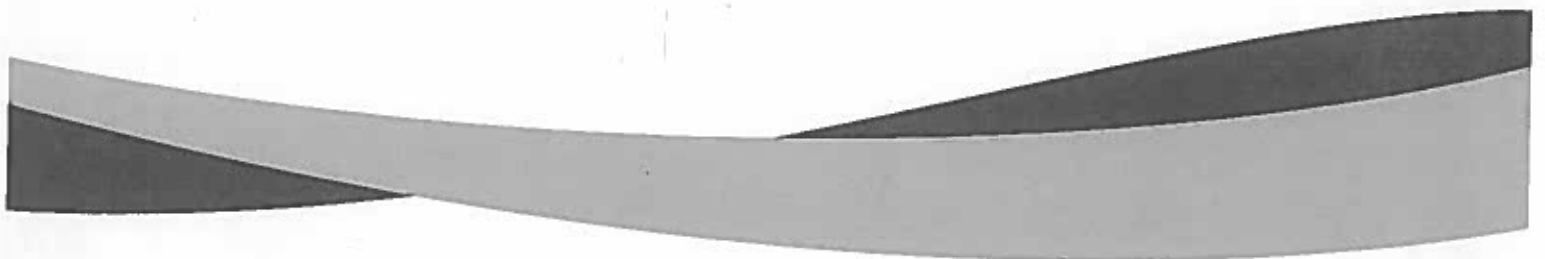




Report of: **Service Director, Public Protection**

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	3 July 2018		Highbury West

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE VARIATION APPLICATION**  
**RE: LE PECHE MIGNON, 6 RONALDS ROAD, LONDON N5 1XH**

**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 benefits from a licence allowing:
  - The provision off sales of alcohol from 08:00 until 20:00 Monday to Saturday and from 08:00 to 17:00 Sunday;
  - Opening hours from 08:00 until 20:00 Monday to Saturday and from 08:00 to 17:00 Sunday.
- 1.3 The variation application is to allow:
  - The provision on and off sales of alcohol from 11:00 until 22:00 Monday to Sunday;
  - Opening hours from 07:30 until 22:30 Monday to Sunday. (The opening hours were amended by the applicant to allow a drinking up time)

**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: Four local resident opposing the application from two residential addresses.
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: letter to residents submitted by the applicant;
- Appendix 5: suggested conditions and map of premises location.

3.2 The premises are NOT located in any Cumulative Impact Area, but it was mistakenly identified as being located in the Holloway and Finsbury Park Cumulative Impact Area as stated in the letter to residents.

3.3 The premises has held a licence for the sale of alcohol since July 2007.

3.4 This application received five representations from local residents. Four of the representations are from two residential addresses. One representation was withdrawn after the applicant wrote to the residents addressing their concerns. Copies of the representations are attached as Appendix 3 and the letter to the residents from the applicant is attached as Appendix 4.

### 4. Planning Implications

4.1 The Planning Department confirm there is no relevant planning history at this site and there are currently no planning enforcement investigations.

### 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 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 4)
- ii. any conditions deemed appropriate by the Committee to promote the four licensing objectives.(see appendix 4)

**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 21/6/18

**Received by**

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)



\* required information

Section 1 of 18

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

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

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

Are you an agent acting on behalf of the applicant?

- Yes
- No

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

Applicant Details

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

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

Are you:

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

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

Applicant Business

Is your business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name  If your business is registered, use its registered name.

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 18**

**APPLICATION DETAILS**

**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.**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number

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

Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Premises Contact Details**

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

8,600

### Section 3 of 18

#### VARIATION

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

Yes  No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes  No

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 to the late night levy.

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

#### Describe Briefly The Nature Of The Proposed Variation

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 for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

We are a ground floor unit (French café & food store) and have been trading since 2006. We have been selling fine wine since 2007 off premises. We sell European groceries to take away and we also make snacks and drinks using these products. The majority of our sales are take away but we do have a communal table for guests to sit down. We would like to extend our licence to be able to sell alcohol for guests to enjoy with their food.

