



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	4 th September 2014		Bunhill

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE NEW APPLICATION
90 OLD STREET, LONDON EC1V 9AQ**

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:
 - I. Supply alcohol for consumption on the premises from 12:00 to 23:00 on Monday to Sunday;
 - II. Opening hours of the premises from 11:00 to 23:30 Monday to Saturday and from 11:00 to 23:00 on Sunday.
- 1.3 Following consultation with the Noise Team the applicant reduced the hours for the supply of alcohol and removed recorded music and late night refreshment from the application.
- 1.4 On 12 August 14 the applicant asked the Licensing Authority to forward a letter to people who made representations explaining the changes to the application. The letter set out changes made to the application. One resident replied. The letter from the applicant and the resident are included in the report.

2. Relevant Representations

Licensing Authority	Yes
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Metropolitan Police	No – Conditions accepted
Noise	No - Conditions accepted
Health and Safety	No
Trading Standards	No - Conditions accepted
Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes: 3 local residents
Other bodies	No:

3. Background

3.1 Papers are attached as follows:-

Appendix 1: application form and letter to residents;

Appendix 2: representations;

Appendix 3: suggested conditions and map of premises location.

3.2 The premises is currently licensed to sell alcohol for consumption off the premises from 08:00 to 23:00 Monday to Saturday and from 10:00 to 22:30 on Sunday. This premises licence is suspended for non-payment of fees.

4. Planning Implications

4.1 The property was granted a certificate of lawfulness for existing use of the ground floor as a café/restaurant (A3) on 18 August 2014. There are no opening hours restrictions.

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 Bunhill 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

Date

26/8/14

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

wk/201452561



**Islington
Application for a premises licence
Licensing Act 2003**

For help contact
licensing@islington.gov.uk
Telephone: 020 7527 3031

* required information

Section 1 of 19

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

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

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

Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Yes No

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

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

Applicant Business

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

* Registration number

* Business name

* VAT number

* Legal status

If your business is registered, use its registered name.
Put "none" if you are not registered for VAT.

OK Kent
11 July 14

Continued from previous page...

* Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

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

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

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NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

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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

Provide a general description of 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.

the property is at 90 old street, it is been empty for the last 4 years at least. The property is just been refurbished. The property is a ground floor and basement. The bar area is at the ground floor

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

Continued from previous page...

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PROVISION OF PLAYS

Will you be providing plays?

Yes No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

Yes No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

Yes No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

Yes No

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

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.

Continued from previous page...

THURSDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

1. All amplification of recorded music will be played through the venue's central sound system
2. No externally supplied speakers (including monitors) will be used to amplify recorded music
3. The venue's central sound system speakers will be mounted on flexible mounts so as to avoid vibration through the walls
4. On receipt of a valid and justified noise complaint, the licensee will work with residents and the council's noise team to address the issue and to take the required measures to avoid the issue re-occurring

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

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

Continued from previous page...

Will you be providing performances of dance?

Yes

No

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

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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.

Give a description of the type of entertainment that will be provided

Continued from previous page...

Will this entertainment take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

State any seasonal variations for entertainment

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

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

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

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.

Continued from previous page...

THURSDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

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

Continued from previous page...

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

On the premises Off the premises Both

If the sale of alcohol is for consumption on
the premises select on, if the sale of alcohol
is for consumption away from the premises
select off. If the sale of alcohol is for
consumption on the premises and away
from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

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

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

Name

First name

Family name

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Continued from previous page...

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

Continued from previous page...

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

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

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LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

TO PROMOTE ALL FOUR LICENSING OBJECTIVES WE WILL KEEP:

Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to:

- a) no selling of alcohol to underage people
- b) no drunk and disorderly behavior on the premises area
- c) vigilance in preventing the use and sale of illegal drugs at the retail area
- d) no violent and anti-social behavior
- e) no any harm to children

- Operating Schedule providing the hours of operation and licensable activities during those hours.
 - Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record), to make or authorize each sale
 - Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers.
 - Roller metal exterior window shutter will be fixed to ensure that shop front is safe and secure at all times
- As a licensed premises we know that it is necessary to carry out our functions or operate the business with a purpose of promoting these objectives. We promise to support these objectives through our operating schedules

b) The prevention of crime and disorder

A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.

Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed.

Not selling of alcohol to drunk or intoxicated customers.

Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.

Prevention and vigilance in illegal drug use at the retail unit area.

Staff will be well trained in asking customers to use premises in an orderly and respectful manner and prevent drinking alcohol at the retail unit.

c) Public safety

Internal and external lighting fixed to promote the public safety objective.

Well trained staff adherence to environmental health requirements.

Continued from previous page...

Training and implementation of underage ID checks.
A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorized by the Licensing Act 2003 or associated legislation.
All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective.
Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.
Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.
The Licensee will ensure that staff who arrive early morning or depart late at night when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.
Customers will be asked not to stand around loudly talking in the street outside the premises.
Customers will not be admitted to premises above opening hours.
The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.
Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.
Adequate waste receptacles for use by customers will be provided in the local vicinity

e) The protection of children from harm

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol.
Well trained staff about requirement for persons' identification, age establishment etc.
All the details provided in Training Record Book available the retail unit.
Log Book will be kept upon the premises all the time.
Nothing belong existing Health & Safety requirements

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.
Premises Licence Fees are determined by the non domestic rateable value of the premises.
To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls,

Continued from previous page...

chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

190.00

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

roberto campese

* Capacity

70

* Date

04 / 07 / 2014
dd mm yyyy

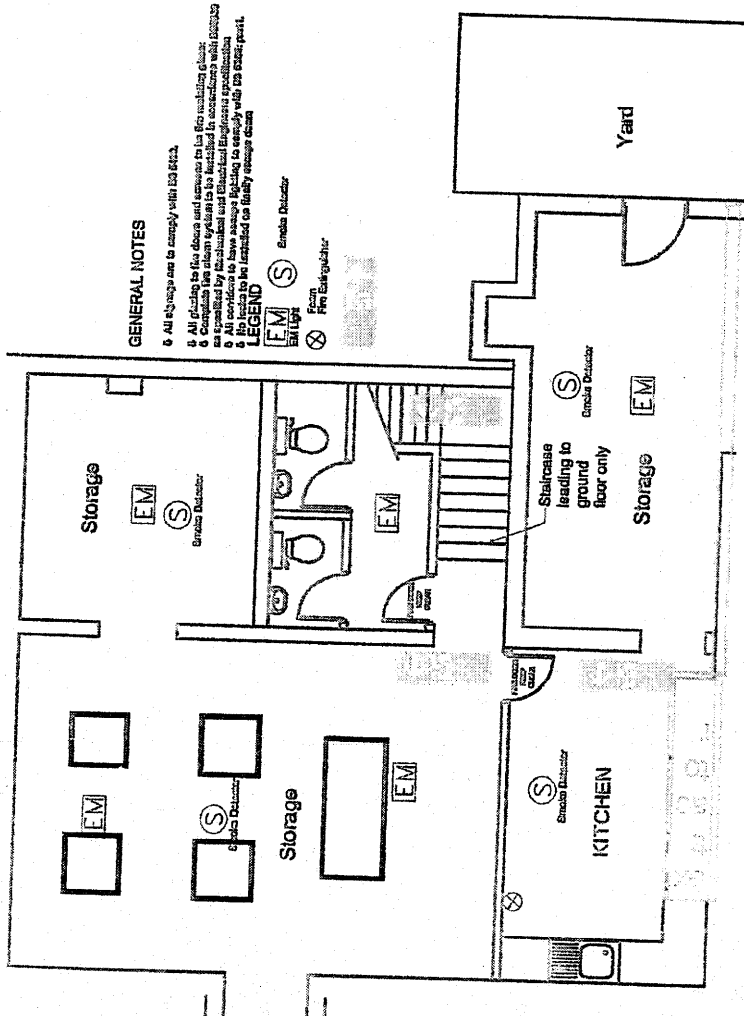
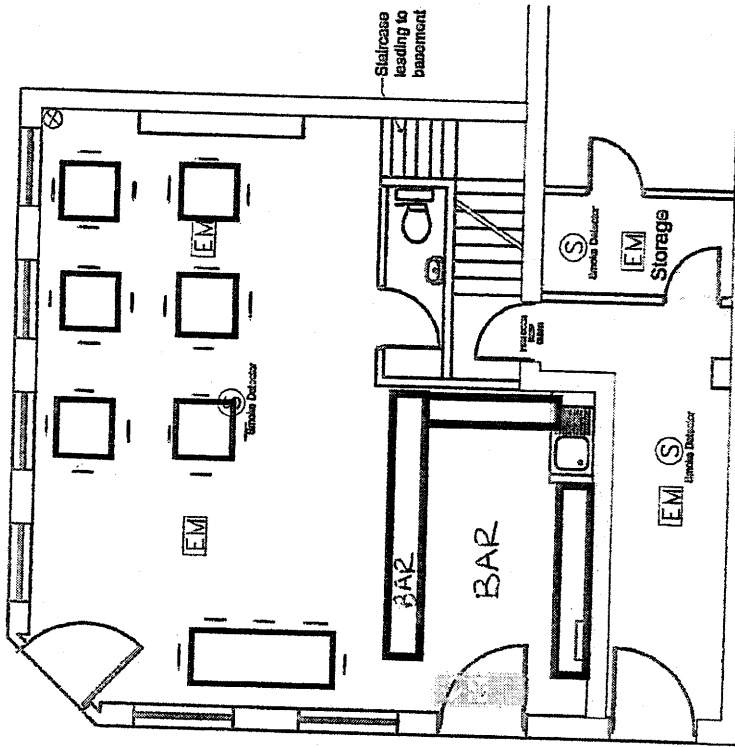
Add another signatory

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

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/islington/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, 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



GENERAL NOTES

- 1 All storage are to comply with IS 6124.
- 2 All piping for fire alarm and services to be fire resisting where applicable.
- 3 All piping for fire alarm systems to be installed in accordance with IS 6124.
- 4 All components to have appropriate Engineering specifications.
- 5 Fire alarm to be installed on fireably escape route.

LEGEND
 EM (E) Emergency Manual
 S (S) Smoke Detector
 Fire Detector
 Fire Alarm

Dear Residents,

My name is Roberto Campese and with my business partners Marilena, Dario and Carlo we would like to explain what is the situation regarding the ground floor and basement at 90 Old Street, London EC1V 9AX.

We have been dealing with this property since February 2014 but we took it over just last week beginning of August 2014.

The estate agency acting on behalf of the landlord suggested us to apply for an A4 licence (drinking establishment) because the place used to be a pub back in 50's.

We trusted him and we did it.

Unfortunately it was refused because there was not enough marketing proof for the loss of the existing A1 (retail shop) licence.

So we apply for an alcohol licence (always following the estate agent's suggestion).

In the meantime we contacted Islington planning to change the class use of the place from A1 to A3 (restaurant).

We sent the prior approval and we have been notified from Islington Planning that is been accepted (this is at the beginning of August 2014).

When we submitted the application for a premises licence to sell alcohol we have been contacted by Mr Doug Love (Islington Trading Standards), Miss Eryka Bancroft (Senior Environmental Health Officer, Noise Pollution Team Public Protection Division) and Mr Paul Hoppe (Islington Police Officer).

Every single of them had some issue with our application.

So we have been working day by day to modify our requests and meet their expectations.

This is in summary what we have done to meet the council authorities request:

1. Reduced our terminal hours to 23:00 and removed late night refreshment.
2. Removed regulated entertainment and plan to have background music only. We removed recorded music (section 11 of application) and provision of anything of a similar description to live music or performance of dance (section 13 of application).
3. We will use just the ground floor and not the basement for our licensed activity
4. We will adopt 'Challenge 25', the Retail of Alcohol Standards Group's advice for off-licences, and promote it through the prominent display of posters.
5. We will ensure that staff are trained about age-restricted products and ensure that they sign to confirm that they have understood the training. The training shall include the assessment of age; making a challenge; acceptable proof of age; and recording refusals. We will keep records of training and instructions given to staff, detailing the areas covered, and make them available for inspection upon request by the licensing

- team, police or trading standards.
6. We will put arrangements in place to ensure that before serving alcohol to persons they believe to be less than 25, staff ask to see accredited proof of age: that is, proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
 7. We will require staff to 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 upon request by the licensing team, police or trading standards.
 8. There shall be no vertical drinking in the venue
 9. All alcohol sales shall be to customers seated at a table taking a substantial meal, where alcohol is in support of the table meal.

This is the first time we apply for something like that and we didn't know all the correct steps to take to make it happen.

So we trusted the estate agent's instead to contact Islington Council first. Now we know what does it mean to apply for a premises licence and all the work behind that.

So, the place will be call John Doe Kitchen and we will be a restaurant like no others in our side of Old Street.

It will not be a pub or boozier or wine bar or (God no) a night club.

