



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	12 <sup>th</sup> August 2014		Clerkenwell

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE VARIATION APPLICATION**  
**Foxlow, 69-73 St John Street, London EC1M 4AN**

**1. Synopsis**

- 1.1 This is an application for the variation of a premise licence under the Licensing Act 2003.
- 1.2 The application is to:
- Extend the licensable area to include an outside dining area, limited to 4 people and the area will not be used after 21:00 hours.

**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: two
Other bodies	Yes: one local landlord

### 3. Background

3.1 Papers are attached as follows:-

Appendix 1: application form, current licence and photograph of proposed area;

Appendix 2: representations;

Appendix 3: suggested conditions and map of premises location.

3.2 Two local residents and one local resident have submitted representations. The Noise Service and one additional local resident have withdrawn their representations in response to additional measures proposed by the applicant.

3.3 In response to the original representations, the applicants responded by way of the following comments, which were conveyed to all parties making representation:

“1. The outside area is already part of their demise

2. It is not a public highway

3. The area will only be used for diners

4. Alcohol may only be consumed ancillary to a table meal

5. The area will be only used for customers that are sat

6. Customers must be served by waiter/ waitress

7. The area will not be used after 9pm

8. The area is limited to 4 people

9. The tables are immediately in front of the restaurant and would not block any route to any residential flats (see attached plan)”

3.4 The Council's Highways Service have confirmed that the proposed outside area is not part of the public highway and as such does not need a tables and chairs licence.

#### 4. Planning Implications

- 4.1 The Planning Service have confirmed that as the proposed area falls within private land of the existing restaurant no additional planning consent is needed.

#### 5 Recommendations

- 5.1 To determine the application for a variation of the premises licence under Section 34 of the Licensing Act 2003.
- 5.2 To consider that this address is in the Saturation or "Cumulative Impact Policy" of Islington. This special policy creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that are likely to add to the existing cumulative impact will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.
- 5.2 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 3)
  - ii. any conditions deemed appropriate by the Committee to promote the four licensing objectives.(see appendix 3)
  - iii. any conditions deemed necessary by the Committee to promote the four licensing objectives.

#### 6 Conclusion and reasons for recommendations

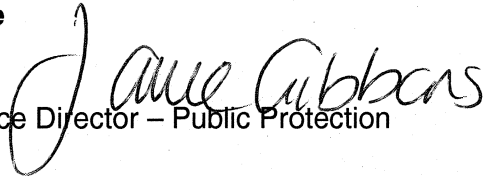
- 6.1 The Council is required to consider this application in the light of all relevant information, and if approval is given, it may attach such conditions as appropriate to promote the licensing objectives.

#### Background papers:

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

#### Final Report Clearance

Signed by

  
Service Director – Public Protection

Date 31/7/14

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

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

Appendix 1

2014 49795  
Thomas & Thomas  
Partners LLP

LN/14165

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Foxlow Restaurants Ltd

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

LN/14165-230413

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

Foxlow  
69-73 St John Street

Post town

London

Postcode

EC1M 4AN

Telephone number at premises (if any)

Non-domestic rateable value of premises

£87,500

Part 2 – Applicant details

Daytime contact  
telephone number

E-mail address (optional)

Current postal address if  
different from premises address

Post town

Postcode

0672674  
£450.00/102493  
13/06/14



**Part 3 - Variation**

Please tick as appropriate

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

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

DD		MM		YYYY			

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

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)  
So as to extend the licensable area to include the outside of the premises as per the plans which have been submitted (drawing number 03(05)C)

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

**Part 4 Operating Schedule**

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment**

**Please tick all that apply**

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

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

**Sale by retail of alcohol** (if ticking yes, fill in box J)

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

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 5)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)
Tue			
Wed			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Thur			
Fri			
Sat			
Sun			

D

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

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon								
Tue								
Wed						State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat								
Sun								

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					



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 type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<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 performance of dance</u></b> (please read guidance note 5)		
Thur					
Fri			<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)		
Sat					
Sun					

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 type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed					
Thur			<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					
Sat			<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)		
Sun					

<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 type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
Wed					
Thur			<b>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</b> (please read guidance note 6)		
Fri					
Sat					
Sun					

J

<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 6)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<b><u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		

K

<p><b>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</b> (please read guidance note 9).</p> <p>None</p>
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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	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			<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)

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

None

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

**M**

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

The applicant has considered the licensing objectives and is of the opinion that the layout and the conditions that are currently contained on the premises licence adequately address the objectives.