### Section 4 of 18

#### PROVISION OF PLAYS

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes  No

### Section 5 of 18

#### PROVISION OF FILMS

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes  No

### Section 6 of 18

#### PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes  No

**Section 7 of 18**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes  No

**Section 8 of 18**

**PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes  No

**Section 9 of 18**

**PROVISION OF RECORDED MUSIC**

See guidance on regulated entertainment

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes  No

**Section 10 of 18**

**PROVISION OF PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes  No

**Section 11 of 18**

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

See guidance on regulated entertainment

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes  No

**Section 12 of 18**

**PROVISION OF LATE NIGHT REFRESHMENT**

Continued from previous page...

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes  No

**Section 13 of 18**

**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End



Continued from previous page...

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 above, list below.

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

**Section 14 of 18**

**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.

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

**Section 15 of 18**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Provide 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...

WEDNESDAY

Start 07:30

End 20:00

Start

End

THURSDAY

Start 07:30

End 20:00

Start

End

FRIDAY

Start 07:30

End 20:00

Start

End

SATURDAY

Start 07:30

End 20:00

Start

End

SUNDAY

Start 07:30

End 17:00

Start

End

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 above, list below.

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

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

I have enclosed the premises licence

Continued from previous page...

I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

**Section 16 of 18**

**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.

Strong management controls and effective training of all staff so that they are aware of the premises licence and our requirements.  
Alcohol will only be served as an add on to food and so the setting is not focused on drinking but rather enjoying a glass of wine with food.  
After trading for over 12 years we have a regular clientele and so can manage any problems efficiently.

b) The prevention of crime and disorder

Never sell alcohol to anyone who is unfit.  
Be aware of events happening in the local area and act accordingly.

c) Public safety

Ensure staff are well trained to avoid any health and safety problems.  
Strong procedures to manage this already in place.

d) The prevention of public nuisance

No drinks will allowed out on the street and we would ensure any customers leaving the property respect our neighbours.  
No deliveries during unsocialable hours including bin collections.

e) The protection of children from harm

Children will be with family members and again alcohol will only be served to adults whilst eating.

**Section 17 of 18**

**NOTES ON REGULATED ENTERTAINMENT**

Continued from previous page...

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

\* Capacity

\* Date  /  /   
dd mm yyyy

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

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/islington/change-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, 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.**

**OFFICE USE ONLY**

Applicant reference number	<input type="text"/>
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"/>

## **Tomashevski, Katie**

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**From:** Mairead Gallagher <  
**Sent:** 18 June 2018 16:41  
**To:** Tomashevski, Katie  
**Subject:** Change to licensed opening hours - Le P  ch   Mignon 6 Ronalds Road

Dear Katie

I would like to confirm in writing that we wish to amend the opening hours to reflect the application for the sale of alcohol and allowing for drinking up time.

We would like the amended hours to be:

Monday to Sunday 07:30 to 22:30

Kind regards,  
Mairead

Le P  ch   Mignon  
6 Ronalds Road  
N5 1XH



**PREMISES LICENCE  
LICENSING ACT 2003**

<b>Premises licence number</b>	LN/8144-270318	<b>Date of original grant*</b>	24 November 2005
--------------------------------	----------------	--------------------------------	------------------

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

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>			
LE PECHE MIGNON 6 RONALDS ROAD			
<b>Post town</b>	London	<b>Post code</b>	N5 1XH
<b>Telephone number</b>			

<b>Where the licence is time limited the dates</b>
Not Applicable

<b>Licensable activities authorised by the licence</b>
Ground Floor
<ul style="list-style-type: none"> <li>The sale by retail of alcohol</li> </ul>

