



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	30 August 2018		Clerkenwell

Delete as appropriate		Non-exempt
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**Subject:** NEW PREMISES LICENCE APPLICATION

**RE:** OLD SESSIONS HOUSE, 22 CLERKENWELL GREEN, LONDON EC1R ONA

### Synopsis

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

1.2 The application is to allow:

- i) The provision of plays, films, live music, performance of dance, supply of On sales of alcohol from 10:00 until 23:00 Sunday to Thursday and from 10:00 until 00:00 Friday and Saturday.
- ii) The provision of late night refreshment from 23:00 until 00:00 Friday and Saturday.
- iii) All of the above licensable activities from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day and until 00:00 on the Sundays immediately before Bank Holiday Mondays.
- iv) Opening hours, from 09:00 until 23:30 Sunday to Thursday and from 09:00 until 00:30 on Friday and Saturday.
- v) Non seasonal opening hours from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day and until 00:30 on the Sundays immediately before Bank Holiday Mondays.

## 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 – 33 residents
Other bodies	Yes - One resident association

## 3. Background

### 3.1 Papers are attached as follows:-

- Appendix 1: pre application resident consultation letter;
- Appendix 2: application form;
- Appendix 3: representations;
- Appendix 4: Planning comments
- Appendix 5: suggested conditions and map of premises location.

- 3.2 The premises are located in the Clerkenwell Cumulative Impact Area. This policy creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that are likely to add to the existing cumulative impact will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.
- 3.3 The property held a converted premises licence from at least 2005 for the sale of alcohol from 10:00 until 23:00 Monday to Saturday and from 12:00 until 22:30 Sundays, late night refreshments until 23:30 Monday to Saturday and recorded music 24 hours daily. The licence also allowed New Year's Eve extensions.
- 3.4 The premises licence was held by the Central London Masonic Centre and was surrendered in March 2015.
- 3.5 The property was subject to two applications for new premises licenses in March and August 2016. Both applications received representations and were referred to Members of the Licensing Sub Committee, who refused the applications.
- 3.6 Prior to this application being made, the applicant and their Solicitors met with the Responsible Authorities to discuss their proposals. The items of concern discussed were then incorporated as conditions in the new application. As a result, when the application was received, no Responsible Authorities made representations to the application.

3.7 The applicants Solicitors also wrote to the Licensing Team asking us to distribute a letter to the residents in the area who had made representations to the previous applications. The letter introduced the new applicant and welcomed residents to meet with the applicant to discuss the proposals for the application.

3.8 Licensing Authority received 32 letters of representation in opposition to this application. These were from 33 local residents and The Friends of Clerkenwell Green Residents Association.

#### **4. Planning Implications**

4.1 The Planning Service provided an email detailing the current position and the Planning permissions and conditions in place at the property.

4.2 The Planning Service has also confirmed there are no enforcement investigations currently open with respect to the use of this part of the property.

#### **5. Recommendations**

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

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

- i. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (See appendix 5);
- ii. conditions recommended by Responsible Authorities deemed appropriate by the Committee (see appendix 5); and
- iii. any additional conditions deemed appropriate by the Committee to promote the four licensing objectives.

#### **6. Conclusion and reasons for recommendations**

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

#### **Background papers:**

The Council's Statement of Licensing Policy

Licensing Act 2003

Secretary of States Guidance

Final Report Clearance

**Signed by**



Jan Hart

Service Director – Public Protection

**Received by**

Head of Scrutiny and Democratic Services



Hox House  
159 St John Street  
London  
EC1V 4QJ

**Letter to be distributed by the  
London Borough of Islington Licensing Authority**

2 May 2018

Dear Neighbour

**New Ennismore Head Office – Old Sessions House 22 Clerkenwell Green**

We would like to introduce ourselves as your new neighbour ahead of our office move from St John Street to Old Sessions House on Clerkenwell Green later this year.

Our HQ has been located in Clerkenwell for three years so we are incredibly happy that we are expanding in the area and becoming part of the Clerkenwell Green community. We hope to give Old Sessions House a new lease of life, whilst at the same time respecting the building's incredible history and heritage listing. The main day-to-day use of the building will be as our new head office. This is our main business hub, where the team oversees our brand portfolio of restaurants, hotels and Gleneagles in Scotland.

The upper floors of the building will be dedicated entirely to our office use. The ground and basement floors will be used as our office refreshment areas, as well as meeting rooms and break out areas. We also plan to host carefully selected pre-booked private meetings and functions on these lower floors. In order to regularise this activity, we are preparing a premises licence application for submission to the London Borough of Islington.

Following a helpful meeting with the London Borough of Islington and Metropolitan Police, we have prepared comprehensive licence conditions to tightly control our proposed use of Old Sessions House. In particular, the conditions will restrict the provision of licensable activities to our employees, guests of our employees and persons attending a pre-booked meeting or function only. There will be absolutely no provision for a public bar where uninvited persons can walk in off the street to buy alcohol.

Please feel free to contact Jessica Stewart with any comments or queries arising in respect of our proposals on 020 7125 0421 or [jessicas@commcommuk.com](mailto:jessicas@commcommuk.com). We would be delighted to meet our local residents to discuss our proposals further. Please let us know if you would be interested in attending a meeting. We can then arrange a convenient time and place for you.

Thank you for your consideration of this letter.