It will be a nice restaurant serving homemade pizzas, salads and burgers.

We all living in Old Street just few steps from Whitecross street and we understand what does it mean the noise and the traffic under your bed's window.

We will NOT create anything that could add noise in our area.

The capacity of the place it will be a max of 50 people.

We all know how "doggy" used to be 90 Old Street, a dilapidated empty place with not security whatsoever.

We already installed a fire alarm;

CCTV cameras will be installed inside and outside (one facing Whitecross st and one facing Old Street);

Alarm will be installed to cover all the premises.

In terms of experience in the hospitality business,

Carlo Faresin is a trained chef, he's been living in London since 2012 and has always worked as chef.

He has also 2 years experience in Sydney, Australia always as chef.

Dario De Vei is a trained pizza chef and barista, he's been living in London since 2013 and is currently working as Sous Chef at Benugo Bar & Kitchen.

He has also 2 years experience in Sydney, Australia as chef and barista.

Both guys have a diploma as Chef and numbers of years of experience back

in Italy.

Marilena Bonomo is been living in London since 2007, she always worked in the hospitality sector.

She also has manager's skills thanks to the experience 2008/2009 as assistant manager at Getti restaurant in Jermyn Street, Piccadilly Circus. She also been working for catering events in Sydney, Australia in 2009/2010

Roberto Campese is been living in London since 2007.

He has a diploma in electronic and telecommunications.

He started his career in the hospitality here in London in 2007.

Since 2008 he was restaurant manager and the 14th May 2009 he obtained the National Vocational Qualification (NVQ) level 3 in hospitality supervision.

He has also 1 year experience in Sydney, Australia as restaurant manager.

Back in London in 2011 he was head bartender at the Intercontinental Hotel in Hyde Park Corner.

He has his own personal alcohol licence. (No: 17860)

Roberto Campese and Marilena Bonomo are the owners of Il Cicchetto Bar at 44 Old Street, London EC1V 9AQ since june 2011.

They owned the company Il Cicchetto Ltd registered in London: Registration Number 7635029, registered Office: 44 Old Street, London, EC1V 9AQ.

This is a clear view of what's happening at 90 Old Street.

If you wish to have a word with us we are always available and if we are not at 90 Old Street you can find us at Il Cicchetto 44 Old Street, London EC1V 9AQ

Kind regards

Roberto Campese

Licensing Authority Representation

Licensing Act 2003

Application: 90 Old Street London EC1

I am submitting a representation on behalf of the Licensing Authority with respect to the new application to permit

Alcohol sales	11am to 23.30pm Mon to Sat, 11pm on Sun
Late Night Refreshment	11pm to 23.30pm Mon to Sat,
Recorded Music	11am to Midnight Mon to Sat, 11.30 pm on Sun
Opening Hours	11am to 23.30pm Mon to Sat, 11pm on Sun

The grounds for the representation are:

- Public nuisance
- Crime and disorder

Licensing Policy Considerations

<i>Licensing Policies 1 & 2</i>	<i>Location, cumulative impact and saturation</i>
<i>Licensing Policy 7 & 8</i>	<i>Licensing Hours</i>
<i>Licensing Policies 9, 10, 11, 12</i>	<i>Operating Schedules</i>
<i>Licensing Policy 20</i>	<i>Smoking, drinking etc outside</i>
<i>Licensing Policy 21</i>	<i>Dispersal Policies</i>

Issues of Concerns

1. The premises are located in a cumulative impact area, it appears to be alcohol lead and there is no indication of the capacity of the premises.
2. The operating schedule does not contain sufficient information to demonstrate that the premises will not add to the cumulative impact.
3. The proposed measures are typical of any licenced premises and there hasn't really been any attempt to acknowledge the sensitive nature of operating a bar in cumulative impact area and to suggest bespoke mitigation measures.

Summary and recommendations

There is insufficient information provided in the operating schedule to satisfy the Licensing Authority that granting this application will promote the licensing objectives.

In order to promote the licensing objectives it is recommended that this application is refused.

Janice Gibbons
 Service Manager
 Islington Council
Janice.gibbons@islington.gov.uk
 02 7527 3212

25 July 2014

Licensing Act 2003 representation pro-forma

Should you wish to comment on the licence application this form to help you. Please feel free to attach additional sheets.

You do not have to make any comment, and comments may be made in support of as well as against the application, providing they refer to one or more of the licensing objectives (please see the guidance notes for further advice).

Premises Name and address: 90 Old Street London EC1V 9AQ

Your Name:

Interest :Homeowners, residents and business owners.

(E.g. resident, business, TRA Chair, Councillor, solicitor)

Your Address:

Email:

Telephone

Please comment on the licensing objectives below relevant to your concerns or observations, you may also wish to include suggestions how your concerns could be addressed:

Public Nuisance

We strongly oppose this application.

Our area is included in a Cumulative Impact area of Islington and we already suffer a high degree of bad behaviour, noise, disposal of litter and glass in the street, drug abuse, and public urination from the increasing numbers of revellers frequenting and congregating around the bars, clubs, restaurants and off sales outlets which abound.

Incredibly, the premises have been given "default" (sic) change of use permission by Islington Planning Dept from A1 retail to A4 drinking establishment in spite of local protest and the C.I. area designation.

Crime and Disorder

Alcohol misuse and its attendant disputes, broken glass and damaged property in the area is accompanied by drug abuse and resultant threatening behaviour to which we have been personally subjected.

Protection of Children from Harm

All of the above.

COMMERCIAL LICENSING

28 JUL 2014

PUBLIC PROTECTION DIVISION
222 UPPER ST, LONDON N1 1XR

Public Safety

As previous paras.

I wish my identity to be kept anonymous : No

We will treat representations as anonymous where there is a genuine reason to do so; if you wish your name and address details to be withheld then please explain the reason:

Copies of this representation will be sent to the applicant, or their agent/solicitor, including name and address details (but other personal contact information such as telephone numbers and email addresses will be removed) unless you have specifically requested anonymity. Copies of this representation will be included in a report that will be available to the public and will be published on the internet; however the published on-line version of the report will have name and address details removed.

Signature_

Date 5/7/14

Please ensure name and address details completed above

Return to:

Licensing Service
London Borough of Islington
3rd Floor
222 Upper Street
London N1 1XR
licensing@islington.gov.uk

or send by email to:

Ms Katie Tomashevski
Licensing Team
Islington Council
3rd Floor
222 Upper Street
LONDON N1 1XR

28th July 2014

Dear Ms Tomashevski

Objection: WK/201452561 – A and Z 90 Old Street EC1V 9AQ

I am abroad and unable to send this objection except by email. I am the owner and occupier which I occupy with my wife and teenage child.