<b>The times the licence authorises the carrying out of licensable activities</b>																												
Delete any that do not apply																												
<ul style="list-style-type: none"> <li>The sale by retail of alcohol: <table border="0"> <tr><td>Monday</td><td>08:00</td><td>to</td><td>20:00</td></tr> <tr><td>Tuesday</td><td>08:00</td><td>to</td><td>20:00</td></tr> <tr><td>Wednesday</td><td>08:00</td><td>to</td><td>20:00</td></tr> <tr><td>Thursday</td><td>08:00</td><td>to</td><td>20:00</td></tr> <tr><td>Friday</td><td>08:00</td><td>to</td><td>20:00</td></tr> <tr><td>Saturday</td><td>08:00</td><td>to</td><td>20:00</td></tr> <tr><td>Sunday</td><td>08:00</td><td>to</td><td>17:00</td></tr> </table> </li> </ul>	Monday	08:00	to	20:00	Tuesday	08:00	to	20:00	Wednesday	08:00	to	20:00	Thursday	08:00	to	20:00	Friday	08:00	to	20:00	Saturday	08:00	to	20:00	Sunday	08:00	to	17:00
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Thursday	08:00	to	20:00																									
Friday	08:00	to	20:00																									
Saturday	08:00	to	20:00																									
Sunday	08:00	to	17:00																									

<b>The opening hours of the premises:</b>
Monday 08:00 to 20:00
Tuesday 08:00 to 20:00
Wednesday 08:00 to 20:00
Thursday 08:00 to 20:00
Friday 08:00 to 20:00
Saturday 08:00 to 20:00
Sunday 08:00 to 17:00

<b>Where the licence authorises supplies of alcohol whether these are on and/or off supplies</b>
Off supplies

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

Mr Ludovic Blind and Ms Mairead Gallagher  
6 Ronalds Road,  
Islington,  
London,  
N5 1XH.  
020 7607 1826  
info@lepechemigon.co.uk

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

N/A

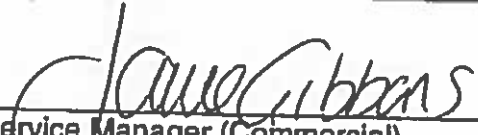
**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol**

Mr Ludovic Blind  
[REDACTED]

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

[REDACTED]

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

  
Service Manager (Commercial)

18/4/18  
Date of Issue

### **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](http://www.islington.gov.uk). This list is subject to change by order of the Secretary of State and licensees and other responsible persons are advised to ensure they are aware of the latest conditions.

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

1. The premises shall enforce a proof of age scheme, which is approved by the Licensing Authority and by the Local Police.
2. The premises shall have a maximum capacity of 20.
3. There shall be no deliveries of alcohol between the hours of 18:00 and 08:00 the following day.
4. The premises shall be a member of the local shop watch.
5. Staff shall be trained to use fire-fighting equipment.

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

N/A

### **Annex 4 - Plans**

Reference Number: N/A



# Appendix: 3

I am a resident of Horsell road and I object to the change in the licence to Le Peche Mignon, Ground Floor Shop at 6 Ronalds Road.

My objection is on the grounds of the prevention of a public nuisance and also the protection of children from harm. This shop is in a residential road and there is already a problem with people taking drinks from the local pub The Horatia and sitting drinking at the corner of Ronalds Road and Horsell Road where there are low walls to sit on. The clear purpose of this extension is the extended sale of alcohol and this would, in my view, result in an increased public nuisance, particularly when the licence extends to 22:00 hrs.

I have a further ground for objection which is the increased exposure of young people to alcohol. We have sufficient outlets for alcohol already in the neighbourhood, and an additional one, particularly in a residential street, would result in young people having further access to alcohol. This is already a significant health issue among young people in the UK and further consumption should not be encouraged by the council. For health implications see:

<https://www.nidirect.gov.uk/articles/young-people-and-alcohol-what-are-risks>

Young people and alcohol – what are the risks? | nidirect

[www.nidirect.gov.uk](http://www.nidirect.gov.uk)

The effects of alcohol on young people are not the same as they are on adults. While alcohol misuse can present health risks and cause careless behaviour in all age groups, it is even more dangerous for young people.

██████████

██████████████████

██████████

██████████



To  
Licensing Service  
London Borough of Islington  
3rd Floor  
222 Upper Street  
London N1 1XR

26th May 2018

Dear Madam, Sir,

**Re: Comment against Premises Licence Application Variation, submitted by Le Peche Mignon, Ground Floor Shop at 6 Ronalds Road, Islington, London N5 1XH.**

At present the Le Peche Mignon is only selling alcohol to be consumed off the premises. Of special concern is the application to allow for alcohol consumption on the premises until 22:00. The Le Peche Mignon usually closes at about 17:30.

