



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	12 th August 2014		St. Mary's

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

RE: ANGEL FLOWERS, 60 UPPER STREET, LONDON, N1 0NY.

1. Synopsis

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

1.2 The new application is to allow:

- The sale by retail of alcohol, off supplies only, Mondays from 09:00 until 18:00, Tuesdays to Saturdays from 09:00 until 19:00 and Sundays from 11:00 until 17:00.

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: One
Other bodies	Yes: Local Councillor

3. Background

3.1 Papers are attached as follows:-

- Appendix 1: application form;
- Appendix 2: representations;
- Appendix 3: suggested conditions and map of premises location.

4. Planning Implications

4.1 None

5 Recommendations

- 5.1 To determine the application for a new premises licence under Section 17 of the Licensing Act 2003.
- 5.2 To consider that this address is in the Angel and Upper Street 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.
- 5.3 If the Committee grants the application it should be subject to:
- i. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (see appendix 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

4-8-14
Date

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

2014 48230



ISLINGTON

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 Nick Baker of N1Flowers Ltd (trading as Angel Flowers)

(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 Angel Flowers 60 Upper Street			
Post town	Islington	Postcode	N1 0NY
Telephone number at premises (if any)		020 7704 6312	
Non-domestic rateable value of premises		£ 38000	

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 | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <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) |

YSE/231
£315 00/PARIS
02/06/14

- e) the proprietor of an educational establishment 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:

Please tick yes

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)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town			Postcode		
Daytime contact telephone number					
E-mail address (optional)					

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)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
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 Nick Baker
Address N1 Flowers Ltd 11 Shillingford Street Islington N1 2DP This is only the registered office address, the address for the premises licence is Angel Flowers 60 Upper Street
Registered number (where applicable) 07550540
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited company
Telephone number (if any) 07973 654097
E-mail address (optional) nick655@btinternet.com

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	07	2014

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)

This is a flower shop on Upper Street that sells cut flowers and plants to both customers walking in from the street and an increasing number of orders from our website that are made on site and go out for delivery. The shop has O'Neil's bar on one side and the Japanese Restaurant Tenshi on the other side which are both selling alcohol on premise to at least 23:00 every day. We get many requests for customers to be able to add wine or champagne to their flower orders and we would like to be able to stock on site a small range of wine and champagne for off-premise sales and store these in the shop area in a locked storage and display cabinet. We will maintain the main focus of the business as a flower shop, the small range of wines and champagnes are a secondary add-on because of customer demand. No one will be able to walk into our shop and pick up a bottle, since it doesn't need to be displayed on shelves, it will be displayed in an appropriate display storage unit that will be locked at all times.

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

0

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

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

Provision of regulated entertainment

Please tick any that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed						State any seasonal variations for performing plays (please read guidance note 4)		
Thur								
Fri								
Sat						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 5)		
Sun								

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) The shop always closes at 19:00 except on the three days a year where it opens until 20:00; the day before Valentines, Valentines Day and the 23 rd December.		
Mon	09:00	18:00			
Tue	09:00	19:00			
Wed	09:00	19:00			
Thur	09:00	19:00			
Fri	09:00	19:00			
Sat	09:00	19:00			
Sun	11:00	17:00			
			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 (please read guidance note 5)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name Nick Baker	
Address 11 Shillingford Street Islington	
Postcode	N1 2DP
Personal licence number (if known) LN/14610	
Issuing licensing authority (if known) Islington	

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 8).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) These hours are the same as in section J
Day	Start	Finish	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

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 9)

We are a flower shop looking to make some small additional sales by providing a small number of wines and champagnes to online customers and shop customers. Our core business will remain as a flower shop, but like all the supermarkets and online florists have done over the last 10 years they offer up-sells in the form of wine and champagne which has become a common “add-on” with flower orders since around 80% of flowers are gifted and champagne is a common companion gift to flowers. So our operating hours will remain the same and we don’t see stocking a small range of wines and champagnes making a noticeable difference to our customer profile since we are a premium flower shop and will not be selling cheap alcohol, only wine and champagne. We anticipate most of the sales coming from on-line orders since most of those orders are gifted flowers and since we get many orders for flowers over £100 there is much synergy in offering an add on premium product.

b) The prevention of crime and disorder

We are looking to sell to our existing customers who come into our shop for flowers and our small range of wine and champagne is to take advantage of making a sale of a companion product and not to stay open later than normal flower shop hours, closed by 19:00 and there are always two staff on premises.

c) Public safety

We are looking to sell to our existing customers who come into our shop for flowers and our small range of wine and champagne is to take advantage of making a sale of a companion product and not to stay open later than normal flower shop hours, closed by 19:00 so there would be no change to noise or other factors that are different to how the business operates today.

d) The prevention of public nuisance

Our shops shuts by 19:00 and our premise licence won’t alter the customer profile since we are not looking to attract customers for alcohol sales, we are looking to sell an “add-on” either wine or champagne to existing customers.

e) The protection of children from harm

The wine & champagne will be securely stored in a locked storage device and our staff will be trained on our policy of “challenge 25” to ensure age verification is robustly enforced. Signs displaying the policy “under 25” will be clearly displayed in the shop where the wine is stored.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. - *please call for payment.*
- 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.
- 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.

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 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

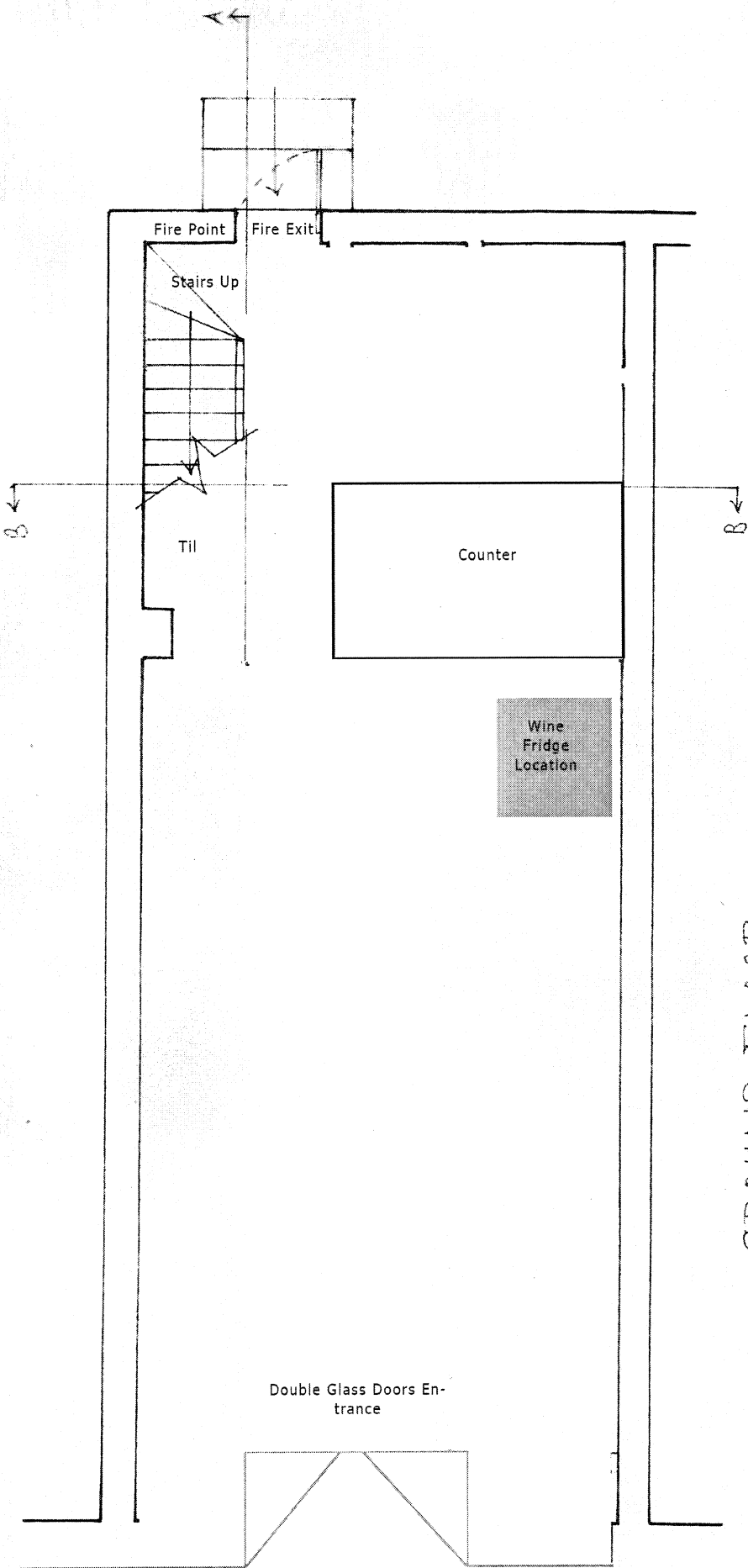
Signature	<i>[Handwritten Signature]</i>
Date	29 th May 2014
Capacity	Director

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **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 13)

Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			



GROUND FLOOR

60 Upper Street

Scale 1:50

①

Whitton, Daniel

From: [REDACTED]
Sent: 05 June 2014 17:31
To: Licensing
Cc: Klute, Martin
Subject: Worksheet number: WK/2014 48230 Angel Flowers

Dear Licensing team

While I am supportive of Angel Flowers as a business and am indeed a regular customer, I have to object to this application for an off-sales license. This business operates in an area with a very high density of alcohol supply. It is Council policy to refuse licenses in areas of saturation and this part of Upper Street is definitely saturated. In order to limit ASB and the harm related to alcohol supply and use we simply cannot allow any more premises in this area to be licensed. The problem is that although Angel Flowers might be responsible licensees, once a particular premises is licensed then any future occupant of that shop will also be entitled to a license. They might be much less responsible and far from alcohol being incidental to their business it could become the major part.

So please, Islington, turn down this application

Regards





Dear Sir/Madam,

We have received the following attached application for a **Premises Licence (New)**:

Proposed licence holder: N1 Flowers Limited, 11 Shillingford Street, London N1 2DP

Premises name: Angel Flowers

Address: 60 Upper Street, London N1 0NY

Application received: 3 June 2014

Last date for representations: 1 July 2014

Worksheet number: WK/2014 48230

Licensable activities and timings applied for:

Sale of alcohol (off sales): 09.00 – 18.00 Mondays, 09.00 – 19.00 Tuesdays to Saturdays, 11.00 – 17.00 Sundays.

Please confirm by email, **within 5 days**, if the application has/hasn't been received by yourselves.

You then have **28 days** from the date of receipt of application to make any representations. Please confirm to us within this time if you do/don't wish to make representation.

2

Whitton, Daniel

From: Cllr Martin Klute [REDACTED]
Sent: 08 June 2014 16:10
To: Licensing; Lane, Terrie
Cc: [REDACTED]
Subject: Re: Worksheet number: WK/2014 48230 Angel Flowers

Terrie, I fully support my constituent's objections to this application. Please count this note as an additional objection on the same grounds.

Regards,
Cllr Martin Klute

Chair: Health Scrutiny Committee
Chair: Planning Committee B

[REDACTED]

A hasty hand-held communication

[REDACTED]

[REDACTED]

Date: Thu, 5 Jun 2014 17:31:05 +0100
To: licensing<licensing@islington.gov.uk>
Cc: Martin Klute<martin.klute@islington.gov.uk>
Subject: Worksheet number: WK/2014 48230 Angel Flowers

Dear Licensing team

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limit ASB and the harm related to alcohol supply and use we simply cannot allow any more premises in this area to be licensed. The problem is that although Angel Flowers might be responsible licensees, once a particular premises is licensed then any future occupant of that shop will also be entitled to a license . They might be much less responsible and far from alcohol being incidental to their business it could become the major part.

So please, Islington, turn down this application

Regards

Dear Sir/Madam,

We have received the following attached application for a **Premises Licence (New)**:

Proposed licence holder: N1 Flowers Limited, 11 Shillingford Street, London N1 2DP

Premises name: Angel Flowers

Address: 60 Upper Street, London N1 0NY

Application received: 3 June 2014

Last date for representations: 1 July 2014

Worksheet number: WK/2014 48230

Licensable activities and timings applied for:

Sale of alcohol (off sales): 09.00 – 18.00 Mondays, 09.00 – 19.00 Tuesdays to Saturdays, 11.00 – 17.00 Sundays.

Suggested conditions of approval consistent with the operating schedule

1. The sale of alcohol is limited to wine or champagne and is only authorised as an ancillary to the purchase of flowers.
2. There shall be a minimum of two members of staff at all times.
3. There shall be a "Challenge 25" policy in place and signs on display to this effect.