I have lived there since 1993.

Our premises are enveloped on two sides by the applicant's premises at 90 Old Street, the most sensitive area being at the rear of our flat where the structure at 90 Old Street from basement level upwards is covered at first floor level with a wooden roof covered by roofing felt. I enclose a hand drawn plan (not to scale). The area at the rear ("the red shaded area") is marked and the plan gives an indication of the connection of the applicant's premises and mine.

History of 90 Old Street –

1. Reference to old OS maps suggests that the red shaded area was originally the back yard of . At some time in the 1950s it was transferred to 90 Old Street, which I understand was an off-license at the time, for use as a storage area. When I moved into the flat in 1993, 90 Old Street was a shop / off license and the red shaded area was still used for storage. Any noise made in that area at basement or ground floor level can be heard clearly in our flat. While it was used only for storage this was not a serious problem.

2. In about 1997 90 Old Street came under its present freehold ownership. The owner installed extraction fans for chiller cabinets in the red shaded area. These caused considerable noise and vibration nuisance in my flat. We had to call in the Environmental Health Noise Patrol on many occasions over the years. Eventually, about 4 years ago, an officer of that department (Chris Imoke) had to apply to the Magistrates Court for a warrant to break into 90 Old Street to disconnect the extraction fan.

3. The shop has been unused since about that time and it was left in a dreadful state and at one time was illegally used as a cannabis factory. It has not been able to be let as a shop because of the terrible state it was in. I was told this by one of the commercial property agents acting for the owner on more than one occasion. At one point the condition of the exterior was so bad that Islington Council had to take steps to re-furbish it and charge the cost on the freehold as they could never find the owner so as to serve a repairs notice. These premises could have been let as a shop as other premises have in Whitecross Street in the last 3 years. I myself do not want to let my shop other than for storage but I have a constant number of enquiries – people even knock on the door to ask if I would like to let. These premises are unlet because they were left in such a bad state.

4. The problems are increased by the fact that at the side of the red shaded area is a “light well” down to basement level. This is the area marked “yard” on the application plan which suggests it belongs to the applicants. It does not, it belongs to me and any noise next to it is amplified by it.

5. We have also had considerable noise nuisance from ‘disco’ type music being played in the basement of the red shaded area and also in the ground floor and basement of 90 Old Street itself which is now proposed for a license. Again this has involved calling out the noise patrol on many occasions.

Licensing objection

Planning permission

6. I appreciate that you will know well that the classes of planning permission relevant to these premises are:

- **A1 Shops** - Shops, retail warehouses, hairdressers, undertakers, travel and The Town and Country Planning (Use Classes) Order 1987 ticket agencies, post offices (but not sorting offices), pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners, funeral directors and internet cafes.
- **A3 Restaurants and cafés** - For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes.
- **A4 Drinking establishments** - Public houses, wine bars or other drinking establishments (but not night clubs).

7. These premises have permission for A1 use as a shop. In 2004 a permission for A3 use was granted for 90 Old Street. I did not receive notice of this application and only found out about it from the planners last year. The permission expired years ago. (copy enclosed: P041252.pdf).

8. It was possible to commence A3 user in A1 premises in Islington without permission under permitted development rights until that right was withdrawn by the Council in an Article 4 direction which came into force in mid July this year. I have a feeling that the applicants are not aware of this.

9. About 2 weeks ago these licensing applicants application for permission to change the use to an A4 drinking establishment was refused.

10. It follows that they have no planning permission to use of 90 Old Street for any licensable purpose that could require a full ON license and they have not commenced any A3 use while it was possible to do so without permission.

11. It has been the avowed intention of these applicants to open a wine bar in these premises and my tenants and others on the street are still being told that that is the case even after the refusal of A4 use permission.

12. I am quite concerned that this application – which on the face of it, given the recent A4 use refusal, could only relate to an intended A3 use *“for the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes”* is not genuine and the intention is still to open what to all intents and purposes will be a wine bar. Even a cursory glance at the application plan shows that the number of “covers” that could be got in the premises is nothing like the 40 to 50 needed for a restaurant business. Further the kitchen is tiny. It is difficult to see that this could really be used as premises in which the service of alcohol is to be an adjunct to the serving of substantial food, even if the premises were a café. The plan in reality has the look about it of a plan for a drinking establishment and I am quite sure that the configuration of the premises on the application plan is likely the same as would have been used if A4 permission had been granted. In section 5 of the application the applicant even states that “The property is a ground floor and basement. **The bar area is at the ground floor**”. The plan is ambiguous. A bar such as one would have in a wine bar is shown on the ground floor but although the basement is marked “storage” tables are shown. **The applicants do no offer any condition that alcohol will only be served with food.**

13. I note that the opening hours that the applicants are proposing are from 12 noon to in effect 23.30. Clearly not what one would expect if these premises were intended to be a café that can serve alcoholic drinks as an adjunct! These are in reality opening hours for a wine bar.

14. ***Direct impact on neighbouring premises:*** After being empty for a considerable time some work was done to clear the place up and 90 Old Street was opened last summer for about a week as a "pop up shop". The girl running it held an opening party at which alcohol was served to visitors till about midnight. They were allowed to drink in the whole of the premises including the basement and ground floor of the red shaded area. In our bedroom (and kitchen for that matter) we were able to over hear every word spoken and were hugely disturbed by the noise. We could also hear the music clearly even though it was in the main ground floor of 90 Old Street now proposed to be licensed premises. Fortunately, this was for only one night, but it demonstrated conclusively that if (a) anything other than simple storage is allowed in any part of the red shaded area whether at basement or otherwise or (b) loud music was played in the main ground floor or basement of 90 Old Street, our flat and our neighbour at 207 would be subject to huge noise disturbance. We are very exposed to noise levels in 90 Old Street.

15. It is also noteworthy that in the now expired A3 permission were conditions about work to be done to reduce noise impact. Although work on 90 Old Street, in apparent preparation for the application for change of use to A4, has been going on for months, no attempt has been made to approach me or other neighbours about what needs to be done in that respect. No attempt at consultation between the applicants and myself or my neighbour at 207 has been made, though it must be blindingly obvious that we are both potentially affected by any change of use to A3 or A4. No proposals are put forward to protect the residential premises above 90 Old Street either. I comment below on the applicants inadequate response that noise problems with neighbours should be sorted out by consultation with the noise patrol.

16. I don't think it is appropriate to permit ON licensed premises in a building that is wrapped around residential premises as is the case here, where there is only a wall dividing us on two sides of our flat and one part of the applicant's premises is not even suitably constructed to be licensed. If 90 Old Street becomes ON licensed, we will in effect be living in the middle of it. It is also clear that in that event, even if the areas used previously for storage were used for that again, for the purposes of licensed premises it is obvious that the tenants would need to install chilling equipment in that part of the premises which would renew the noise disturbance we have spent years to close down.

17. We already know from past experience (not least the pop-up shop party) that there is no way 90 Old Street can be effectively sound insulated from us. The noise nuisance for almost 12 hours a day 7 days a week as licensed premises will make it impossible to live in the flat and destroy its value.

18. I am particularly concerned about the lack of particularity and the contradictions in the application as to the music. It is apparently proposed to provide recorded music from 11 am to midnight (23.00 on Sundays) though the

licensing hours are proposed to be from 12 noon until 23.30 (Sundays 23.00). Most worrying of all is that this is proposed to be:

(a) **amplified music** not merely background music. It is clear from the statement that loudspeakers will be placed on flexible mounts to avoid vibration nuisance that loud music is proposed. There is no proposal for consultation with neighbours nor has there been one. Neither is there any protection proposed for the residential premises above, as there was in the old A3 planning permission, let alone for my premises

Our only suggested protection is that if there is "a justified noise complaint" the applicant will work with the residents and the councils noise team as to required measures. There is no proposal to put in place any real soundproofing measures – it is just being left to a "see how it goes" approach.

(b) something of a **similar description to live music recorded music or dance**. The request for details of this is left blank. There are no particulars at all other than that the "entertainment" will take place indoors. This could in effect allow disco type music levels through the applicants central system which would be heard right through

and the residential premises above at 90 Old Street.

19 In premises such as these, so close to residential premises there should be no question of amplified music being allowed of any sort other than **at background levels only**. It is quite unfair to allow amplified music and entertainment at levels that are completely unspecified and then put the burden on nearby residents to do something about it if it is unacceptable. Anyone who has ever called out the noise patrol as I have will know that they often arrive after the nuisance has ceased as they are so hard pressed and they seldom respond till after midnight in any event, so it would be impossible to have any nuisance from these premises in the evening hours witnessed.

20 I am further concerned that there is no proposed condition, to vent the kitchen to the outside of the premises as shown in the plan. I have severe doubts that building control would actually allow this to be done to the front of the premises on Old Street or Whitecross Street. Flues are unlikely to be allowed to be put on those front walls. My concern is that in that event, the venting will be taken through into my rear light well (described on the plan as a yard) causing nuisance to me

21 **Cumulative impact:** This area is already completely saturated with premises selling alcohol for consumption ON as well as OFF the premises during normal licensing hours which is one of the reasons why we have such alcohol related problems in the area. It is noticeable that since the two OFF licenses in Whitecross Street lost their licenses the situation has improved, which reinforces the fact that the local nuisance is predominantly alcohol related. We have two

public houses in Whitecross Street though one at least is thankfully shut at the weekends. We have a licensed café in "Basil" under Coltash Court only a few steps away from these premises, which has itself caused substantial disturbance to us and local residents. In Old Street, there are a further three on-license premises within easy walking distance that are open every day including one next to Ravellos restaurant run by the applicant for this license and a club on the corner of Golden Lane.

22 **Indirect impact:** We already suffer from a considerable amount of noise nuisance in general at this position on the corner of Old Street and Whitecross Street. There is considerable nuisance from people and traffic in the evenings and late at night. As I say, much is alcohol related. The proposed licensed use of these premises in the long hours proposed would involve increased nuisance at night and particularly till midnight on weekdays and Saturdays with people coming and going. 90 Old Street is surrounded by residential properties including my own which will be affected. Opening hours of the sort proposed are inappropriate. We would not be able to use our bedroom till midnight except on Sundays.

23. Also the use at weekends is particularly objectionable. Whitecross Street is a very busy and noisy street during the weekdays. As a resident one has to accept that, but on Saturdays and Sundays it is quieter in the immediate vicinity because, for example The Trader pub is hardly open. To have functioning licensed premises at the weekends on the corner for 12 or more hours would destroy this small bit of peace we enjoy.

24. I do not think that the imposition of conditions would help. The problem for us as residents of course is that as we know from our experience with the café opposite under Coltash Court (Basil), once in business, the planning and licensing conditions are often persistently ignored.

25. **Public Nuisance:** The nuisance we expect consists of the direct and indirect impact referred to above and attracting noisy customers coming and going both on foot and in vehicles and congregating around the premises particularly late at night. 90 Old Street is surrounded by residential premises and the effect is very disturbing. **The point here is that if this had been a genuine proposal to open a café in which the service of alcoholic beverages was purely subsidiary and which was open for genuine café hours, from say 9 am to 6 pm with a license for 12 noon to 6 pm and only background music allowed and the area for sales of alcohol restricted to the ground floor and only to be served with food and no ventilation of cooler equipment allowed at the rear or in the basement together with other relevant conditions such as no deliveries after before 8 am and after 8 pm, so that no nuisance would emanate from the premises, although we have many such premises around, there would be a lot less of a problem.** What is proposed here is in reality full ON licensed premises with late night drinking and entertainment seven

nights a week. It is quite significant that the applicants have not sought to open such a café while the use as A3 was still available without permission, and then apply for an ON licence as an adjunct to this.

26. Crime and Disorder: Unfortunately this is not a safe area even in the daytime let alone later at night. We have had at least one murder nearby in the daytime and a number of assaults. These premises if licensed would increase the number of people drawn to the vicinity to consume alcohol. Even while the opposite premises at 92 Old Street operated as an off license, my wife and family were simply not prepared to go out at the end of the street later at night. We usually have had to try to make sure that I never had to return to the flat alone after parking a car or make sure the hall light was on and my wife behind the door ready to open it as there were often people around 92 particularly after 11 pm that one would not want to get involved with.

27. Public Safety: It does nothing to improve public safety if there are too many premises at which alcohol is available in a small area such as this, which already has safety problems. The licensing of these premises will only serve to increase the problems.

Conclusion

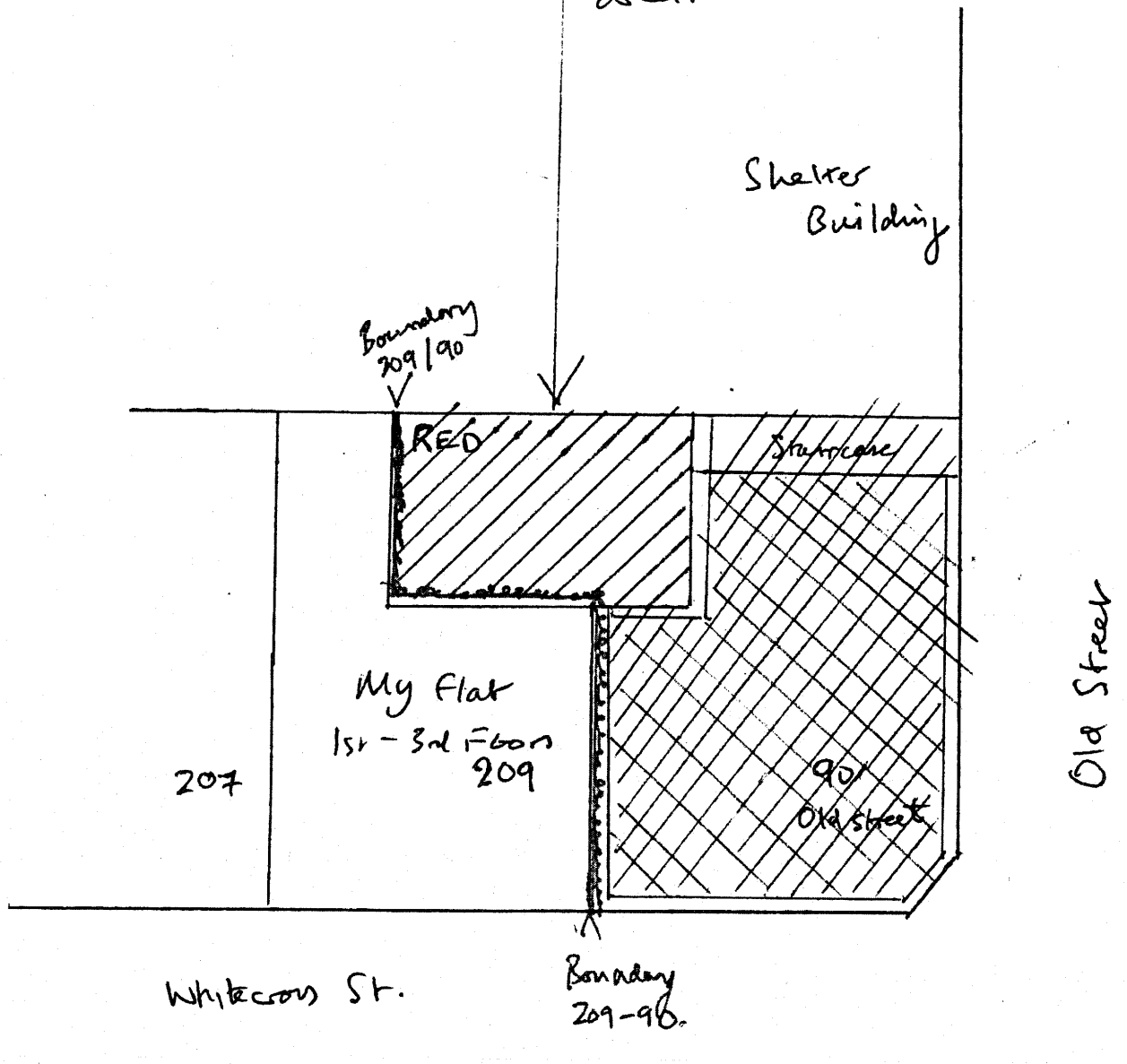
- 28.1 There is no A3 planning permission for this licence and A4 permission has been refused;
- 28.2 No conditions such as in an A3 planning permission would normally restrict noise are offered;
- 28.3 This licence if granted is likely to cause public nuisance to nearby residents and is in reality an application to support late night drinking and entertainment in these premises 7 days a week;
- 28.4 This licence is likely to be used to run what will in reality be a wine bar and not a café serving alcohol only with food;
- 28.5 The hours proposed are likely to cause additional nuisance and are likely to promote further crime and disorder and reduce public safety;
- 28.6 The grant of this licence would add to the saturation of full ON licences in the area;
- 28.7 If these applicants really want to open a real café that can serve alcohol with food they should apply for a licence from 12 noon to 6 pm with only background music allowed and the area for sales restricted to the ground floor and only to be served with food and no ventilation or cooler equipment allowed at the rear or in the basement together with other relevant conditions such as no deliveries after before 8 am and after 8 pm, so that no nuisance would emanate from the premises.

Yours faithfully



Area at rear of 90 Old Street
which is also at rear of 209 Whitecross St
and is covered by a wooden roof covered
with roopty felt

My bedroom bathroom + kitchen are
immediately above this
area.



Katie Tomachevski
Islington Licencing Team

18th August 2014

Dear Katie

Response to Mr Campese's undated letter to residents

Thank you for sending me Mr Campese's undated letter. There is nothing in it that persuades me to withdraw my objections to the application. In fact I am concerned that (1) the letter contains some questionable statements and (2) the concessions offered are not adequate to avoid adding to the cumulative impact or to prevent nuisance nor avoid the use of these A3 premises as de facto A4 premises.

Fortunately, as I am returning from holiday on the 3rd September I will be able to attend the licencing meeting on the 4th. My near neighbours [REDACTED] [REDACTED] will all be on holiday and have asked that I represent them.

If either you or the licensing sub-committee might be influenced by Mr Campese's letter I would ask you to consider the following points made in the letter which I set out in italics and my commentary on them. Nothing here should be taken as a withdrawal of our primary case that we are over saturated with ON licence premises of all types in the immediate area and the presumption against grant should apply:

(1) "The estate agency acting on behalf of the landlord suggested us to apply for an A4 licence (drinking establishment) because the place used to be a pub back in 50's. We trusted him and we did it. Unfortunately it was refused because there was not enough marketing proof for the loss of the existing A1

(retail shop) licence. So we apply for an alcohol licence (always following the estate agent's suggestion)"

The idea that Mr Campese is a novice and has made the A4 application and this application for late night drinking and music on mistaken advice from the agents is strange. I looked him up on the internet and it transpires that as well as having been a restaurant manager since 2008, he has had a 'premises licence' since November 2013 at Il Chicchetto at 44 Old Street. The licence for Il Chicchetto is 11-1am Monday to Thursday 11-2 am Friday and Saturday and 11-11 Sunday with live music 11-11 everyday and late night refreshments and recorded music till 1am every day. This is the same style as the application for 90 Old Street other than the extremely late hours. As an experienced licensee he must know very well what he is doing and was no doubt looking to replicate the successful formula he has at 44 Old Street.