I am concerned about the the late night use of garden area of Le Peche Mignon. Our garden and back of the house, as well as the front of our house are close to the back garden of Le Peche Mignon. At present we hear patrons of the cafe talking, babies crying, children getting excited, cups and plates being put on tables and cleared away in the garden of Le Peche Mignon and this stops before 17:30. Were the use of the garden of Le Peche Mignon extended later it would be a real nuisance to us. This is a residential area where many small outdoor spaces abut. We all need a bit of peace to wind down and recover in the evenings and early nights. People sitting out in the garden of Le Peche Mignon and consuming alcohol would bring unrest and pressure to these small outside spaces. The nuisance that I expect stems both from the business activity in this constricted space extending into the evening and night, as well as from the fact that people will be drinking alcohol and thus become less inhibited and raise their voices, have merry arguments and loud conversations accompanied by bursts of loud laughter. All of this is a severe disturbance to the residential neighbourhood.

Since the garden of Le Peche Mignon is so close to our property, I fear we would not only experience the disturbance originating from the evening and early night use of their garden in our outside space, but also inside our house. I fear that we would have to keep our windows closed in an attempt to avoid the bustle from the garden of Le Peche Mignon. And I expect that even if we did keep our windows shut, we would still hear the presence of voices, laughter and so forth that would originate from the patrons of Le Peche Mignon. I fear we would have no way of getting away from the noise originating in the garden of Le Peche Mignon.

I am also concerned about the potential increase in smells: At present we are exposed to bakery smells about one to one and a half hours before the opening time of the cafe, coffee smells on

occasion at all times during the day and, often in the mornings or just before midday additional cooking smells. Clearly the ventilation of the cafe is not designed to take away the smells from neighbouring properties. If alcohol consumption was permitted on the premises I fear that the offer in the type of food on the premises might change with it and that more restaurant type cooking might occur. These smells are potentially much more intense and might be generated over a much more extended period than at present. These smells would drift over our garden and bathe us in them. It would also mean that we would not be able to freely air our house in the evening, which is quite a necessity especially in the summer. Currently, when the bakery smells drift over our property, we close our back door and windows to the back of the house, because they would otherwise suffuse our indoor spaces too.

It is also quite possible that the noise from the potential restaurant style cooking would cause a problem for us and for the residential area: Currently we hear the coffee machine and cutlery and cups on the tables; were cooking to take place at Le Peche Mignon, I expect we would hear the kitchen and cooking noises, which I expect would be much more imposing than at present. I expect the kitchen area would be to the back of the premises of Le Peche Mignon and this is where we are closest.

I am also concerned about the toilet arrangement in Le Peche Mignon. As I understand it the toilets are not inside the main area of the premises but in a separate block in the garden of Le Peche Mignon. This means that any patron wishing to use the toilets in the evening and at night will have to open the back door of the main building of Le Peche Mignon, walk to the toilet and back again. The potential for noise of the opening and closing of the doors, of noise spilling out from inside the main area of the premises whilst the door is opened and closed or left open altogether is great. This would be so all year round. And indeed, leaving the back door open could be part of ventilating the main space inside the premises, again letting smells and noise escape. The noise levels are of great concern if alcohol is served and consumed on the premises.

All of this has a strong potential to cause a nuisance to us and the other neighbours in the immediate vicinity of Le Peche Mignon and for these reasons, I hope you will deny the application to consume alcohol on the premises of Le Peche Mignon at any time.

As far as extending the hours of selling alcohol for consumption off the premises goes, I feel we have more than enough alcohol selling places in very close vicinity to Le Peche Mignon. I am concerned that people might buy alcohol and enjoy it nearby – we already find people sitting on our garden wall enjoying the coffee from Le Peche Mignon. I would not wish this to be extended to people consuming alcohol and least of all later in the evening. I am not confident that I would ask people drinking alcohol to move on and would not wish to suffer their conversations or extended phone calls (as at present on occasion), loud and clearly audible inside my house.

For these reasons I hope you will deny the application to extend the current licensing hours for the sale of alcohol for consumption off the premises of Le Peche Mignon.