Yours faithfully

Stephen Lloyd  
Ennismore

**Application for a premises licence to be granted  
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** Ennismore International Management Ltd

*(Insert name(s) of applicant)*

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

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description <b>Ennismore Head Office</b> <b>Old Sessions House</b> <b>22 Clerkenwell Green</b>			
<b>Post town</b>	London	<b>Postcode</b>	EC1R 0NA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£225,000</b>

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- |  |                                     |                             |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals *                    | <input type="checkbox"/>            | please complete section (A) |
| b) a person other than an individual *               |                                     |                             |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability)   | <input type="checkbox"/>            | please complete section (B) |
| iii as an unincorporated association or              | <input type="checkbox"/>            | please complete section (B) |
| iv other (for example a statutory corporation)       | <input type="checkbox"/>            | please complete section (B) |
| c) a recognised club                                 | <input type="checkbox"/>            | please complete section (B) |
| d) a charity   | <input type="checkbox"/>            | please complete section (B) |
| e) the proprietor of an educational establishment    | <input type="checkbox"/>            | please complete section (B) |

- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a  
 statutory function or ☐  
 a function discharged by virtue of Her Majesty's prerogative ☐

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>			I am 18 years old or over <input type="checkbox"/> Please tick yes		
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>			I am 18 years old or over <input type="checkbox"/> Please tick yes		
<b>Nationality</b>					
Current postal address if different from premises address					
Post town				Postcode	

Daytime contact telephone number	
E-mail address (optional)	

## (B) OTHER APPLICANTS

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

Name Ennismore International Management Ltd
Address [REDACTED]
Registered number (where applicable) [REDACTED]
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)
E-mail address (optional)

## Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

The primary use of the premises will be the applicant's head office. The first and second floors will be used as office accommodation only with no licensable activities provided on these floors. The basement and ground floors will be used as meeting rooms, office breakout areas, a staff cafeteria/coffee bar and multifunctional spaces for private hire.

Licensable activities will only be provided on the basement and ground floors to employees of the applicant, bona fide guests of the applicant's employees and/or persons attending a pre-booked function or event. The premises will not otherwise be accessible to general members of the public.

The application follows pre-application consultation with the Licensing Authority, Metropolitan Police, Noise Pollution Team and local residents.

The applicant supports the Council's policy objectives in relation to Clerkenwell Cumulative Impact Area. The applicant's new office and careful function/event programming will promote business and cultural

opportunities in Clerkenwell, as well as enhancing the diversity of the local evening economy. The unique use of the premises; the comprehensive licence conditions; and the restricted access will ensure no addition to the cumulative impact in the special policy area.

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- |   |                                     |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A)  | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B)  | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/>            |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>            |
| e) live music (if ticking yes, fill in box E)   | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)  | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

**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

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	1000	2300			
Tue	1000	2300			
Wed	1000	2300	<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur	1000	2300			
Fri	1000	0000	<b><u>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</u></b> (please read guidance note 6) These hours to be extended: * From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day * Until 00:00 on Sundays immediately before bank holiday Mondays		
Sat	1000	0000			
Sun	1000	2300			

## B

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish			Both <input type="checkbox"/>
Mon	1000	2300	<b>Please give further details here</b> (please read guidance note 4)		
Tue	1000	2300			
Wed	1000	2300	<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Thur	1000	2300			
Fri	1000	0000	<b>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</b> (please read guidance note 6) These hours to be extended: * From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day * Until 00:00 on Sundays immediately before bank holiday Mondays		
Sat	1000	0000			
Sun	1000	2300			

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Wed			
Thur			
Fri			<b><u>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</u></b> (please read guidance note 6)
Sat			
Sun			

# D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Wed					
Thur					
			<b><u>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</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

# E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	1000	2300			
Tue	1000	2300			
			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Wed	1000	2300			
Thur	1000	2300			
			<b><u>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</u></b> (please read guidance note 6) These hours to be extended: * From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day * Until 00:00 on Sundays immediately before bank holiday Mondays		
Fri	1000	0000			
Sat	1000	0000			
Sun	1000	2300			

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	1000	2300			
Tue	1000	2300			
			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Wed	1000	2300			
Thur	1000	2300			
			<b><u>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</u></b> (please read guidance note 6) These hours to be extended: * From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day * Until 00:00 on Sundays immediately before bank holiday Mondays		
Fri	1000	0000			
Sat	1000	0000			
Sun	1000	2300			

# G

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	1000	2300			
Tue	1000	2300			
			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Wed	1000	2300			
Thur	1000	2300			
			<b><u>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</u></b> (please read guidance note 6) These hours to be extended: * From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day * Until 00:00 on Sundays immediately before bank holiday Mondays		
Fri	1000	0000			
Sat	1000	0000			
Sun	1000	2300			

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	1000	2300		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	1000	2300	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed	1000	2300			
Thur	1000	2300	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri	1000	0000			
Sat	1000	0000	<b><u>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</u></b> (please read guidance note 6) These hours to be extended: * From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day * Until 00:00 on Sundays immediately before bank holiday Mondays		
Sun	1000	2300			



<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Thur					
Fri	2300	0000	<b><u>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</u></b> (please read guidance note 6) These hours to be extended: * From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day * Until 00:00 on Sundays immediately before bank holiday Mondays		
Sat	2300	0000			
Sun					

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	1000	2300			
Tue	1000	2300			
Wed	1000	2300			
Thur	1000	2300	<b>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</b> (please read guidance note 6) These hours to be extended: * From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day * Until 00:00 on Sundays immediately before bank holiday Mondays		
Fri	1000	0000			
Sat	1000	0000			
Sun	1000	2300			

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):**

Name Simon Galic	
Date of birth [REDACTED]	
[REDACTED] [REDACTED] [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

## 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 9).  
None.

## L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	<b>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</b> (please read guidance note 6) These hours to be extended: * From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day * Until 00:30 on Sundays immediately before bank holiday Mondays
Mon	0900	2330	
Tue	0900	2330	
Wed	0900	2330	
Thur	0900	2330	
Fri	0900	0030	
Sat	0900	0030	
Sun	0900	2330	

**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

Please refer to the attached schedule of conditions, noise assessment and management plan for the promotion of the licensing objectives and to ensure there is no addition to the cumulative impact in the special policy area.