(2) "In the meantime we contacted Islington planning to change the class use of the place from A1 to A3 (restaurant). We sent the prior approval and we have been notified from Islington Planning that it has been accepted (this is at the beginning of August 2014)".

This could give the impression that Islington Council granted or in some way approved the change of 90 Old Street from Shop A1 to A3 planning use. This is of course not the case. The use has been changed because Mr Campese was lucky enough to get his notice in on the last day on which such changes of use could occur without permission under the current government's (I would say totally misguided) relaxation of permitted development. Islington Council's policy is against this and they curtailed the right to do this the day after his notice was served by a direction coming into force that day.

(3) "Reduced our terminal hours to 23:00 and removed late night refreshment".

I think that 23:00 is too late on a Sunday. The only day we have any real peace around here, and should be no later than 22:00.

(4) "Removed regulated entertainment and plan to have background music only. We removed recorded music (section 11 of application) and provision of anything of a similar description to live music or performance of dance (section 13 of application).

Any condition would have to be drawn much more tightly than this to avoid noise nuisance in my premises. It would have to be a condition that there was nothing of a similar description to live music or dance and no recorded music played except at background levels and only in the ground floor premises in front of the bar as shown on the application plan.

(5) *"We will use just the ground floor and not the basement for our licensed activity"*

This is too vague. The licenced area would no doubt be marked on the plan if a licence was granted and should cover nothing more than the area marked 'BAR' and in front of the bar on the ground floor **and that the service of food and drink of any kind would not be carried out except in the licensed area, other wise the same could be carried out on the ground and basement floors at the rear of my premises.**

(6) *"There shall be no vertical drinking in the venue. All alcohol sales shall be to customers seated at a table taking a substantial meal, **where alcohol is in support of the table meal.**" (My emphasis).*

The wording of these concessions is extremely worrying. "Vertical drinking" is not the real point. While that condition should stay if a licence were granted, it is axiomatic that people who frequent wine bars sit at tables to drink. I would therefore have expected the next concession to read only **"All alcohol sales shall be only to customers seated at a table taking a substantial meal."** The addition of the words **"where alcohol is in support of the table meal"** blow this wide open so that alcohol could be served to persons seated at a table where there is no meal of which the alcohol is in support!

(7) Further there is nothing here (a) restricting deliveries to the premises (a constant source of disturbance at night from 92 Old Street) to no later than 22.00 and (b) no conditions restricting ventilation of the kitchens to the rear of the premises or (c) restricting the placing of ventilation or refrigeration equipment at the rear of the premises either inside or out particularly in the area covered by roofing felt which has been a constant problem for us for years involving the environmental health department on numerous occasions.

(8) "We all know how "doggy" used to be 90 Old Street, a dilapidated empty place with not security whatsoever" (sic)

It is unfortunate that Mr Campese seeks to use an argument that his use of the premises if licenced will improve on the empty dilapidated state that the premises has been in for several years. He will be renting these premises at a higher rent than could be obtained for a shop, from the very freeholder who let the premises get into that state, including its being used as a cannabis factory, and forcing Islington Council (a) to serve a repairs notice and carry out repairs and decoration of the outside of the premises at council taxpayers' expense which had to be charged on the freehold (b) to have to go to the magistrates court to get a warrant at council taxpayers' expense, to break into the premises to turn off refrigeration equipment at the rear that was causing us nuisance, as the Council could not trace the freeholder. While this was not Mr Campese's fault, allowing this application so that these premises can be used other than as a shop, will simply be rewarding the freeholder with higher rental values and a consequent higher capital value for the premises.

(9) Mr Campese does not address the fact that the burden is on him to demonstrate that the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licencing objectives. The licencing policy document shows that Islington has the second highest density of licenced premises in London and Bunhill is a cumulative impact area. We already have in Whitecross Street another similar premises almost opposite under Coltash Court together with three restaurants and two public houses serving food. Just round the corner in Old Street are four restaurants, the applicant's own premises, and a substantial public house all serving food. We must be one of the most densely saturated areas in the borough. Whitecross Street is a narrow street with a problem with noise disturbance. It seems inconceivable that despite its size, the intended premises would not add to this impact adversely and conditions and restrictions will not prevent that,

Yours sincerely



Licensing Act 2003 representation pro-forma

Should you wish to comment on the licence application please use this form to help you. Please feel free to attach additional sheets.

You do not have to make any comment, and comments may be made in support of as well as against the application, providing they refer to one or more of the licensing objectives (please see the guidance notes for further advice).

* Premises Name and address 90, Old St EC1V 9HQ

Your Name: _____

Interest: _____

(E.g. resident, business, TRA Chair, Councillor, solicitor)

Your Address: _____

Email: _____

Telephone _____

Please comment on the licensing objectives below relevant to your concerns or observations, you may also wish to include suggestions how your concerns could be addressed:

Public Nuisance

How many more places are you considering to give licenses to. This area is saturated with premises having a license and I think its about time that Islington Tenants should be considered we have to live here and having another license premises in this area is really unthinkable.

Crime and Disorder

COMMERCIAL/LICENSING
23 JUL 2014
PUBLIC PROTECTION DIVISION
222 UPPER ST, LONDON N1 1XR

Protection of Children from Harm

Public Safety

I wish my identity to be kept anonymous Yes/No –

We will treat representations as anonymous where there is a genuine reason to do so; if you wish your name and address details to be withheld then please explain the reason:

Copies of this representation will be sent to the applicant, or their agent/solicitor, including name and address details (but other personal contact information such as telephone numbers and email addresses will be removed) unless you have specifically requested anonymity. Copies of this representation will be included in a report that will be available to the public and will be published on the internet; however the published on-line version of the report will have name and address details removed.

Signature _____

Date _____

21/07/14

Please ensure name and address details completed above

Return to:

Licensing Service
London Borough of Islington
3rd Floor
222 Upper Street
London N1 1XR
licensing@islington.gov.uk

or send by email to:

Suggested conditions of approval consistent with the operating schedule

1. All staff shall be trained so that they are aware of the conditions on the premises licence, the requirement to meet the four licensing objectives, ensuring customers leave in a respectful manner, environmental health requirements and prevention of illegal drug use.
2. A clear and legible notice shall be placed outside the premises with the hours permitted by the premises licence.
3. Notices inside the premises shall warn of potential criminal activity.
4. Custom shall not be solicited from persons in the vicinity of the premises.
5. All fittings, door fastenings, notices, lighting, heating electrical air conditioning, sanitary shall be maintained and regularly checked to ensure that they function satisfactorily.
6. The licensee shall ensure that staff arriving in the morning shall conduct themselves in a manner to avoid causing a disturbance,
7. Customers shall be discouraged from standing and talking on the street outside the premises.

Please note: There have been duplications in the Operating Schedule and the suggested conditions from the Police, Noise Service and Trading Standards (below) the wording of the conditions put forward by the Police, Noise Service and Trading Standards appear below.

Conditions proposed by Police (agreed)

8. No vertical drinking and alcohol will only be served at a table ancillary to a table meal.
9. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for the consumption by such a person as ancillary to their meal.
10. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. The CCTV system shall be checked on a daily basis for any malfunction, which shall be reported and repaired immediately. This check shall be recorded and signed weekly by the General Manager, and will also be available for inspection by Police or authorised officer. All entry and exit points shall be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during times when customers and staff remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately on request of Police or authorised officer throughout the preceding 31 day period. A staff member who is conversant with the operation of the CCTV system shall be available at the premises at all times when staff are working, including pre-opening and post-closing. The member of staff must be able to show and provide CCTV footage to Police or authorised officer with the absolute minimum of delay.

Conditions proposed by the Noise Service (agreed)

11. The Premises Licence Holder will prepare and implement a dispersal policy to the written approval and satisfaction of the Council's Noise Service.
12. Deliveries shall not take place on Sundays or Bank Holidays.
13. Deliveries should only be made between the hours of 10:00 and 17:00 on other days.
14. Bottling out and refuse disposal shall not take place Sundays or Bank Holidays.
15. Bottling out and refuse disposal shall only take place between the hours of 10:00 and 17:00 other days.
16. No consumption of alcohol shall take place outside the premises.
17. Smoking shall be restricted to the front of the premises in Old Street after 21:00 and kept to reasonable numbers at all times.

18. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.

Conditions proposed by Trading Standards (agreed)

19. The licensee shall adopt 'Challenge 25', the Retail of Alcohol Standards Group's advice for off-licences, and promote it through the prominent display of posters.
20. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The training shall include the assessment of age; making a challenge; acceptable proof of age; and recording refusals. The licensee shall keep records of training and instructions given to staff, detailing the areas covered, and make them available for inspection upon request by the licensing team, police or trading standards.
21. The licensee shall put arrangements in place to ensure that before serving alcohol to persons they believe to be less than 25, staff ask to see accredited proof of age: that is, proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
22. The licensee shall require staff to 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 upon request by the licensing team, police or trading standards.

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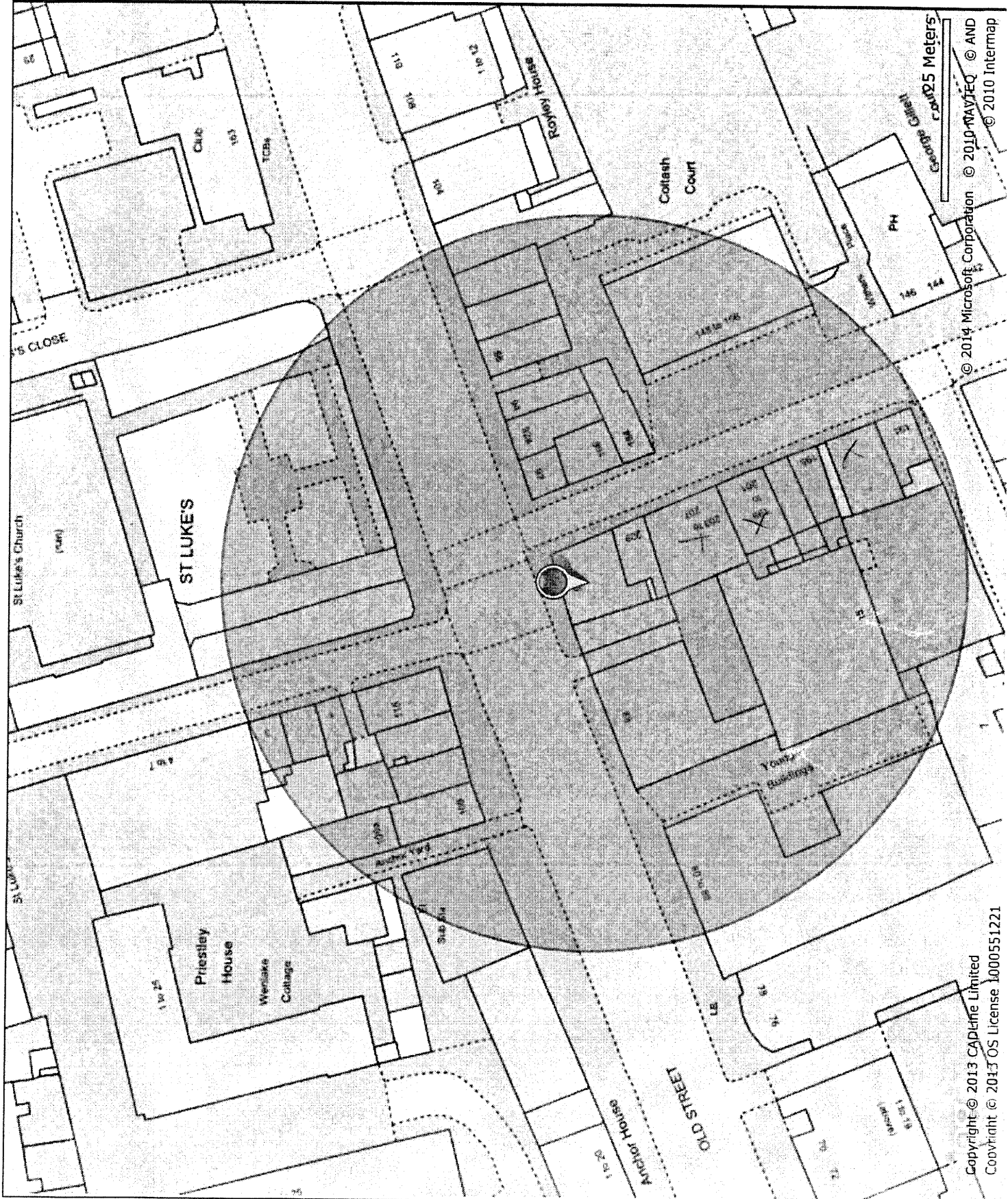
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