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

See above

**c) Public safety**

See above

**d) The prevention of public nuisance**

See above

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

See above

**Checklist:**

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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

**Part 5 – Signatures** (please read guidance note 11)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	<i>Thomas &amp; Thomas</i>
Date	12 <sup>th</sup> June 2014
Capacity	Thomas & Thomas Partners LLP, Solicitors on behalf fo the applicant

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 14)			
Thomas & Thomas Partners LLP 38a Monmouth Street			
Post town	London	Post code	WC2H 9EP
Telephone number (if any)	020 7042 0417		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) rhepworth@tandtp.com			



## Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
14. This is the address which we shall use to correspond with you about this application.





## PREMISES LICENCE LICENSING ACT 2003

<b>Premises licence number</b>	LN/14165-111013		
<b>Postal address of premises, or if none, ordnance survey map reference or description</b>			
<b>FOXLOW 69-73 ST JOHN STREET</b>			
<b>Post town</b>	LONDON	<b>Post code</b>	EC1M 4AN
<b>Telephone number</b>	0203 217 0033		

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

<b>Licensable activities authorised by the licence</b>
<b>Ground &amp; Mezzanine Floors</b>
<ul style="list-style-type: none"> <li>• The provision of late night refreshment</li> <li>• The sale by retail of alcohol</li> </ul>

<b>The times the licence authorises the carrying out of licensable activities</b>																																				
<ul style="list-style-type: none"> <li>• The provision of late night refreshment:           <table style="margin-left: 20px;"> <tr> <td>Friday</td> <td>23:00</td> <td>to</td> <td>00:00</td> </tr> <tr> <td>Saturday</td> <td>23:00</td> <td>to</td> <td>00:00</td> </tr> </table> </li> <li>• The sale by retail of alcohol:           <table style="margin-left: 20px;"> <tr> <td>Monday</td> <td>11:00</td> <td>to</td> <td>23:00</td> </tr> <tr> <td>Tuesday</td> <td>11:00</td> <td>to</td> <td>23:00</td> </tr> <tr> <td>Wednesday</td> <td>11:00</td> <td>to</td> <td>23:00</td> </tr> <tr> <td>Thursday</td> <td>11:00</td> <td>to</td> <td>23:00</td> </tr> <tr> <td>Friday</td> <td>11:00</td> <td>to</td> <td>00:00</td> </tr> <tr> <td>Saturday</td> <td>11:00</td> <td>to</td> <td>00:00</td> </tr> <tr> <td>Sunday</td> <td>11:00</td> <td>to</td> <td>23:00</td> </tr> </table> </li> </ul>	Friday	23:00	to	00:00	Saturday	23:00	to	00:00	Monday	11:00	to	23:00	Tuesday	11:00	to	23:00	Wednesday	11:00	to	23:00	Thursday	11:00	to	23:00	Friday	11:00	to	00:00	Saturday	11:00	to	00:00	Sunday	11:00	to	23:00
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Friday	11:00	to	00:00																																	
Saturday	11:00	to	00:00																																	
Sunday	11:00	to	23:00																																	

<b>The opening hours of the premises:</b>																												
<table style="margin-left: 20px;"> <tr> <td>Monday</td> <td>9:00</td> <td>to</td> <td>00:00</td> </tr> <tr> <td>Tuesday</td> <td>9:00</td> <td>to</td> <td>00:00</td> </tr> <tr> <td>Wednesday</td> <td>9:00</td> <td>to</td> <td>00:00</td> </tr> <tr> <td>Thursday</td> <td>9:00</td> <td>to</td> <td>00:00</td> </tr> <tr> <td>Friday</td> <td>9:00</td> <td>to</td> <td>00:00</td> </tr> <tr> <td>Saturday</td> <td>9:00</td> <td>to</td> <td>00:00</td> </tr> <tr> <td>Sunday</td> <td>9:00</td> <td>to</td> <td>00:00</td> </tr> </table>	Monday	9:00	to	00:00	Tuesday	9:00	to	00:00	Wednesday	9:00	to	00:00	Thursday	9:00	to	00:00	Friday	9:00	to	00:00	Saturday	9:00	to	00:00	Sunday	9:00	to	00:00
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Friday	9:00	to	00:00																									
Saturday	9:00	to	00:00																									
Sunday	9:00	to	00:00																									