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

Please refer to box a) above.

**c) Public safety**

Please refer to box a) above.

**d) The prevention of public nuisance**

Please refer to box a) above.

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

Please refer to box a) above.

**Checklist:**

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. **Electronic Submission - LA to serve RA's** ☐
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). ☐

**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.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"><li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li><li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li></ul>
Signature	<i>Thomas and Thomas</i>
Date	13/06/2018
Capacity	Thomas & Thomas Partners LLP as solicitors on behalf of the applicant

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) ref: <span style="background-color: black; color: black;">XXXXXXXXXX</span> Thomas & Thomas Partners LLP 38a Monmouth Street			
Post town	London	Postcode	WC2H 9EP
Telephone number (if any)	020 7042 0410		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) acatlin@tandtp.com			

#### Notes for Guidance

- 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.
- 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:

Rep 1 - 23

**Licensing representation for Ennismore, Old Sessions House, 22 Clerkenwell Green, EC1R 0NA**

Dear Licensing Sub-Committee,

My objection to this most recent application is pasted below and attached. Thank you very much for considering.

This is not your normal licence application.

**This matter has already been decided several times via 7 previous applications for this site.**

Each time applications have failed for extensive hours, 7 days a week for an unknown, but obviously very large capacity at this premises.

### **SUMMARY**

The Sub-Committee should reject this application because the:

- key reasons numerous Committees decided against previous applications for this site are still valid
- previous concerns that are no longer valid are not sufficient justification to break with past Committees' decisions or the Cumulative Impact Area (CIA)
- licensable operations proposed in this application, whilst different than those in prior applications for the site, would still create a substantial and negative cumulative impact
- proposed operations represent a huge increase in the regular, high capacity use of the building
- proposed operations are exactly the same as those for other existing licensed premises within 100m, which past Committees decided to grant only after having restricted maximum capacity and substantially reduced licensable hours (to 1/5th what Ennismore is applying for)
- licence fails to support all four Licensing Objectives, Licensing Policies 1, 2, 3, 6, 7, 9, 13, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 27, and Development Management Policies DM4.2 and DM4.3
- proposed licensing and opening hours exceed Planning Permission by 600 hours/year, Licensing Policy Core Framework by 180 late-night hours/year, neighbouring offices with the same operations by 3,800 hours/ year, neighbouring offices hosting events by 2,300 hours/year and nearby recently licensed restaurants by 500-1,000 hours/year
- Failure to define the maximum capacity

The proposed operating hours are almost exactly the same as the last licensing application for the premises, which was rejected by the Sub-Committee in part due to the extent of the hours and the associated cumulative impact. Licensable hours are 30min more per week than what the last committee rejected. This application should also be rejected.

*Please note I object to this application as a local resident and as a member of the Friends of Clerkenwell Green. Acting as a community, we discussed our concerns and register this objection. If personal objections are the same/similar, this is due to our approach as a community. For completeness I would note that **it is unlawful to disregard or minimise the weight of any one objection on the basis of it being the same/similar to others.***

### **DETAILS**

- Most of the key reasons Committees decided against the previous applications are still valid issues with Ennismore's current application
  - close proximity to residents including vulnerable populations
  - inevitable disturbance from increased capacity and more frequent, extensive use of the building
  - risk of ASB and other alcohol-related disturbances given the sheer scale of total daily capacity
  - potential impact of such a large volume of additional people arriving in the area
  - inadequate detail to ensure responsible retail of alcohol – vertical drinking is not prevented by the suggested conditions, despite the applicant's claim
  - no reference to a drugs policy, even though the area has seen an increase in illicit drug dealing targeting patrons of late licensed venues
  - hours and capacity far outside the norms for Clerkenwell Green, a CIA and Conservation Area
  - location in an area with a high concentration of licensed premises; 20 within a 150m radius
  - area attracts many visitors, which already results in incidents of associated nuisance, criminal and disorderly behaviour often reported to the Licensing Service
- 
- Previous concerns that are no longer valid are not sufficient justification to break with past Committees' decisions or the Cumulative Impact policy
  - alcohol consumption in outside areas
  - delivery and collection hours
  - management – i.e. unknown operators, high standard of management or past compliance history
- 
- Licensable operations proposed will still create a substantial and negative cumulative impact
  - Noise from traffic, pedestrians, taxis/mini cabs and parking
  - Noise from queues, which are prohibited for all other licensed premises in Clerkenwell Green
  - Noise from inside the premises, which cannot be acoustically sealed with double glazing given the building, the old Middlesex Courthouse, is Grade II\* listed
  - Noise from large number of customers leaving at night – applicant's noise assessment is wrong because it considers as worst-case scenario a handful of patrons arriving or leaving with 1 speaking in a loud voice; the real worst case will be dozens to hundreds of inebriated people leaving at closing time, with many shouting, or talking in loud voices and loitering in local streets
  - Noise from recorded music, live music, films, dancing and other entertainment – activities that are excluded from other recent licences in the area in order to mitigate cumulative impact
  - Large capacity, which applicant fails to define, and which past Committees have required prior to deciding an application for this site
  - Increased traffic at a junction of two high-traffic roads; Clerkenwell Road and Farringdon Road
  - Public nuisance including noise, ASB, drug selling, etc
  - Crime and disorder, with drug targeting of late night clients in the area and inebriated clients causing noise and other disturbances
  - CIA saturated with licensed premises, including 20 within just a 150m radius
- 
- Proposed operations represent a huge increase in the regular, high capacity use of the building
    - The premises previously operated as a masonic lodge from the 1970s to 2013 and later surrendered its licence in 2015



