



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	22 nd September 2014		Clerkenwell

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE NEW APPLICATION
Borough Wines, 63 Exmouth Market, London EC1R 4QL

1. Synopsis

- 1.1 This is an application for a new premise licence under the Licensing Act 2003.
- 1.2 The application is for a licence to allow:
 - the sale of alcohol for consumption off the premises: 09:00 to 23:00 on Monday to Sunday.

2. Relevant Representations

Licensing Authority	No
Metropolitan Police	No
Noise	Yes
Health and Safety	No
Trading Standards	No

Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes: two
Other bodies	No

3. Background

3.1 Papers are attached as follows:-

Appendix 1: application form and applicant's supporting document;

Appendix 2: representations;

Appendix 3: suggested conditions and map of premises location.

3.2 The Noise Service and two local residents have submitted representations. One further resident has withdrawn their representation in response to the applicant's supporting documents.

4. Planning Implications

4.1 The lawful use of this property is as a retail shop (A1). If the wine tasting was taking place in connection with the sale of sealed bottles from the shop (i.e. as a sample before buying), then this will not require planning permission as it is still in connection with the use of the property as a retail undertaking. However, separate wine tasting events (particularly late at night) may bring the use outside of the A1 use class and into A3/A4. Planning permission would be required.

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 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 10/9/14

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

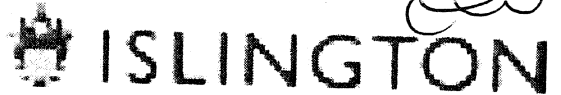
Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

Appendix 1

WK/201454765

ok? 29/7



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 Borough Wine Importers Ltd

(insert name(s) of applicant)

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

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
63 Exmouth Market			
Post town	London	Postcode	EC1R 4QL

Telephone number at premises (if any)	N/A
Non-domestic rateable value of premises	£ 15,000/annum

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)

COMMERCIAL LICENSING

29 JUL 2014

PUBLIC PROTECTION DIVISION
222 UPPER ST. LONDON N1 1YD

RECEIPT JWIL/00000002
\$190-00 29.7.14

- 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	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				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	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				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	Borough Wines Importers Ltd
Address	4-6 Canfield Place London NW6 3BT
Registered number (where applicable)	06593253
Description of applicant (for example, partnership, company, unincorporated association etc.)	Limited Company
Telephone number (if any)	07411100585
E-mail address (optional)	boroughwines@gmail.com

Part 3 Operating Schedule

When do you want the premises licence to start?

27-08-2014

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

DD MM YYYY

Ground Floor Shop selling wine, beer and selected spirits for on/off sale and consumption on premises as part of wine tasting events.

All wine and beers are sourced from small independent producers, no mainstream wines, beers or alcopops will be on offer. In addition a small selection boutique spirits will be available.

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

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

(Please see sections 1 and 14 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	.....	.....
Thur	.....	.....	State any seasonal variations for performing plays (please read guidance note 4)	
Fri	.....	.....
Sat	.....	.....
Sun	.....	.....
			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)	

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon				Both	
				Please give further details here (please read guidance note 3)	
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed					
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	State any seasonal variations for indoor sporting events (please read guidance note 4)
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			
			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish	Both		
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	
					Outdoors	
					Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
	-----	-----				
Tue						
	-----	-----				
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)			
	-----	-----				
Thur						
	-----	-----				
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)			
	-----	-----				
Sat						
	-----	-----				
Sun						
	-----	-----				

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon				Both	
				Please give further details here (please read guidance note 3)	
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Mon				Outdoors	
				Both	
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	
					Outdoors	
					Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)			
Wed						
Thur			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)			
Fri						
Sat						
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	
Day	Start	Finish		Off the premises	
Mon	900	2300	State any seasonal variations for the supply of alcohol (please read guidance note 4) 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)	Both	<input checked="" type="checkbox"/>
Tue	900	2300			
Wed	900	2300			
Thur	900	2300			
Fri	900	2300			
Sat	900	2300			
Sun	900	2300			

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

Name Muriel Chatel	
Address	
Postcode	E 7
Personal licence number (if known) LBH-PERN1365	
Issuing licensing authority (if known) London Borough Of Hackney	

K

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)

the subject premises will apply a standard operation which will ensure compliance with all 4 licensing objectives based upon factors outlined (B) to (E)

b) The prevention of crime and disorder

The style of operation is designed to minimise crime and disorder. The sale of alcohol for consumption on the premises will only happen in a very controlled environment. The premises will operate a challenge 21 policy, in order to ensure alcohol is only sold to people of lawful age 18 or over.

c) Public safety

The premises will comply with current legal requirements for fire safety and health & safety including periodic risk assessments.

d) The prevention of public nuisance

The style of operation is designed to minimise public nuisance. The sale of alcohol will be on offer in a controlled environment. The nature of the operation doesn't require the employment of a door supervisor or use of a dedicated office. The management policy at the premises is to welcome communication with any local persons in relation to any issues which arise concerning the operation of these premises.

e) The protection of children from harm

A challenge 21 policy as a minimum whereby anyone not looking the age of 21 must prove that they are in fact over the lawful age of 18. The company will operate a due diligence policy. Also incorporation full training for all staff. Prominent signage throughout the store confirming the minimum legal age.