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

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

Foxlow Restaurants Limited  
Unit 402  
70 Wapping Wall  
London  
E1W 3SS

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

08552600

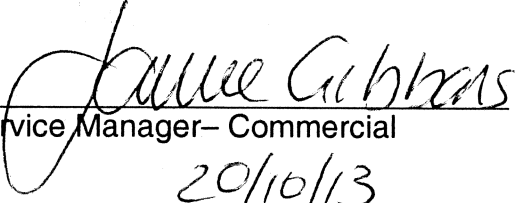
**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol**

Andrew Needham

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

1002324911 - Westminster City Council

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

  
\_\_\_\_\_  
Service Manager- Commercial  
20/10/13  
\_\_\_\_\_  
Date of Issue

## Annex 1 - Mandatory conditions

1. No supply of alcohol may be made under the premises licence:
  - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any "irresponsible promotions" in relation to the premises.

In this condition, an "irresponsible promotion" means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children:

- a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
    - i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
  - d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on:
    - i) the outcome of a race, competition or other event or process, or
    - ii) the likelihood of anything occurring or not occurring;
  - e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
  5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
  6. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

7. The responsible person shall ensure that:
  - a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
    - i) beer or cider: ½ pint;
    - ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - iii) still wine in a glass: 125 ml; and
  - b) customers are made aware of the availability of these measures.

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

1. The licensee shall participate in the local Pubwatch scheme.
2. The licensee shall ensure training is provided to staff to ensure compliance with licensing laws.
3. No alcohol will be served to customers appearing to be drunk, aggressive or on drugs. This will be underlined by signage.
4. Drinks shall not be served without food.
5. Notwithstanding condition 4, until 8pm alcohol may be supplied and consumed to a maximum of 15 seated persons by waiter or waitress service in the designated bar area.
6. The licensee shall work with responsible authorities where required to ensure that patrons do not contribute to any crime or disorder.
7. The licensee shall sign up to the Clerkenwell licensees' charter.
8. The licensee shall carry out full risk assessment for the premises, for staff and public, prior to the opening of the premises, and on a regular basis thereafter.
9. Regular electrical and gas safety checks shall be carried out.
10. The licensee shall ensure staff are trained on a regular basis on emergency procedures.
11. First aid equipment shall be kept on the premises.
12. Doors will be kept shut to prevent noise onto the street.
13. Measures shall be in place to prevent bottles or glasses from being taken off the premises, particularly when patrons go smoking. Signage shall be put up in the restaurant and patrons reminded in person that drinks must stay inside.
14. Prominent, clear and legible notices must be displayed at all public exits requesting customers to respect the needs of local residents and to leave the premises and area quietly.
15. Prominent notices (a minimum of 2) shall be displayed asking patrons smoking to keep noise to a minimum outside the premises, respect the neighbours and not obstruct the pavement.
16. The licensee shall control sources of noise (refrigeration and ventilation units).

17. Children shall only be accepted to the dining room with their parents/guardians until 9pm.
18. Staff shall be trained to ensure compliance with the law in relation to consumption of alcohol of under 18s, including prevention of adults buying alcohol for children. This would include operating a Challenge 25 policy.
19. Staff shall be asked to sign a declaration that they will verify IDs of guests looking 25 years of age and under.
20. Signage shall be displayed informing patrons of our Challenge 25 policy.