- As a masonic lodge and licensed premises, the building was occasionally used for Freemason or hired-out events; while day-do-day use was extremely limited to a few dozen people
  - There were occasional events and a very ancillary bar/restaurant which, because of the way it was used, never presented noise, disturbance or other problems for the neighbourhood
  - The frequency with which the building will be occupied at large capacity under this proposed licence will far exceed typical use when it was a masonic hall
  - The application fails altogether to recognise or address the effect on residents
- Proposed operations are exactly the same as those for other existing licensed premises within 100m, which past Committees decided to grant but with only 1/5th the licensable hours plus capacity restrictions

<b>Ennismore licensable operations for staff/client bar</b>	<b>Hill &amp; Knowlton 100m east</b>
"Primary use of the premises will be the applicant's head office."	Same
"Old Sessions House will not be open to the general public."	Same
"There is a cafeteria/coffee bar on the ground floor, which will service staff during the day, as well as the ground floor areas during meetings and functions."	Bar on top floor
"The basement and ground floors will be used as meeting rooms, office breakout areas, a staff cafeteria and multifunctional event spaces for private hire."	Bar on top floor
" <u>Licensable activities will only be provided on the basement and ground floors to employees of the applicant, bona fide guests of the applicant's employees and/or persons attending a pre-booked function or event.</u> "	Same as underlined sections
Comprehensive licence conditions, restricted access, high standard of management, positive past compliance history	Same

<b>Ennismore licensable operations for pre-booked private corporate events</b>	<b>Wallacespace 15m opposite</b>
"Ennismore is already part of the Clerkenwell community with its current head office located on St John Street."	Same, in Clerkenwell Green
"Old Sessions House private function spaces will operate like the Apartment ... servicing both day and evening private functions. The spaces will offer four meeting rooms on the ground floor and one meeting room and kitchen in the basement."	Same, also operating like other locations
"Old Sessions House will not be open to the general public. All private function spaces will be booked in advance by carefully vetted, high end corporate and private clients."	Same
" <u>Licensable activities will only be provided on the basement and ground floors to employees of the applicant, bona fide guests of the applicant's employees and/or persons attending a pre-booked function or event.</u> "	Same as underlined sections

Comprehensive licence conditions, unique use of the premises, restricted access, high standard of management, positive past compliance history	Same
--	------

- Licence fails to support all 4 Licensing Objectives, 1, 2, 3, 6, 7, 9 13, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 27, and Development Management Policies DM4.2 and DM4.3
- Proposed licensing and opening hours exceed Planning Permission, Licensing Policy Core Hours and other recently licensed premises in the immediate vicinity
- 5x the licensable hours granted to 2 businesses in Clerkenwell Green that run the exact same licensable operations
- wildly out of scale for the area

**46 extra operating days/year vs planning consent**

**Late-night hours exceeding LP5&6  
Equivalent to 14 extra operating days/year**

**Ennismore –many extra weeks of licensable operations!**

Seven previous applications failed to get longer hours for this site....

<b>Application Date</b>	<b>Opening Hours</b>	<b>Outcome</b>
May 2013	168 hours/week = 24/7	Withdrawn
Jun 2013	168 hours/week = 24/7	Rejected
Sep 2014	123 hours/week	<b>Approved 92 hours/week (25% less than applied for &amp; recommended by planning officer)</b>
Mar 2016	119 hours/week	Rejected
Aug 2016	110 hours/week	Withdrawn
Dec 2016	111 hours/week	Resubmit with additional info
Mar 2017	113 hours/week	<b>Rejected, kept 92 hours/week</b>
June 2018	104 hours/week	<b>Please reject for same reasons as previous committees did</b>

Here are just some of the reasons why, and they're still valid reasons to reject the current application:

June 2013 application for 24/7 opening hours (168 hours/week). **Rejected**

*"...the increased hours would add to the availability of alcohol in an area where there is already a large number of licensed premises with associated anti-social and criminal behaviour and therefore have a cumulative impact on the licensing objectives."*

September 2014 application for 123 hours/week. **Approved with 25% reduction in opening hours**

*"REASON [for restricted hours]: In the interests of protecting residential amenity and minimising anti-social behaviour and nuisance within the Farringdon cumulative impact area..."*

March 2016 application for 119 hours/week. **Rejected**

*“...substantially add to the cumulative impact area... concern about the potential impact that such a large volume of additional people arriving in the area would have.”*

*“The area has a high concentration of licensed premises which attracts many visitors and incidents of associated nuisance, criminal and disorderly behaviour are often reported to the Licensing Service.”*

August 2016 application for 110 hours/week. **Withdrawn**

*“concerned about the potential impact that such a large volume of additional people arriving in the area will have.”*

*“The application makes no reference to a drugs policy. The area has seen an increase in illicit drug dealing who are targeting patrons of late licensed venues.”*

*“The Licensing Service is in receipt of regular complaints concerning disturbance from patrons of licensed premises using outside drinking and smoking areas.”*

December 2016 application for 111 hours/week. **Resubmit with additional documentation**

March 2017 application for 113 hours/week. **Rejected longer hours**

*“REASON: In the interests of protecting residential amenity and minimising anti-social behaviour and nuisance within the Farringdon cumulative impact area (for alcohol licensed premises) that this site sits within as set out in the Finsbury Local Plan (2013) including policy BC8G that addresses concentration of such uses. Additionally, this condition would secure compliance with policies: DM4.2 and DM4.3 of the Development Management Policies (2013) and the Council's Licensing Policy which is a material consideration.”*

- Failure to define maximum capacity
- floor plans show 240 seated capacity in the licensable areas
- total capacity estimated around 400-600

Without knowing the defined maximum capacity, it is impossible to assess the cumulative impact. Using different scenarios, we can still estimate the potential total number of people coming and going on a daily basis. This gives us a range within which to consider the cumulative impact of this proposal. And it is substantial!

## **IN CONCLUSION**

The committees and responsible authorities that considered these applications did so bearing in mind cumulative impact on the surrounding area.

The application fails to adequately demonstrate why this Sub-Committee should break with past committees' decisions for essentially the same licensable proposals.

There is no requirement, industry standard or presumptive right for businesses to have a premises licence.

There is no business justification for Ennismore to be awarded a premises licence with larger capacity than any other premises in this sensitive area.

There is no business justification to award extensive hours so much greater than those recently granted in the area that it would provide Ennismore a 5-fold competitive advantage in licensed hours over two other businesses in Clerkenwell Green with the exact same licensable operations.

There is no reason this Licensing Committee should treat this application as special. The application and associated documents do not present a compelling justification to break with the CIA.

Please reject this application.

## **RECOMMENDATION**

**Please reject this application for the same reasons that 7 prior licensing and planning applications failed.**

**The reasons behind those Committee decisions are still valid concerns with the current application.**

**This application undermines the residential / commercial balance in the community and fails to rebut the presumption against new licensed premises.**

A reasonable number of reasonably sized premises are welcome provided they respect their domestic neighbours' reasonable needs. This application does not. It will significantly add to the cumulative impact in an area defined as saturated by Islington's licensing policy. It is contrary to the character of the Conservation Area and would disrupt the residential/commercial balance in the borough.

Other recent applications in Clerkenwell have been rejected for far less.  
Please reject this application too.

- Islington is London's 2nd highest density of licensed premises and suffers from higher than London average for violent crimes attributable to alcohol.
- Clerkenwell is already an area of cumulative impact, saturation, ASB and crime.
- Clerkenwell has the highest number of complaints about drinking in the street than any other ward in the borough
- Residents continue to experience adverse impacts of the late night licenced venues

Please don't further aggravate these conditions. Please reject the application.

## **NOTES**

If despite all of the above arguments the Committee is still minded to grant a premises licence, we ask that you please:

- Use LP6 to set licensable hours to a maximum of 5-9pm Mondays to Fridays only, with 30min maximum drinking up time
- Restrict the capacity to a maximum of 150 people during licensable hours (and certainly after 5pm)
- Maximum of 6 smokers at a time, including staff, on Farringdon Lane near the junction with Clerkenwell Green (so as to be as far removed as possible from residential premises, but far enough from the junction so as not to cause congestion)
- No outdoor queuing, where a queue shall consist of more than 1 person
- No loitering outside before entering or after exiting the premises
- No obstructions of the public footpath at any time, including rubbish or recycling
- Management plan to ensure customers leaving on foot are directed away from residents, i.e. out Farringdon Lane at night and down to Farringdon Station (not into Clerkenwell Green past Clerkenwell Green Estate and many other residents on all the roads leading from Clerkenwell Green which are very quiet at night, and not up Farringdon Lane towards Kings Cross and past the Peabody Estate)

- Prohibit use for filming and advertising because activities cause roads to be blocked and increase congestion
- Exclude applying to hold licensed weddings, which the masonic lodge did not have either

Many thanks for your time and consideration.

Your faithfully,

## **Rep 24**

To Islington Licensing

I am a local resident at Number [REDACTED] and am writing regarding the most recent Old Sessions House Licensing application.

I would like to object to certain aspects of the application made by Ennismore for an alcohol license at the Old Sessions House, Clerkenwell Green. Whilst the applicant has considered a number of previous concerns expressed by residents, the current application should not be approved for the following reasons: 1) There are 180 hours per week of late night licensable hours requested in EXCESS of the council's own licensing policy for core area applications. These hours need to be reduced significantly to avoid a dangerous precedent.

2) 600 weekly Opening hours in excess of planning approvals.

3) Maximum headcount capacity should be a condition.

In order for me to support this the applicant needs to shorten both total opening and late night licensing hours and agree an appropriate maximum capacity for the venue.

Yours sincerely

## **Rep 25**

Dear Sir

I object to the granting of a new licence to the OSH on the basis of the Bunhill and Clerkenwell Cumulative Impact Area of Islington order and under the terms of public nuisance. With the possibility of up a thousand people exiting the OSH in the early hours of the morning and using the surrounding streets and areas (as has happened in the past in the days of Turnmills) as toilet areas I most object most strongly. The plans of the OSH that I saw did not to me provide enough toilets for the amount of people expected at events. The noise and general disturbance such a large amount of people leaving a building (which is within sixty feet of a block of flats) in the early hours is disturbing in the least.

Yours

## Rep 26

**Premises Name & Address:** The Old Sessions House, 22 Clerkenwell Green, Islington, London, EC1R 0NA

I would like to raise the following concerns regarding this application:

### **The Prevention of Public Nuisance**

**Opening hours, The sale of alcohol, Late night refreshment** - I object to how late this premises can stay open for. As a resident I already experience disturbance from people making lots of noise and sometimes urinating in the Clerkenwell Green/Close estate when they leave the surrounding establishments. My concern is currently these premises close between 11pm - 12am and so is restricted to last no later than this time. Therefore I'm worried that if Old Sessions house can remain open until 12:30 am on Fridays & Saturdays. I will be forced to go through two bouts of disturbance, the first when the current pubs/restaurants close and the second when Old Sessions House closes.

Inline with this I then also object to the times in which alcohol can be sold and late night refreshments served because these are linked to the current opening hours proposal.

**Live music, Performance of dancing** - I object to any form of live music or dance performances being conducted at Old Sessions House. My worry is that these type of events tend to involve large amounts of binge drinking. Furthermore the people attending typically leave the venue at the same time once the performance has finished. Therefore my concern is once a performance finishes, a large number of heavily drunken people will pile outside creating large amounts of anti-social behaviour. Moreover I worry that before a performance would begin, a large number of people would gather outside waiting to enter causing disruption and blocking the pavements.

In addition to this I worry about how loud the music may be and causing a nuisance to local residents.

I do **not** wish to be kept anonymous

Regards,

## Rep 27

Hello,

Please accept this as a representation against Ennismore's licence application, as filed.

- Hotel company Ennismore using OSH for offices + bar for staff/guests + hiring out rooms for pre-booked meetings/networking
- Business reasons for licence equivalent to H&K (staff) plus Wallacespace (hiring out), both in Clerkenwell Green
- Licensable hours same as last OSH application, and 5x more than Wallacespace or H&K were granted for the same activities

- 600 more opening hours than permitted by planning
- 180 more late-night licensable hours than Licensing Policy's core hours
- Added many conditions we requested, but didn't define max capacity or shorten hours
- 240 seated capacity shown on plans - 1,000 est customers/day like previous applications
- Any licence granted must have same hours as H&K/Wallacespace and same (or less) capacity/smoking as Wallacespace

Please see attached my full objection, which I am submitting along with other neighbours who share the same views.

Thank you.

## **Rep 28**

Dear Sir/ Madam

I would like to object to the licensing laws for the new proposals of the Old Session House. I feel you have no idea of the horrendous levels of noise from pubs ie (Sekforde arms) hotels, clubs etc in this area. There are many residential homes that have families and where we seek peace to live, we have the need and the right to have a good nights rest in order to get up and go to work the next day refreshed.

In these last few years this has been made impossible due to the changing culture in Islington from family environments to that of entertainment. The noise from drunken groups of people and individuals is a nightly occurrence making the life of families living in the area a nightmare.

Kind Regards

## **Rep 29**

I strongly disagree the licensing and therefore wish to object this going through. Reason being on the grounds of the prevention of public nuisance and safety.

Regards,

## **Rep 30**

Dear Sir,

I wish to object to the licensing application made by the old sessions house.

The area is a conservation area and to my mind would be ruined with so many people coming to a residential area and being allowed to stay open so late.

The granting of any licence after 11pm would make Clerkenwell Green a hot spot for late night entertainment and is totally unsuitable for this ancient site.

I do hope you will turn down this latest application

yours sincerely.

## Rep 31

Dear Islington Licensing

I would like to object to certain aspects of the application made by Ennismore for an alcohol license at the Old Sessions House, Clerkenwell Green. Whilst the applicant has considered a number of previous concerns expressed by residents, the current application should not be approved for the following reasons

1) There are 180 hours per week of late night licensable hours requested in EXCESS of the council's own licensing policy for core area applications. These hours need to be reduced significantly to avoid a dangerous precedent.

2) 600 weekly opening hours in excess of planning approvals

3) Maximum headcount capacity should be a condition.

To win my support (which I am happy to give) the applicant needs to shorten both total opening and late night licensable hours and negotiate a maximum capacity for the venue.

Kind regards

## Rep 32

Dear Licensing

I wish to object to yet another applicant making another application once again apparently deliberately timed for the summer holidays to minimise likely objections to expanding the licensed hours for the OSH. I have objected in detail to the previous 6-7 applications and those objections continue for this applicant as well. The committee in each case has refused the greedy extensions sought and NOTHING HAS CHANGED to justify Ennismore's greed. I endorse [REDACTED] / Friends of Clerkenwell Green's objections.

Please reject the application or restrict it to the limited hours such as Wallacespace. The omni shambles of the Burberry fashion show in the OSH demonstrated completely that the local residents' concerns for licensed events in the OSH were fully justified and a very real risk to the local community and the protected character of CG.

Thank you



**From:** Plaster, Kevin  
**Sent:** 10 July 2018 17:03  
**To:** Licensing <Licensing@islington.gov.uk>  
**Cc:** Lewis, Eleanor <Eleanor.Lewis@islington.gov.uk>  
**Subject:** Premises Licence Application: The Old Sessions House, 22 Clerkenwell Green, Islington, London, EC1R 0NA.

Dear Licensing,

The Planning & Development section have the following comments to make in relation to the above application:

There are no enforcement investigations currently open with respect to the use of this part of the property.

Planning permission was granted on 20 September 2016 for the Variation of Condition 2 (Approved Plans) of Planning Permission Ref: P2014/3878/FUL dated 24/06/2015 for 'Change of use from Masonic Lodge to a mixed use scheme comprising retail, restaurant/bar and office (Sui Generis use), erection of roof extension and alterations to roof to create two roof terraces (including a roof top pool) and insertion of rooflights, installation of roof top plant, replacement of windows, erection of boundary railings to rear and flank elevations and internal alterations/restoration works (including excavation of sub-basement below yard).' The amendments consist of addition of gas lamps to ground floor (3 to north, 4 to east, 1 to south and 4 to west), introduction of five bollards to east elevation, relocation of roof plant to second floor terrace on south side of property (Clerkenwell Road), replacement of five first floor windows in east elevation, roof extension to south side of main building providing stair overrun, installation of external staircase and platform lift to sub-basement of former prisoners yard and internal alterations (P2016/1614/S73).