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises. ✓
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ✓
- 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	M.Chatel 
Date	29-07-2014
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)

Muriel Chatel

Post town	London	Postcode	E8 1BG
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
<u>boroughwines@gmail.com</u>			

Notes for Guidance

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

**Supporting Document for Borough Wines Importers LTD
application for Premises Licence at 63 Exmouth Market EC1R 4QL
29th July 2014.**

Background

Borough Wines are small independent wine importers successfully operating retail outlets in Borough Market, London Borough of Hackney and Brent for the past 10 years running their businesses lawfully and in accordance of good business practice.

Borough Wines retail fine wines, craft beers and boutique spirits promoting educated choices around wine purchasing with informed and experienced staff.

All staff hold the minimum of Level 1 WSET wine traing certificate many holding levels 2,3,4 and Master of Wine status.

The borough Wines customer expects expert advice and guidance from the knowledge of our staff and Borough wines have never sold discounted wines or have offered special promotions.

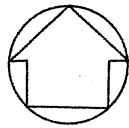
Operational Schedule

Demonstrating addressing the issues of prevention of public nuisance, public safety, Prevention of crime and disorder, and protection of Children from harm, operating within the DPPO and Culmative Impact area of Exmouth Market EC1.

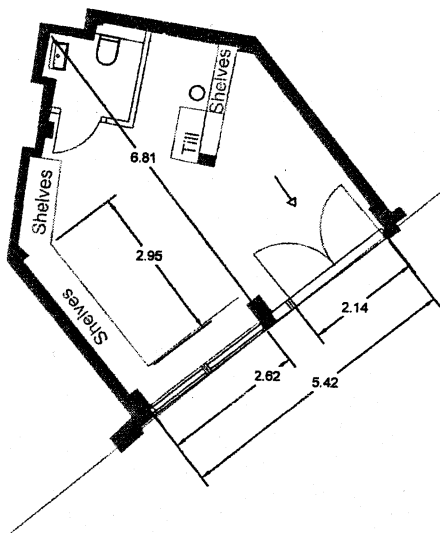
- Borough Wines do not sell any strong beers, ciders, alcohol pops or cheap spirits and operate a strict challenge 25 policy which all staff are trained and regularly tested on all aspects of the Policy.

- All wine is wrapped and sealed with a branded sticker and sold in a branded sealed bag as wine is bought for consumption at home or as gifts.
- Entry to the shop will be controlled by a door entry system with a Buzzer to gain entry and exit
- CCTV Cameras will be installed with full coverage both in the shop and the exterior
- A shutter system will be installed for security when the shop is closed
- Limited cash will be kept on the premises and any cash will be secured in a safe overnight and banked daily.
- There will be a minimum of 2 staff working at all times
- All staff are Drink Aware and trained in all aspects wine retail.
- Wine tasting events will be in a very controlled environment promoting education around wine and wine knowledge with limited numbers at each event, these are catering for our on-trade clients from our wholesale division or ticket only events.
- The design of the shop will allow a clear view of the door at all times and many of the wines will be in temperature controlled fridges and specially designed shelving with no baskets or bins with all spirits kept behind the counter.

TYSOE STREET



EXMOUTH MARKET



BOROUGHWINES
SCALE 1/100
63 EXMOUTH MARKET

Islington Public Protection Division
Licensing Act 2003

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority - Public Protection

Your Name	Lee H Casey
Job Title	Environmental Health Officer
Postal and email address	Noise Team, 3 rd Floor, Public Protection, Islington Council, 222 Upper Street, London N1 1XR Email: lee.casey@islington.gov.uk
Contact telephone number	020 7527 2014
Name of the premises you are making a representation about	Borough Wines
Address of the premises you are making a representation about	63 Exmouth Market, Islington, London, EC1R 4QL

*Please detail the evidence supporting your representation. Or the reason for your representation.
Please use separate sheets if necessary*

To prevent public nuisance

The application is for a new premises licence for the sale and for the supply of alcohol for consumption on the premises. The trading times from Monday to Sunday 09:00 to 23:00hrs.

The premises falls within Clerkenwell Cumulative Impact Area and is made up of commercial and residential units on either side. The shop occupies the ground floor and residential units above. The applicant states that music played on the premises will be at background level to create a relaxed ambience.

I have considered the application with regard to the prevention of public nuisance, and in relation to the Council's Licensing Policy 2; 8 and 9 and would like to make the following representation. Should the sub-committee grant the licence, I recommend the following conditions be imposed:

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary.