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

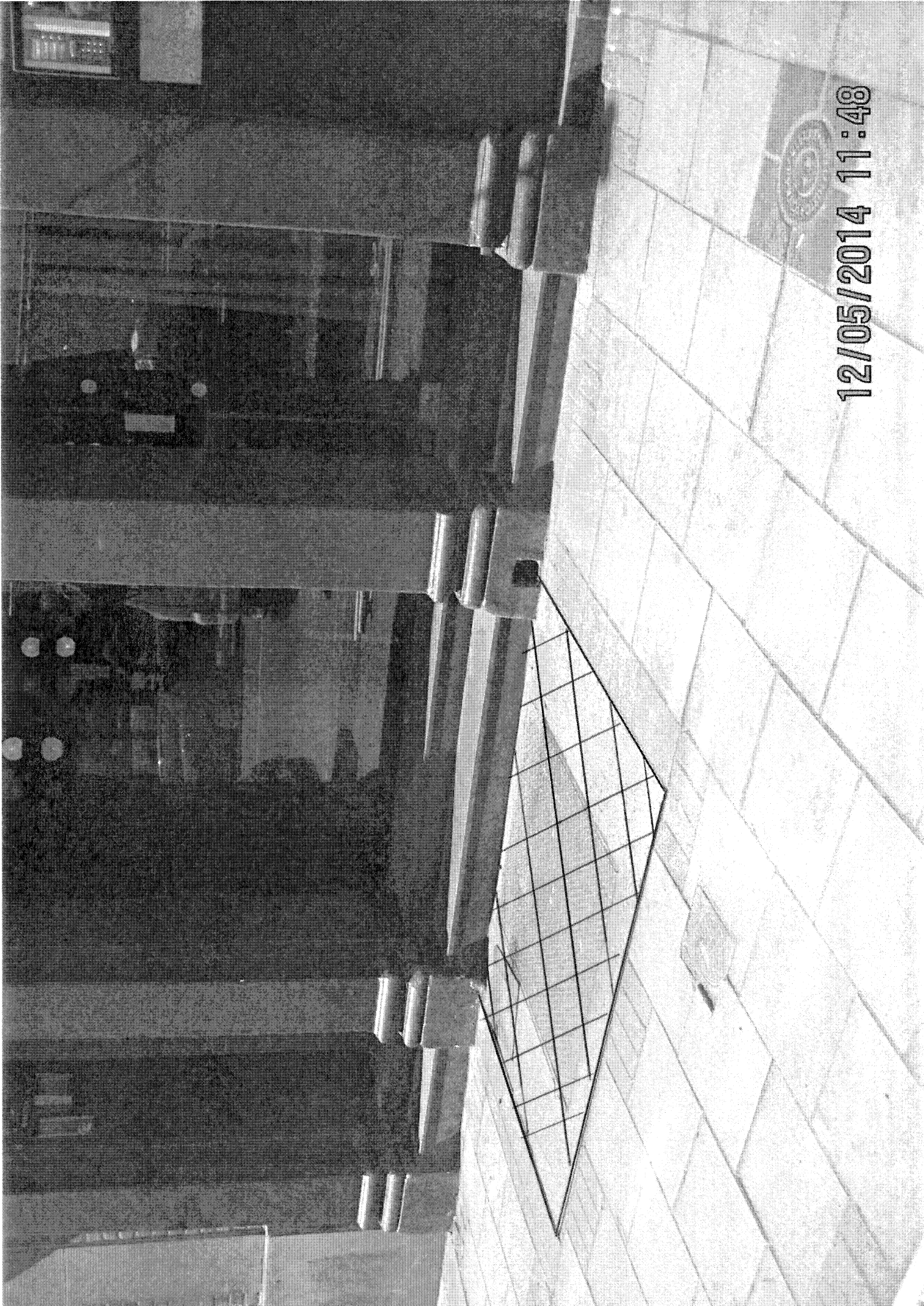
1. Windows at the rear of the premises will be closed at 6.30pm

**Annex 4 – Plans**

Reference Number: 3290 03(05) – 10/08/13



12/05/2014 11:48





Appendix 2

Rep 2

Tamara's Real Estate  
Management Ltd.  
100-102, Upper Street  
London N1 1XR  
Tel: 020 7353 8888  
Fax: 020 7353 8889  
www.tamara.com



Islington Council  
Licensing Service  
London Borough of Islington  
3<sup>rd</sup> Floor  
222 Upper Street  
London  
N1 1XR

3<sup>rd</sup> July 2014

Dear Sirs,

**RE: Licensing Act 2003 – Premises Licence Application Variation**  
**Foxlow, 69-73 St John Street, London EC1M 4AN**

I write to you on behalf of the residents at St John Street, London EC1M 4DT.

Many letters have been received by us from the residents to inform us that they are not happy with the request to extend the timings and object to this request.

There are lots of children in the building and they have their bedrooms facing the road and restaurant.

By granting the extension this would lead to further noise and chances of unruly behaviour due to excess drinking by the diners who then use the pavement as a urinal in the early hours of the morning.

The residents do not want to be exposed to any more noise, waste bags, bottles thrown around and broken glass etc.

We as Landlord do agree with the residents and object to the extending of timings to Foxlow.

I do hope you will take our objection into consideration.

Thank you

Yours sincerely

A handwritten signature in cursive script that reads 'Kashmira Cooper'.

Kashmira Cooper  
For and on behalf of  
Tamares Real Estate Management Limited

Gallacher, Simon

From: [Redacted]  
Sent: 11 July 2014 17:49  
To: Licensing  
Subject: Representation re Premises License Application Variation - Foxlow, 69-71 St John Street, London EC1M 4AN

To whom it may concern

Premises Name:	Foxlow
Premises Address	69-73 St John Street, London, EC1M 4AN
My Name	[Redacted]
My Address	[Redacted]
Email	[Redacted]
Phone	[Redacted]

In the strongest terms, I oppose the Variation application from the applicant on the assumption that it affects the exterior to the front of the property, and on the following grounds

Public Nuisance	<p>The building is a mixed use building, with the restaurant 'Foxlow' taking two shop fronts on the ground floor. The entry door (and stairwell) to [Redacted] is between these two shop-fronts and completely surrounded by the restaurant premises.</p> <p>[Redacted] we have already experienced nuisance due to noise from the front door banging when diners enter/exit, and also when diners stand outside smoking. When alcohol has been imbibed and diners stand outside in groups, the noise of their discussions, and the smoke from their cigarettes, invade the flat above. Even with windows closed, the noise is invasive.</p> <p>One concern is based in the fact that the noise and smoke <i>will</i> increase considerably if the exterior becomes an extension dining area. Given that the current situation is only just bearable, these will make the situation unbearable.</p> <p>Another concern relating to the licensing hours extension has its core in the same nuisance – disturbance from diners to 11pm is bad enough, since it takes a further hour for staff to clear up, often with loud music playing, and during which they fill bottle bins and food bins, then very noisily trundle them out through the banging door and onto the pavement outside the restaurant – immediately beneath the flat windows in which people are trying to sleep. An extension by one hour to licensing hours will mean this noise extends to 1pm, which is wholly unacceptable.</p>
Public Safety	<p>Since the entry door to the flat is surrounded by the shopfronts from the Foxlow restaurant, anyone needing to attend any of the premises accessed via the door at number [Redacted] will be manoeuvring between diners and their attendant plates, bottles and cigarettes – a danger to those trying to enter, and their clothing and property. Moving</p>

suitcases and boxes in and out of the doorway (as happens frequently, currently), would become very challenging.

If I have mistaken or misunderstood the application regarding the location of the 'exterior' extension, then I would be happy to reconsider my submission with regards to public safety, but grounds for complaint on public nuisance with respect to extended licenses hours, still stand.

Sincerely

[Redacted signature]

[Redacted address line 1]

[Redacted address line 2]



detrimental effect on the amenity of the area which currently has a good balance of residential and business. The balance does in my view need to be protected.

I'm very happy to have a conversation if you think I'm overreacting, given I have not seen the plans, but this really worries me. I'll talk to our managing company about it too on Monday as I am sure the other residents in this building will feel the same way. I am happy for you to come in our property and see how it would be impacted, if this would help. I am contactable on the numbers below, either daytime or evening.

Kind regards

[Redacted signature block]

----- End of message text -----

[Large redacted block]

1. The use of the outside seating area is restricted as follows:
  - a) The area will only be used for diners
  - b) Alcohol may only be consumed ancillary to a table meal
  - c) The area will be only used for customers that are seated
  - d) Customers must be served by waiter/ waitress
  - e) The area will not be used after 9pm
  - f) The area is limited to 4 people
  - g) The tables shall be placed immediately in front of the restaurant and not block any route to any residential flats (see attached plan).