This was subject to the following conditions which should be noted in this licensing application.

9 CONDITION: Between the hours of 0700 and 2300 music and amplified sound from the premises shall not cause an increase of more than 2dB in the LA90(5min)(f) when compared with the existing equivalent LA90(5min)(f) without the premises in operation.

Additionally, between the hours of 0700 and 2300 music and amplified sound from the premises shall not cause an increase of more than 3dB, above the real time simultaneous Leq(5min)(f) 1/1 octave band sound pressure level centred on the frequencies 63Hz and 125Hz, when compared with the existing equivalent Leq(5min)(f) (63Hz and 125Hz) taken without the premises in operation.

Where the premises would operate between the hours of 2300 and 0700 music and amplified sound from the premises shall not cause any increase in the LA90(5min)(f) when compared with the existing equivalent LA90(5min)(f) without the premises in operation. Additionally, where the premises would operate between the hours of 2300 and 0700 music and amplified sound from the premises shall not cause any increase in the real time simultaneous Leq(5min)(f) 1/1 octave band sound pressure level centred on the frequencies 63Hz and 125Hz, when compared with the existing equivalent Leq(5min)(f) (63Hz and 125Hz) taken without the premises in operation.

REASON: To protect the amenity of neighbouring occupiers.

10 CONDITION: No further persons shall be given access to the external areas serving the

property, including all external lower ground floor areas and the roof terraces hereby permitted after 2200 hours and these areas shall not be available for use after 2230 hours on any day. After this time, all entry and exit doors and windows onto the external areas shall be kept shut and any lighting to the roof terraces must be turned off on any day

REASON: In the interest of protecting neighbouring residential amenity.

18 CONDITION: The cafe / restaurant (A1/A3 use class), drinking establishment (A4 use class) and Private Members Club (sui generis use class) shall only operate during the hours of:

- 10:00 - 23:30 Monday to Saturday

- 12:00 - 23:00 Sundays

Except on Good Friday: 12:00 to 23:00

Christmas Day: 12:00 to 15:30 and 19:00 to 23:00

New Year's Eve except on a Sunday: 10:00 until the time authorised on the following day

New Year's Eve on a Sunday, 12:00 until the time authorised on the following day.

If there are no permitted hours on the following day, 00:30 on the 31st December.

Note: These closure hours are inclusive of a maximum 30 minutes drinking up time.

REASON: In the interests of protecting residential amenity and minimising anti-social behaviour and nuisance within the Farringdon cumulative impact area (for alcohol licensed premises) that this site sits within as set out in the Finsbury Local Plan (2013) including policy BC8G that addresses concentration of such uses. Additionally, this condition would secure compliance with policies: DM4.2 and DM4.3 of the Development Management Policies (2013) and the Council's Licensing Policy which is a material consideration.

Providing the activities remained ancillary to the office use proposed on the ground and upper floors above and within the hours noted (as applicable) there would be no objection to the application for the ground floor area. However, some of the functions proposed in the licensing form i.e. performance of plays, showing of films, opening hours to the to the public, live and recorded music, performance of dance and late night refreshment do not appear compatible with the approved planning permission or ancillary to the office use of this part of the building.

Furthermore, the area in the basement noted for licensable activities in the licensing plan for the ancillary office use, are indicated to be a separate bar/restaurant/retail use in the approved plans of P2016/1614/S73 and thus planning permission would be required to change the use of this space from Retail/restaurant/Bar (Class A1/A3/A4) to office (Class B1).

Further clarification of this aspect and the uses/licensing activities proposed is required.

*Please note that these comments are based solely on the information provided on the licensing application form. If the applicant requires formal confirmation that no planning permission is needed for any of the activities described in the licence application, they are recommended to submit an application for a certificate of lawfulness under Sections 191-2 of the Town and Country Planning Act 1990 (as amended).*

Kind regards

**Kevin Plaster**  
**Deputy Manager – Planning Enforcement**

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

Conditions agreed with the Licensing Authority, Metropolitan Police and Licensing Noise Liaison Office during pre-application consultation:

### **Promotion of all four Licensing Objectives**

1. Licensable activities shall only be provided to:
  - a. Employees of the premises licence holder; or
  - b. Bona fide guests of employees of the premises licence holder; or
  - c. Persons attending a pre booked function or event at the premises.
2. There shall be no bars at the premises accessible to general members of the public.
3. Licensable activities shall only be provided on the ground and basement floors in the areas shown on the licence plan.
4. The supply of alcohol shall be ancillary to the use of the premises as the premises licence holder's head office and private function/event venue.

### **Prevention of Crime & Disorder**

5. SIA supervisors shall be employed based on a risk assessment undertaken in respect of each function/event held at the premises.
6. CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable frontal identification of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request.
7. Alcoholic drinks may only be consumed within the premises. The premises licence holder must ensure that no alcohol is consumed outside the premises at any time.
  - a. all seizures of drugs or offensive weapons
  - b. any faults in the CCTV system, searching equipment or scanning equipment
  - c. any refusal of the sale of alcohol
  - d. any visit by a relevant authority or emergency service.
8. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - a. all crimes reported to the venue
  - b. all ejections of patrons
  - c. any complaints received concerning crime and disorder
  - d. any incidents of disorder
  - e. all seizures of drugs or offensive weapons
  - f. any faults in the CCTV system, searching equipment or scanning equipment
  - g. any refusal of the sale of alcohol
  - h. any visit by a relevant authority or emergency service
9. In the event that an assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
  - a. The police (and, where appropriate, the London Ambulance Service) are called without delay;
  - b. All measures that are reasonably practicable are taken to apprehend any suspects

pending the arrival of the police;