1. Doors and windows to the premises will be kept closed, so far as practicable, at all times when recorded music is being played and during the shop trading times.
2. No music emanating from the shop should be audible to cause a nuisance within any adjoining noise sensitive premises during the trading hours.
3. Any music played at the premises will be at a background volume.
4. Customers should not be allowed to consume



	<p>purchased alcohol outside the premises.</p> <ol style="list-style-type: none"> 5. No refuse in including bottles will be moved, removed or placed in outside areas between 22:00 and 07:00hrs 6. Prominent, clear and legible notices must be displayed at the premises requesting customers to respect the needs of local residents and to leave the premises and the area quietly. 7. There will be no deliveries made to the premises between the hours of 20:00 and 07:00hrs. 8. The use of the door Buzzer entry system should not cause a noise nuisance within any adjoining noise sensitive premises during the trading hours. 9. The security Shutter system, mechanically or manually should not cause a noise nuisance to any adjoining noise sensitive premises during operation.
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Signed:

Date: 5th August 2014

Please send this form along with any additional sheets to the applicant. A copy should be sent to: Islington Council, Licensing Team, 222 Upper Street London N1 1XR or email to licensing@islington.gov.uk

This form must be returned within the Statutory Period. For more details please check with the Licensing Support Team on 020 7527 3031

Rep 3

COMMERCIAL LICENSING

26 AUG 2014
27 AUG 2014

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).

PUBLIC PROTECTION DIVISION
2003 LICENSING SECTION LONDON N1 1YR


Premises Name and address ref - WK/201454765
63 Exmouth Market EC1R 4QL

Your Name: 

Interest: Resident

(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

The street already has 10 businesses that sell alcohol on this very short street. There is always noise from loud drunk patrons screaming, laughing and being loud at late night hours. I am concerned with how late this new place wants to stay open for. I would like to know how they will minimize this.

Crime and Disorder

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:

I live on the street very close by and do not want to be known as the person who is holding up their licence

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

Aug 20, 2014

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:

Rep4



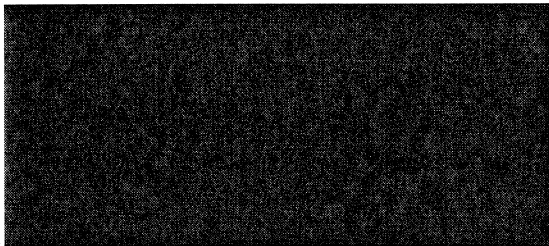
Licensing Service
London Borough of Islington
3rd Floor
222 Upper Street
London
N1 1XR

21 August 2014

Ref. WK/201454765 New Licence Application

Enclosed are my comments regarding the application by Borough Wines, for on and off-licence at 63 Exmouth Market. I have also emailed this to licensing@islington.gov.uk

Yours sincerely,



COMMERCIAL LICENSING
22 AUG 2014
PUBLIC PROTECTION DIVISION
222 UPPER ST. LONDON N1 1XR

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 **_63 EXMOUTH MARKET, LONDON. EC1R 4QL**

Your Name: [REDACTED]

Interest:

Resident / owner, [REDACTED]

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

Your Address: [REDACTED]

Email: [REDACTED]

Telephone: [REDACTED]

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

The licensing hours being asked for are far longer than required. I can see no reason why Borough Wines would need to be open for business, either at 9 am on a Monday (for example) or as late as 11 pm on a Sunday. If the licence is being applied for in order that they can conduct wine tastings, there should be a reasonable approach to what dates and times these events end.

My flat [REDACTED] would be greatly affected by noise if people were leaving the wine store late at night, after attending an 'event' where alcohol is being served. It is also worth taking into account that the area is very quiet, with very little passing trade on Sunday evenings – so no need to be open at these times.

Their Supporting Document refers to a "buzzer entry" for the shop; if the premises are open late in the evening, this might be audible to the residents directly above – another consideration, when limiting licensing hours.

Also, if the shop is to have a "shutter system" as mentioned in their Supporting Document, the residents of all five flats would be affected by the sound of this being operated after the time that the shop closes. So again, an earlier closing time would be indicated.

Furthermore, if bottles and refuse are being put out for collection by the Council, this should be done at a time when the noise of glass bottles will not make unnecessary nuisance. Borough Wines will need to give an undertaking to abide by the same rules as the other restaurants in the Market – bottles put out in the morning, not at night.

Finally, would the licence restrict customers to the inside of these quite small premises? Is there sufficient space in a floor area of less than 25 sq. metres to hold events indoors? There would potentially be noise if drinkers were able to stand outside the shop and continue drinking. Wine tastings ought to be confined to inside the building. Has planning permission been granted for the plans sent in their 'redacted application' of 7 August'?

It should also be noted that the entrance door to the flats is immediately adjacent to the shop frontage, so that would need to be kept clear at all times.

Crime and Disorder

Protection of Children from Harm

Public Safety

As mentioned above, under 'Public Nuisance' the issue of disposing of glass bottles is a concern; It is not unknown for people to look through refuse put out by shops and – especially – outside bars, looking either for food or for alcohol.

What measures will Borough Wines propose, to minimise any potential problems from passing vagrants going through the bins.

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 21 August 2014

Please ensure name and address details completed above

Return to:

Licensing Service
London Borough of Islington
3rd Floor
222 Upper Street
London N1 1XR

or send by email to:

licensing@islington.gov.uk

Appendix 3

1. The premises shall operate a strict "Challenge 25" proof of age policy in order to ensure alcohol is only sold to people age 18 or over. