

**ISLINGTON COUNCIL LICENSING SUB-COMMITTEE**  
**DECISION FORM**

**Licensing Sub-Committee C – 16 June 2015**

**18 Clerkenwell Green, London, EC1**

**DECISION**

The Sub-Committee have decided to grant the application for a new premises licence in respect of **18 Clerkenwell Green, EC1**

- i) To permit the sale of alcohol for consumption on the premises from 17:00 to 21:00 on Mondays to Fridays.
- ii) To allow the following opening hours: 08:00 to 23:00 on Mondays to Fridays and 16:00 to 23:00 on Saturdays and Sundays.

1. Conditions as outlined in appendix 3 as detailed on pages 60 - 62 of the agenda, the conditions as tabled by the applicant with the deletions of conditions 31 and 32, and with the following additions shall be applied to the licence.
  - There shall be no use of the terraces in the penthouse for licensable activities.
  - This premises licence shall operate only as long as the premises are occupied by Wallacespace and shall be surrendered on the business vacating the building.
    - Condition number 6 of the tabled conditions shall include the words 'private members club'.
    - The word 'usually' shall be deleted from original condition 6.
    - Original condition 9 be deleted.

The determination of the sub-committee (including the reasons for the decision) will be provided to you in writing within 5 working days.

**REASONS FOR DECISION**

The Sub-Committee listened to all the evidence and submissions and read all the material. The Sub-Committee reached the decision having given consideration to the Licensing Act 2003, as amended, and its regulations, the national guidance and the Council's Licensing Policy.

The Sub-Committee took into consideration Licensing Policy 2. The premises fall under the Bunhill and Clerkenwell cumulative impact area. Licensing policy 2 creates a rebuttable presumption that applications for new premises licences that are likely to add to the existing cumulative impact will normally be refused, unless an 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.

The applicant presented the Sub-Committee with additional conditions for inclusion in the licence. The intention being that the additional conditions was to mitigate the concerns previously expressed by the residents.

The Sub Committee noted that the applicant's main business was arranging functions and meetings and that the consumption of alcohol would be limited to certain parts of the building and would not be sold directly to the public. The applicant offered a further condition that the licence would operate only as long as the premises were occupied by WallaceSpace and that it would have to be surrendered if and when WallaceSpace stopped occupying the premises.

The Sub-Committee heard submissions from two resident representatives. The residents expressed particular concern over the fact that the applicant was requesting permission for alcohol to be consumed on the outside terraces and the fact that the applicant sought permission to sell alcohol up until 10.30pm. Further concerns were expressed about the request to sell alcohol on Saturdays and Sundays. The concerns were that this would increase the noise level that residents would have to endure both during the week and at weekends when most businesses in the area were closed.

The Sub-Committee was concerned with the possibility that the application as amended would still have the potential to cause public nuisance.

The Sub-Committee concluded that the granting of the application with the conditions specified above adequately dealt with the public nuisance concerns. The Sub-Committee was satisfied that the licence as granted would not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.

The Sub- Committee, while noting and seriously considering the representations made by the residents, was of the opinion that the licence in the form granted, was both reasonable and proportionate.

1. The licensee shall ensure that very high standards of management and strong security procedures are in place at the premises. Regular risk assessments shall be carried out.
2. Admission to the venue shall only be given to those attending a meeting for which a prior booking has been made. All persons attending any functions at the venue shall be invited guests of the licensee's clients only.
3. 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.
4. The consumption of alcohol shall be restricted to those parts of the premises identified on the plan attached to the premises licence (see Appendix 4).
5. The licensee shall ensure that the premises are responsibly managed and supervised at all times to ensure that appropriate steps are taken to promote the four licensing objectives.
6. Any alcohol served shall be for the purpose of a client's business event and will (**usually** – deleted) be served with a meal, canapés or buffet. Any activities at the premises shall not be alcohol led and alcohol shall only be provided as part of a service to clients for the promotion of the client's business, eg. networking.
7. The licensee shall participate in any current best practice scheme in relation to licensed premises in operation in the Borough.
8. The premises shall not be open to the general public.
9. **Delete.** Attending numbers of persons shall be limited to an amount that may be comfortably seated in the meeting rooms.
10. The licensee shall regularly liaise with, and comply with any reasonable requirements of, the responsible authorities.
11. A log shall be kept of all persons entering the premises.
12. Any incidents of crime and disorder shall be logged and recorded in an incident book.
13. A burglar alarm shall be installed.
14. Toilets shall be checked at least every 2 hours daily and a log kept of the times/dates they are checked.
15. The licensee shall operate a proof of age scheme and display the relevant associated literature. Individuals who appear under 18 years of age shall be asked to produce identification bearing their photograph and date of birth details before being served alcohol.
16. The licensee shall ensure that measures are in place to ensure that their customers do not contribute to problems of anti-social drinking in the street.
17. Alcoholic drinks shall only be served on the premises and shall never be consumed outside the premises at any time.
18. An incident reporting system shall be in place.
19. All exit doors shall be maintained to ensure easy egress from the premises if required.
20. A furniture/soft furnishings shall comply with the relevant fire safety standards.
21. A fire detection and warning system shall be in place along with fire extinguishers.
22. An emergency lighting system shall be in place.
23. Safety signs and notices shall be maintained in place.
24. Floor staff shall conduct regular checks to remove hazardous objects/waste.
25. Staff shall be able to provide the number of an allocated taxi firm as and when required.
26. The DPS and all staff shall be made aware of their responsibilities to themselves, staff and customers in respect of public safety and will continue to take all reasonable steps to ensure the maintenance of all fire and other safety arrangements (including evacuation procedures) and equipment in accordance with the requirements of current installations as marked on the plan submitted with the application.
27. The licensee shall at all times be guided by the fire safety authority and implement any of its requirements in order to ensure that the premises meet current safety standards.
28. An adequate supply of first aid equipment and materials shall be available at the premises at all times.
29. Clear notices shall be displayed around the premises asking customers to leave the premises quietly.
30. Any external smoking area shall be cleared of customers before the end of licensing hours.
31. Managers shall liaise with local neighbours as part of their duties and resolve any reasonable concerns in accordance with their role in community guidelines.
32. Staff shall always be at hand to assist clients and to monitor any possible problems that could possibly give cause to any nuisance.
33. Deliveries shall be conducted during daytime to control noise nuisance.
34. The DPS and all staff shall be made aware of their responsibilities to ensure the prevention of public nuisance in and around the premises.

35. 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.
36. Management shall use the installed CCTV system to monitor behaviour.
37. A contact telephone number for the premises shall be made available for local residents who have any concerns and clearly displayed so that it is visible from outside the premises.
38. The licensee shall ensure that it takes all necessary precautions and takes every step that it feels necessary (including taking advice from the police or any other authority) to promote the prevention of public nuisance.
39. The licensee 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.
40. Refuse from the premises, including bottles, shall be placed outside the premises at times that will minimise the disturbance to nearby properties.
41. The Challenge 25 proof of age policy shall be implemented at the premises.
42. Management and all staff shall be briefed in their responsibilities to ensure customers are 18 years or older. All staff shall be trained to prevent sale or service of alcohol to under 18s and shall be required to ask for proof of age card or other age identification to prevent a sale of alcohol to a minor.
43. The licensee shall regularly monitor staff to ensure that they know how to deal with young people who ask for alcohol and other age restricted products.
44. The licensee and staff shall note any refusal to sell alcohol to a young person in a refusals log. The refusal log shall be checked and signed by the DPS on a regular basis and shall be made available for inspection by the licensing team, police or trading standards officers.
45. All staff shall be vetted to confirm that they have no previous convictions likely to cause the possibility of any crime.

**Conditions of approval suggested by the Metropolitan Police**

46. CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a supervisor to this effect. The system will provide identifiable full frontal head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised officer or a police officer (subject to the Data protection Act 1998) within 24hrs of any request free of charge. There will always be a member of staff on duty who can operate the system, to allow officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge to assist in the immediate investigation of offences. If the system malfunctions and will not be operating for longer than one day of business then Police must be informed.
47. Alcohol can only be sold to a pre booked party or event.

**Tabled conditions.**

- 1) All entrances and exits, excluding those designated for emergency escapes shall be controlled by staff at all times.
  - 2) No children shall be allowed to remain on the premises after 22:00 hours, except that this condition shall not apply to the children of the proprietors of WallaceSpace and on occasions when the premises are specifically booked to celebrate a special day for a child such as a birthday or a Bar Mitzvah
  - 3) Supplies of alcohol shall only be made to persons attending a pre-booked meeting or event.
  - 4) The names of all persons attending to use the licensed facilities at the premises shall be recorded on entry.
  - 5) The consumption of alcohol will be restricted to those parts of the premises identified on the plan submitted with the operating schedule and approved by the Licensing Authority.
  - 6) The premises shall trade as a provider of pre-booked rooms for meetings, conferences, training, research, events and workshops. Specifically, they shall not at any time operate under this licence as a nightclub, club, **private members club** or bar open to the general public.
  - 7) Bottles or glasses shall not be permitted to be taken outside the licensed areas and alcohol may not be consumed outside the premises at any time. Doors to the terrace areas are to be kept closed (except for access and egress) at all times
  - 8) Alcoholic drinks may only be consumed within the premises licenced areas during those hours permitted for the sale of alcohol and 30 minutes after the permitted terminal hour.
  - 9) 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
  - 10) The premises licence holder must use his/her best endeavours to ensure that any persons who leave the building to smoke are required to leave glasses inside.
  - 11) The maximum number of persons (excluding staff) accommodated at any time in the licensed areas shall not exceed 300 (before 18:00 hours) and 200 (after 18:00 hours) on any day.
  - 12) There shall be no external advertisement or indication of the licensed facilities.
  - 13) New customers shall not be permitted to enter the premises after 21:00 hours.
  - 14) Patrons shall not be permitted to stand outside the premises, save in the designated smoking area.
  - 15) The licence holder shall ensure that rubbish shall not at any time obstruct any pavements or roadways adjacent to the premises. No rubbish shall be placed outside the premises. Collections shall not take place on Saturdays outside the hours of 09:00 and 17:00, on Sundays, or on Bank Holidays.
- The premises shall maintain its internal storage arrangements for refuse and actively seek to minimise the noisy disposal of bottles.
- 16) Music or noise shall not emanate from the premises nor vibration be transmitted through the structure so as to give rise to a nuisance. Doors to access and egress the premises shall be kept closed and employ automatic door closing mechanisms so far as practicable.
  - 17) No more than 10 persons shall be permitted to smoke outside the premises at ground floor level at any one time. Smokers shall only be permitted to smoke in the designated area. Smoking shall not be permitted outside the premises after 21:30 on any day except when covered by any occasional event that is covered by a Temporary Event Notice which may have asked for additional licensing hours.
  - 19) The licence holder shall ensure the areas immediately outside the premises are swept and cleaned no less than three times intervals each day (including at the end of each night), and that all cigarette butts are removed and disposed of within the premises.
  - 20) The licence holder shall not allow queuing outside of the premises at any time and shall provide sufficient space within the premises for any queue that forms. A 'queue' shall mean any single person, or persons, waiting to enter or be served at the premises.
  - 21) The licence holder shall actively discourage and disperse any persons trying to wait outside the premises or who otherwise obstruct the pavement or roadway and shall decline them service if they fail to disperse.

22) 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.

23) The licence holder shall ensure that all lights in the main dining area of the premises are switched off when the premises are closed.

24) 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.

25) A member of staff or the licence holder shall be present at the exit from 20:30 until the last patron leaves on any day of operations in order to direct patrons to the nearest transport links and to ensure that patrons do not create a disturbance or loiter outside or adjacent to the premises.

26) The licence holder shall encourage patrons to use public transport.

27) The contact telephone number for the designated premises supervisor shall be displayed immediately outside the premises so that it is clearly legible without the need to enter the premises.

28) Staff shall be appropriately trained on their duty to not sell alcohol to persons who are under 18 years of age. The licensee shall adopt the Challenge 25 or other National Standards Proof of Age Scheme. The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff require production of an accredited proof of age cards (e.g. Citizen card, a passport, or UK Driving Licence bearing the photograph and date of birth of the bearer).

29) The licensee shall ensure that staff are trained about age restricted products and that they sign a record to confirm that they understood the training. The licensee shall keep records of training and instruction given to staff.

30) The Designated Premises Supervisor shall ensure that all management staff are trained to use and maintain the Incident Book. The Incident Book shall be readily available for inspection by the police and officers of the licensing authority. It shall record all crimes reported to or by the venue, as well as ejections of patrons, complaints received, incidents of disorder, faults in the CCTV system and any other incidents likely to be of interest to the Police or other statutory authority.

31) **Delete to use police CCTV condition.** CCTV shall be installed, operated and maintained in agreement with the Police. 'Maintained' means that#

the system will be regularly serviced and checked every two weeks to ensure that it is showing images# correctly. A log shall be kept and signed by a Supervisor to this effect. The system will provide an identifiable# full head and shoulder image of every person entering the premises and operate in any light conditions obtaining within the premises.

32) **Delete to use police CCTV condition.** The system shall record in real time, date and time stamped and will continually operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request (free of charge), together with facilities for viewing should these be necessary. There will be a member of staff on duty at all times the premises are open to operate the system, allow officers to view recordings and if required by a police officer, provide a copy of images immediately and free of charge to assist in the investigation of offences.

Additional conditions.

- **There shall be no use of the terraces in the penthouse for licensable activities.**
- **This premises licence shall operate only as long as the premises are occupied by Wallacespace and shall be surrendered on the business vacating the building.**

**Note of the Committee**