- c. The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
- d. Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

### Public Safety

- 10. All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified.
- 11. Where chairs and tables are provided, internal gangways shall be kept unobstructed.
- 12. Exit doors shall be regularly checked to ensure that they function satisfactorily and a record of the check shall be kept.
- 13. The edges of the treads of steps and stairways must be maintained so as to be in good condition and be conspicuous.
- 14. When disabled people are present, there must be sufficient numbers of staff and adequate arrangements must be in place to enable their safe evacuation in the event of an emergency. Disabled people on the premises must be made aware of such arrangements by staff and by the use of appropriate signage.
- 15. Emergency lighting shall be maintained and fully operational.
- 16. Adequate and appropriate supply of first aid equipment and materials must be available on the premises at all times.

### Prevention of Public Nuisance

- 17. The licensee shall develop a Noise Management and Dispersal Policy to control noise coming from the venue, including people noise, and to control noise from guests either congregating outside or leaving the area. The Noise Management and Dispersal Policy shall be agreed with the Council's Licensing Authority and be reviewed and revised periodically or after incidences to ensure that public nuisance is prevented from recurring.
- 18. The licensee shall appoint a noise consultant registered with the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of sound insulation and noise control measures, which shall include the installation of a noise limiting device, to prevent persons in the neighbourhood from being unreasonably disturbed by noise of music from the premises. The scheme shall be submitted for approval by the Council, and the approved scheme fully implemented to the satisfaction of the Council and the licensee notified in writing accordingly, prior to the premises being used for regulated entertainment.
- 19. Once agreed maximum levels of sound shall be expressed on the premises licence for each area designated for entertainments as follows:

Area/Room (e.g. lower ground floor bar area)	Linear	"A"	125 Hz	63 Hz
Measurement point: XXXXXXXXXXXXXXXXXXXX	XX dB (1 min)	XX dB (1 min)	XX dB (1 min)	XX dB (1 min)

The entertainment noise control system shall be monitored, checked and calibrated as necessary, so that the levels approved by the Council, are not exceeded.

All other areas shall be limited to ambient background levels of sound.

20. In the event of a noise complaint substantiated by an authorised officer, the licensee shall immediately take appropriate measures in order to prevent further disturbance.
21. Windows shall be closed at all times when regulated entertainments are on-going and in any case by 21:00 every night. Windows (apart from windows designated as fire exits) shall be locked closed after 21:00 using key operated locks.
22. All doors to noise generating rooms shall be kept closed apart from access and egress when entertainments are on-going.
23. There shall be a dedicated smoking area for patrons with maximum numbers of smokers to be agreed with the Licensing Authority. The smoking area shall be clearly marked and cordoned off and supervised.
24. Smokers shall not be permitted to take alcoholic drinks outside to the smoking area(s).
25. Outside smoking areas shall be supervised after 22:00.
26. There shall be no amplified sound in any outside areas.
27. Exterior lighting shall be directed away from residential properties.
28. There shall be no bottling out after 23:00
29. There shall be no deliveries or loading or unloading of vehicles between 8pm and 8am, Mondays to Saturdays, and no deliveries before 10am or after 4pm on Sundays or Bank Holidays.
30. No rubbish including bottles will be moved, removed or placed in outside areas on Sundays or Bank/Public Holidays and between the hours of 11pm and 7am other days of the week.

#### **Protection of Children of Harm**

31. The licensee shall adopt the Challenge 25 and the BII National Standards Proof of Age Scheme
32. The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards e.g. Citizencard, a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
33. The licensee and staff should note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection by the licensing team, police or trading standards.

#### **Additional conditions agreed following pre application consultation with local residents to promote all four licensing objectives:**

34. Staff shall be trained as appropriate in respect of relevant licensing law, the implementation of licence conditions, health and safety, first aid, alcohol and drug awareness and conflict management.

35. The consumption of alcohol shall be restricted to those parts of the premises identified by the red line on the plan attached to the premises licence.
36. Any alcohol supplied at a private function shall be served with a meal, canapés or buffet. Any activities at the premises shall not be alcohol led.
37. Alcoholic drinks shall only be served on the premises and shall never be consumed outside the premises at any time.
38. Staff shall be able to provide the number of an allocated taxi firm as and when required.
39. Clear notices shall be displayed around the premises asking customers to leave the premises quietly.
40. Any external smoking area shall be cleared of customers before the end of licensing hours.
41. The service of alcohol shall cease 30 minutes before the premises close to provide a "wind down" period. Staff shall be required to take all practical measures to ensure that everyone leaves the premises quietly with due respect to the amenity of local residents.
42. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
43. The licence holder shall ensure that the area in the vicinity of the premises is kept clean and tidy and shall ensure that any litter outside the premises is cleared. No food or drinks shall be permitted to be taken outside. Non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is to be sold or supplied for consumption on the premises
44. There shall be no external advertisement or indication of the licensed facilities.
45. Staff shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised so as to ensure that there is no public nuisance or obstruction to the public highway.
46. No chairs or tables or signage or display boards of any kind shall be placed on the pavement or carriageway outside the premises at any time.
47. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly. The premises shall have a defined dispersal policy to ensure that customers and staff leave safely and quietly and be assisted where necessary
48. This premises licence shall operate only as long as the premises are occupied by Ennismore or Ennismore's subsidiary companies and shall be surrendered on the business vacating the building.