Kind regards,

██████████

I want to object to the proposed change in the licensing for Le Peche Mignon to allow them to sell alcohol so late at night. We already have public nuisance issues with people hanging around in the street, particularly before and after football matches. So my objection is on the grounds of public nuisance. The issue of young people having more access to alcohol is also a concern.

Yours sincerely,

[Redacted signature line]

[Redacted signature line]

[Redacted signature line]

Licensing Service  
London Borough of Islington  
3rd Floor  
222 Upper Street  
London N1 1XR.



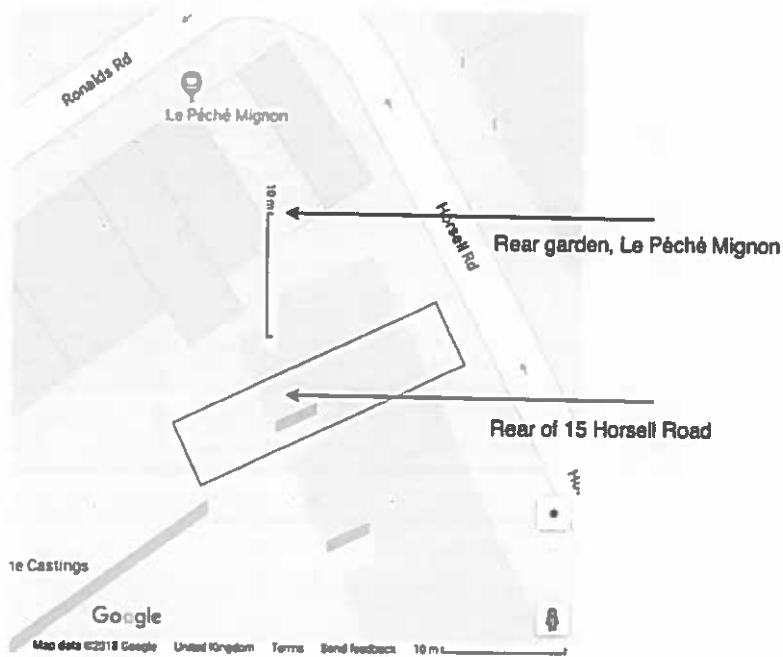
1 June 2018

by email

**Licensing Act 2003, – Premises Licence Application, Variation.  
Re: Le Pêche Mignon, Ground floor shop at 6 Ronalds Road, N5 1XH**

Dear Madam, Sir,

Le Pêche Mignon’s actual hours of opening to the public are currently 8am-5.30pm Monday to Saturday and 9am-5pm on Sundays. Le Pêche Mignon offers seating both inside the café and outside in its rear garden at 6 Ronalds Road. In addition, it has a couple of benches on the pavement. The café is in operation all week and for all but a few days in the year.



The rear garden area of Le Pêche Mignon is less than 15 m from the rear of 15 Horsell Road and a similar distance from the front of 15 Horsell Road (using the scale on Google Maps).

The plan above shows the proximity of Le Pêche Mignon to my home.

My comments below relate to the licensing objective of the prevention of public nuisance.

My concerns are that the proposed variation to Le P  ch   Mignon's current licence cannot meet the council's Licensing Policy 21 in respect of "odour, smells and smoke; noise; outside drinking, eating and smoking", and Policy 22 in respect of "protecting the amenity of residents" and "undue disturbance".

So far, the council's cumulative impact policy has restricted the consumption of alcohol to many caf  /restaurant establishments along Holloway Road, without the use of rear gardens (if they exist for those establishments). It seems to me that the proposed variation to Le P  ch   Mignon's licence would be a break from the way this policy has protected residents because the caf   sits in an otherwise wholly residential area and uses its garden as part of its operations, including both as a seating area for customers and access to a toilet for the use of customers.

I cannot interpret from the application form what the hours of opening to the public may become if the Variation is granted without any conditions, but my objection concerns the expectation of evening opening with the consumption of alcohol accompanied with food, up to 10pm, taking place in Le P  ch   Mignon's garden.

At present, when the weather is good enough for Le P  ch   Mignon's clientele to choose to sit in the garden, there is a hubbub of conversation that passes along the backs of those properties in Ronalds Road and Horsell Road that are close to the caf  .