Conditions proposed by the Trading Standards Service

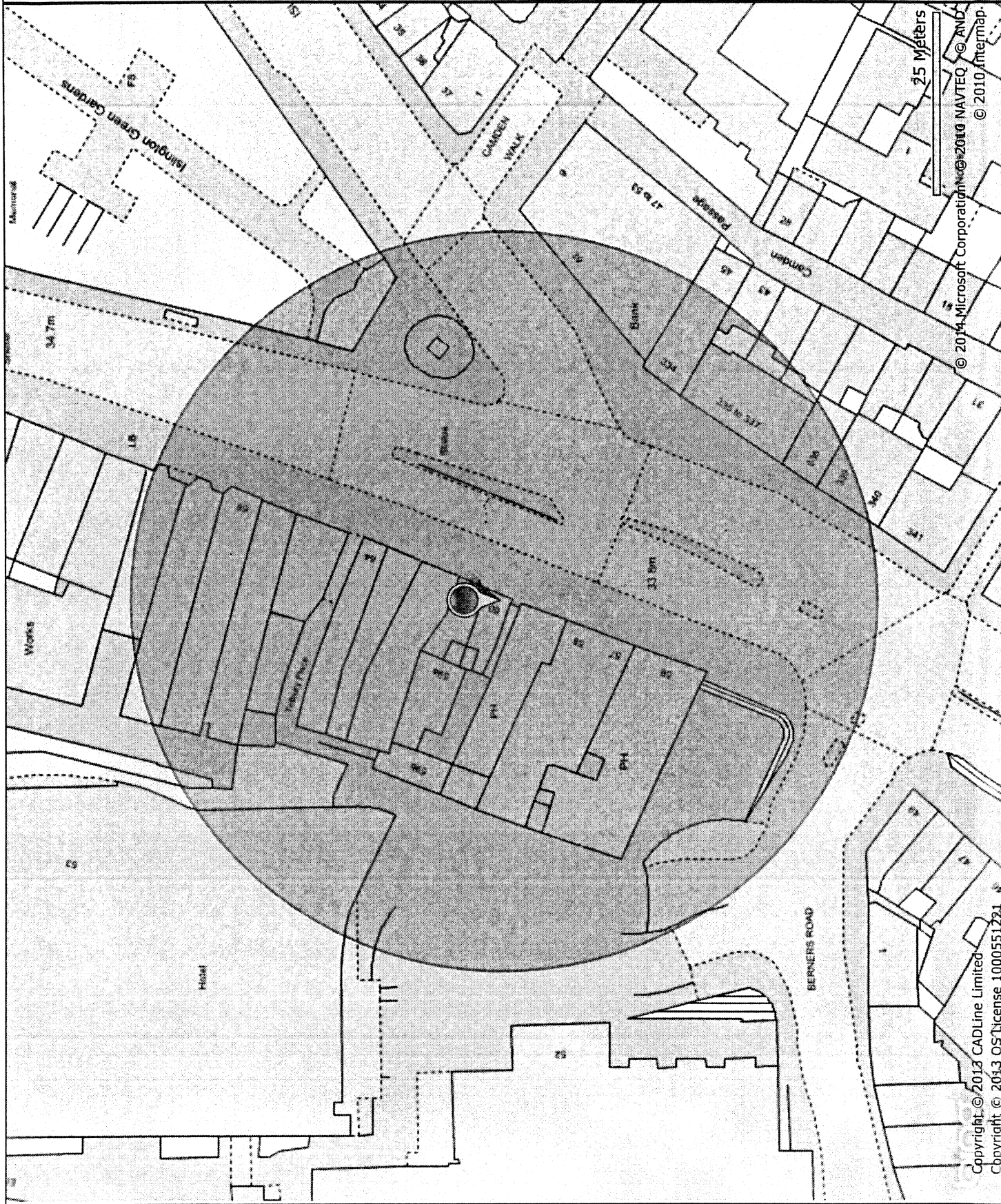
4. Staff shall be trained on the "Challenge 25" policy to ensure age verification is robustly enforced in the shop and when making deliveries.

Title : 60 Upper Street

Islington Borough
Boundary

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Printed at :
06-06-2014



25 Meters

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