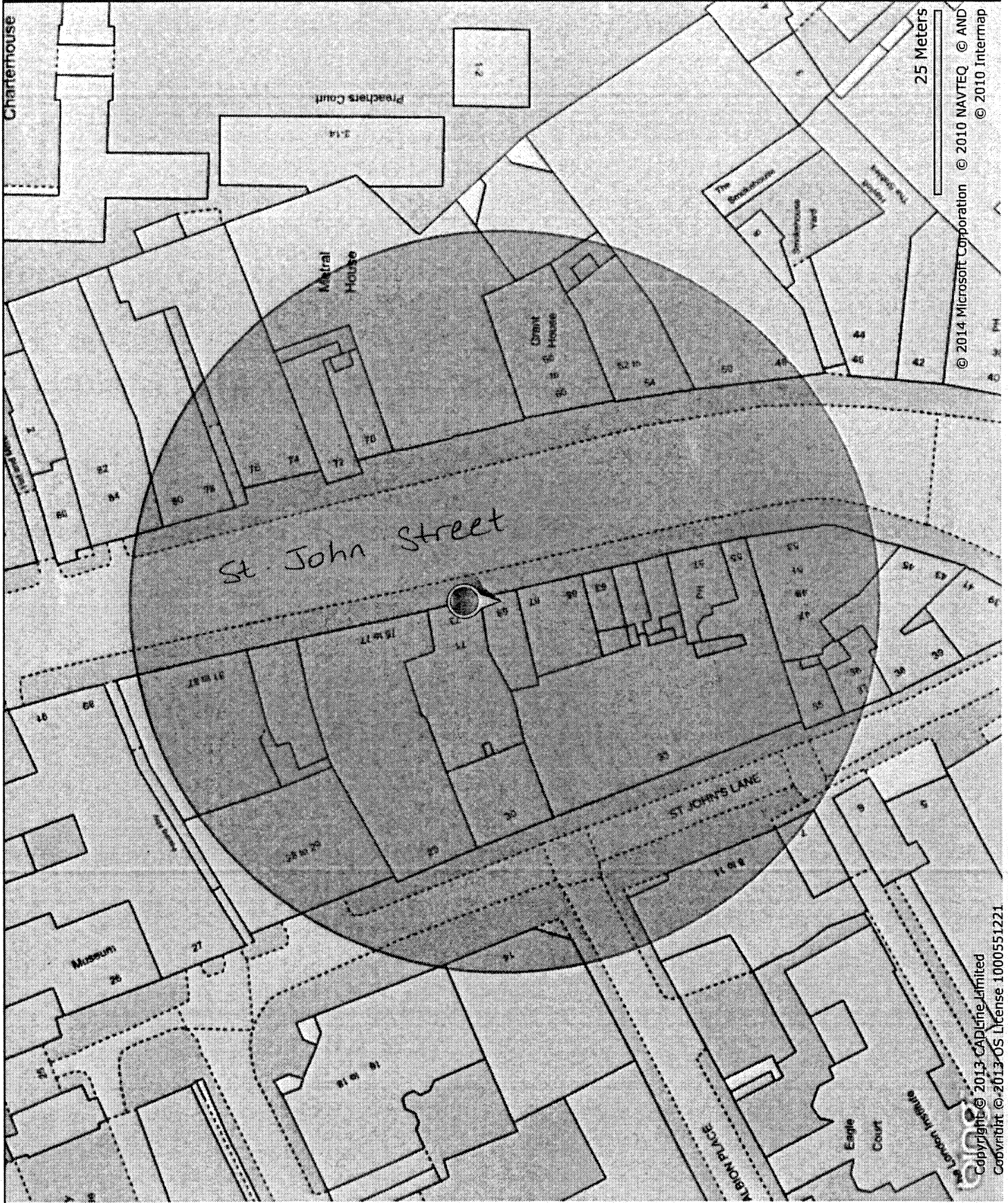


Title : 69-73 St John Street

Islington Borough Boundary

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