My home, at 15 Horsell Road, is within 15 metres of Le P  ch   Mignon, so the noise generated by this use of Le P  ch   Mignon's garden is clearly heard. If the licence is granted, I would expect the noise from the caf   to increase in duration and in perceived volume: this would be especially true for its volume in the evening as a result of alcohol-induced exuberance but also when ambient noise levels within the area bounded by Holloway, Ronalds and Horsell Roads and Fieldway Crescent have reduced significantly. Evening opening would, therefore, produce an additional, negative impact on my amenity and would be really disturbing to my family life in a way that I could not say it is at present, even though I would prefer the garden of the caf   not to be used for the consumption of food and beverages even under the present licence.

I do not feel it is appropriate for a business like Le P  ch   Mignon, that uses its garden for seating customers, to be situated in such a tight residential setting with the type of licence it has applied for. It is the only shop on its side of Ronalds Road. All other properties are residential, as they are in Horsell Road, too. Neither does any of the businesses in this stretch of Holloway Road, or Fieldway Crescent, use an outdoor area as part of its trading operations. This keeps the residential area quiet and is part of its character which would be upset by noise coming from Le P  ch   Mignon's garden and, I must add, an increase in the number of cars parking in Horsell Road

near my house and departing during the evening. The noises associated with such vehicles would not be aggressively antisocial, I suspect, but antisocial nonetheless.

If the garden were not used, I would not object to the consumption of alcohol at Le Pêche Mignon, though I wish to say there is for my family an associated issue concerning the smells of cooking done at the café.

At present there is the daily smell of baking food starting from around 6.30am-7am and continuing off and on during opening hours. I believe there is no extraction system installed at the café to vent the smells at a high level, which there should be in my opinion. If the café is to extend its trading up to 10pm, or even into the early evening, the increase in cooking smells would be an unpleasant imposition on my home, both indoors on all floors and outside in the garden because the local air currents push them my way.

It may be worth mentioning in this context that the owner of the former launderette at 2 Ronalds Road, did install such high level extraction at the insistence of the council and this was successful in removing laundry smells that had blighted nearby properties. (There is now a ground floor flat at 2 Ronalds Road that has replaced the launderette.)

Before a variation to the licence is decided, I ask that the council considers both noise and smell in a joined-up way. From a resident's point of view, the two are part and parcel of the effect the variation to the licence that has been applied for would have on nearby residents.

I ask the council to refuse the application in its current form.

Yours sincerely,

██████████

# Appendix: 4

Dear Resident,

We received a copy of your representation sent to the Licensing Department of Islington Council against the variation to our current alcohol licence and wanted to write to you to address the issues in the representations.

We note that you have the following concerns which relate to the four licensing objectives. I will summarise below:

- Late night noise including use of the garden
- Increase exposure of young people to alcohol
- People hanging around in the local area
- Increase in smells
- Increase of car traffic to local area

Whilst we recognise the points you list are clearly genuinely held concerns from a local resident we would like to reassure you that we are also locals (we live above the premises) with a young family so it is in our interest to ensure that the variation to the licence does not negatively impact on our neighbourhood in any way.

Le Pêche Mignon is owned by husband and wife team Ludovic Blind and Mairead Gallagher. We started out in Ronalds Road in December 2006 and have been licensed for off sales of alcohol since August 2007. Our focus has always been to serve the best products Europe has to offer. We search out food from small, quality producers. We sell larger items like coffee, oil, preserves and also fresh goods such as cheese, cured meats, bread and pastries. Coffee and pastries are our biggest sellers and the majority of all our sales are take away. We also currently sell, for off sales only, a wonderful selection of organic and biodynamic wines from the leading wine importer Les Caves de Pyrene and beer from local microbreweries. Our wine list champions small, independent winemakers. We offer a small café menu for either take away or to enjoy around our communal table. Weather permitting, we have a few seats outside in our back garden. We decided to apply to change our licence to include on sales as offering a glass of wine or beer to enjoy alongside our current menu seemed like a natural progression.

Over the past 12 years we have come to know our clientele very well and our business will never be alcohol led. In the first instance we are very small and do not have the space. Secondly, given the specialist nature of the wine and beer we sell our offering would only really appeal to natural wine enthusiasts. We have been selling off sales for almost 11 years and have never had a problem. Our team of staff is well trained to protect young people and the cost would be prohibitive. With regards to football and the impact us selling alcohol would have on match days we have gained lots of experience with match day crowds. We have a small, loyal football crowd but it is mostly families and those wanting to avoid the crowds. Alcohol would only be sold with food from our menu and given our size we are not able to accommodate large groups.

We know that the conditions offered in the application are satisfactory because no responsible authority representations were received in connection with this application. A responsible authority includes various local authority bodies including the Police, Trading Standards, Environmental Health, The licensing department itself, Public Health, Safeguarding children, the licensing enforcement department and Planning.

We assume you are aware of the various other licensed premises in our local area, all of which have licensed trading hours in excess of those we have requested.



The very robust list of licensing conditions offered within the licensing application (as listed below) address all four of the licensing objectives and are designed to prevent any problems - the framing of the conditions also follow preferred wording recommended by Islington Licensing department/Police:

The conditions offered are:

#### **Annex 2 conditions**

1. The premises shall enforce a proof of age scheme, which is approved by the Licensing Authority and by the Local Police.
2. The premises shall have a maximum capacity of 20.
3. There shall be no deliveries of alcohol between the hours of 18:00 and 08:00 the following day.
4. The premises shall be a member of the local shop watch.
5. Staff shall be trained to use fire-fighting equipment.

#### **Conditions consistent with the Operating Schedule**

6. The licensee shall insure that all staff shall be appropriately trained on the restriction of the premises licence and health and safety.
7. Customers shall not be allowed to take open container alcoholic drinks on the street.
8. Alcohol for sale shall be limited to specialist wine (including sparkling wine) and beer. (organic and biodynamic wines from small independent winemakers and beer from local microbreweries)

#### **Conditions suggested by the Metropolitan Police (Accepted)**

9. In the event that crime or serious disorder is, or appears to have been, committed on the premises, the management will immediately ensure that:
  - (a) The police and, where appropriate, the London Ambulance Service, are called immediately;
  - (b) As far as is safe and reasonable practicable, all measures will be taken to apprehend any identified suspects pending the arrival of the police;
  - (c) As far as is safe and reasonable practicable, all measures will be taken to preserve any identified crime scene pending the arrival of the police;
  - (d) Any and all appropriate measures are taken to fully protect the safety of all persons present on the premises at all times during operating hours
10. An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record:
  - (a) Any and all allegations of crime or disorder reported at the venue
  - (b) Any and all complaints received by any party
  - (c) Any faults in the CCTV system
  - (d) Any visit by a relevant authority or emergency service
  - (e) Any and all ejections of patrons
  - (f) Any and all seizures of drugs or offensive weapons
  - (g) Any refusal of the sale of alcohol
11. CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. Said CCTV will comply with the following criteria:

- (a) The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct.
  - (b) A record of these checks, showing the date and name of the person checking, will be kept and made available to the police or other authorised officer on request;
  - (c) The Police will be informed if the system will not be operating for longer than one day of business for any reason;
  - (d) One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering;
  - (e) The system will provide full coverage of the interior of the premises and any exterior part of the premises accessible to the public;
  - (f) The system will record in real time and recordings will be date and time stamped;
  - (g) At all times during operating hours, there will be at least 1 member of staff on the premises who can operate the system sufficiently to allow Police or authorised Council officers to view footage on request.
  - (h) Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to the police or other authorised officers on request (subject to data protection legislation) within 24 hours of any request
12. Alcohol sold for consumption on the premises will only be sold when purchased ancillary to a main meal or food ordered from a table menu (i.e not including bar snacks, packet food items etc).

**Condition suggested by Trading Standards (Accepted)**

- 13. The licensee shall adopt 'Challenge 25', the Retail of Alcohol Standards Group's advice for off-licences, and promote it through the prominent display of posters.
- 14. Age-restricted products training shall cover the following steps: the assessment of age; how and when to challenge for proof of age; acceptable proof of age and how to check it; and recording refusals.
- 15. 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.

One of the main concerns raised in correspondence (people hanging around drinking in the local area) relate in the main to potential incidents that would occur away from our premises and therefore outside our direct control and would in any case be normally associated with persons already intoxicated. People have access to cheap alcohol at any number of outlets in the area. Our offering does not fall into this category and our staff would ensure that alcohol is not served to those that are clearly inebriated.

Specifically to the concerns raised we say:

- **Late night noise from the garden** – Our application at 22:00 which is well within the framework hours.
- **Increase exposure of young people to alcohol** – We have opted to adopt and promote Challenge 25 to ensure we protect young people. We will only be selling specialist wine and beer. Children and minors are accompanied by parents.
- **People hanging around in the local area** – see above.

- **Increase in smells** – There will be no change to our current café menu. Size again is limited and we have no capacity or desire to start producing elaborate restaurant style food. The ethos of Le Pêché Mignon is simple food.

- **Increase of car traffic to local area** - Our clientele is 90% repeat local customers who live nearby and have no need to drive. Current parking restrictions in Ronalds Road would be enough of a deterrent.

We hope the comments and observations detailed above will dispel the fears you anticipate. If this is the case we would respectfully invite you to withdraw your representation. However should we be able to assist you further we would be happy to correspond again via the local authority.

**Conditions of the existing premises licence****Annex 2 conditions**

1. The premises shall enforce a proof of age scheme, which is approved by the Licensing Authority and by the Local Police.
2. The premises shall have a maximum capacity of 20.
3. There shall be no deliveries of alcohol between the hours of 18:00 and 08:00 the following day.
4. The premises shall be a member of the local shop watch.
5. Staff shall be trained to use fire-fighting equipment.

**Conditions consistent with the Operating Schedule**

6. The licensee shall insure that all staff shall be appropriately trained on the restriction of the premises licence and health and safety.
7. Customers shall not be allowed to take open container alcoholic drinks on the street.
8. Alcohol for sale shall be limited to specialist wine (including sparkling wine) and beer. (It would help if you define the type of specialist wine and beer)

**Conditions suggested by the Metropolitan Police (Accepted)**

9. In the event that crime or serious disorder is, or appears to have been, committed on the premises, the management will immediately ensure that:
  - (a) The police and, where appropriate, the London Ambulance Service, are called immediately;
  - (b) As far as is safe and reasonable practicable, all measures will be taken to apprehend any identified suspects pending the arrival of the police;
  - (c) As far as is safe and reasonable practicable, all measures will be taken to preserve any identified crime scene pending the arrival of the police;
  - (d) Any and all appropriate measures are taken to fully protect the safety of all persons present on the premises at all times during operating hours
10. An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record:
  - (a) Any and all allegations of crime or disorder reported at the venue
  - (b) Any and all complaints received by any party
  - (c) Any faults in the CCTV system
  - (d) Any visit by a relevant authority or emergency service
  - (e) Any and all ejections of patrons
  - (f) Any and all seizures of drugs or offensive weapons
  - (g) Any refusal of the sale of alcohol
11. CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. Said CCTV will comply with the following criteria:
  - (a) The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct.
  - (b) A record of these checks, showing the date and name of the person checking, will be kept and made available to the police or other authorised officer on request;
  - (c) The Police will be informed if the system will not be operating for longer than one day of business for any reason;
  - (d) One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering;
  - (e) The system will provide full coverage of the interior of the premises and any exterior part of the premises accessible to the public;
  - (f) The system will record in real time and recordings will be date and time stamped;

- (g) At all times during operating hours, there will be at least 1 member of staff on the premises who can operate the system sufficiently to allow Police or authorised Council officers to view footage on request.
  - (h) Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to the police or other authorised officers on request (subject to data protection legislation) within 24 hours of any request
12. Alcohol sold for consumption on the premises will only be sold when purchased ancillary to a main meal or food ordered from a table menu (i.e not including bar snacks, packet food items etc).

**Condition suggested by Trading Standards (Accepted)**

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15. 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.



Printed By:  
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Printed At:  
14-06-2018