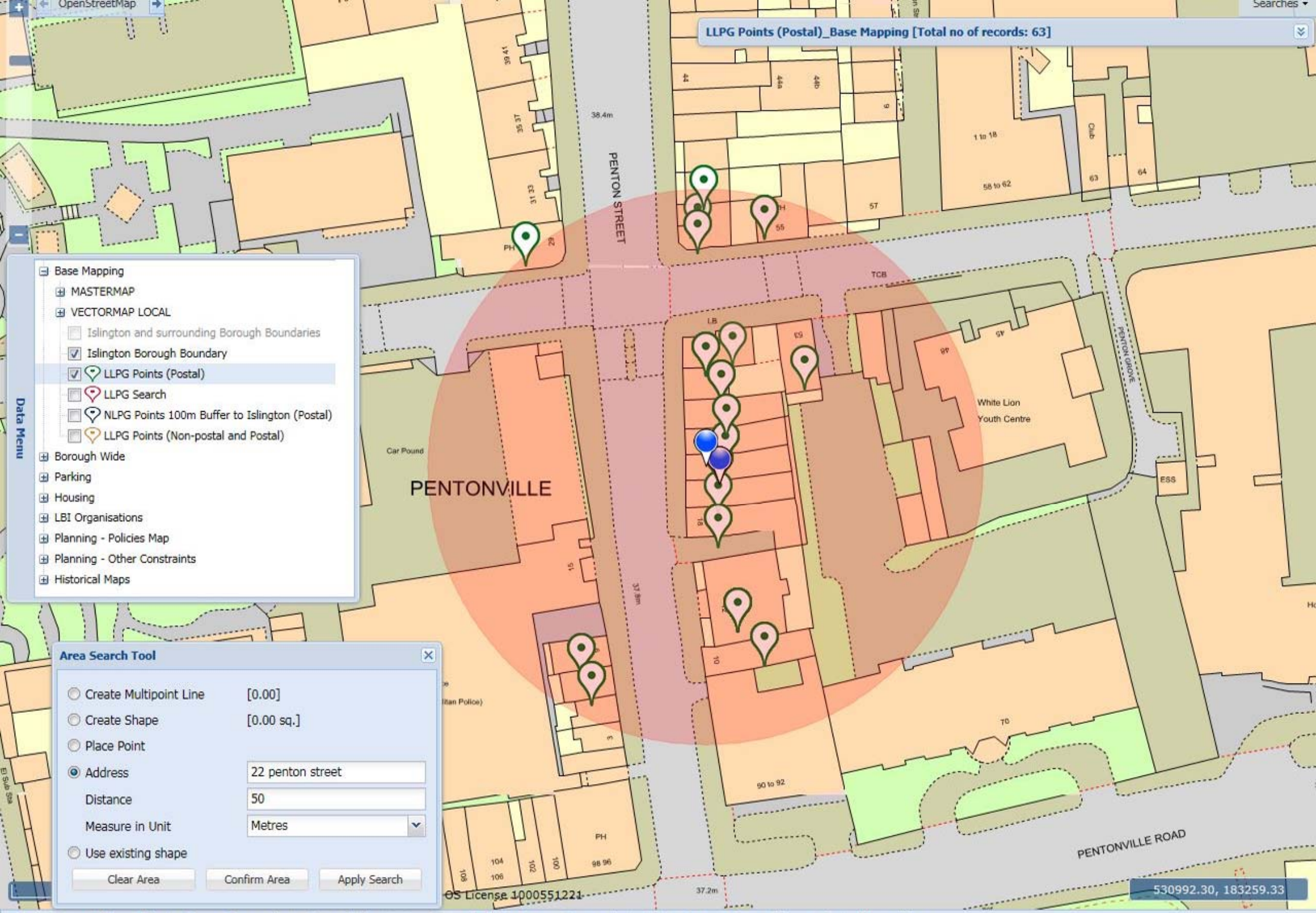
b) Sales are by way of deliveries only;

c) There must be no external advertisement to suggest the premises is open for business;

d) The premises must have adequate shutters/blinds so as not to emit any light from the premises or give any persons the impression it is open for walk in trade;

e) Any advertisement in any media form for customers must clearly state deliveries only; and

f) Any deliveries from online/telephone sales must be to a recognisable royal mail address and not to persons outside of buildings/dwellings.


OpenStreetMap
Searches
LLPG Points (Postal)_Base Mapping [Total no of records: 63]
Data Menu
Base Mapping
MASTERMAP
VECTORMAP LOCAL
Islington and surrounding Borough Boundaries
Islington Borough Boundary
LLPG Points (Postal)
LLPG Search
NLPG Points 100m Buffer to Islington (Postal)
LLPG Points (Non-postal and Postal)
Borough Wide
Parking
Housing
LBI Organisations
Planning - Policies Map
Planning - Other Constraints
Historical Maps
Area Search Tool
Create Multipoint Line [0.00]
Create Shape [0.00 sq.]
Place Point
Address 22 penton street
Distance 50
Measure in Unit Metres
Use existing shape
Clear Area
Confirm Area
Apply Search
PENTON STREET
PENTONVILLE
PENTONVILLE ROAD
PENTON GROVE
White Lion
Youth Centre
Car Pound
OS License 1000551221
530992.30, 183259.33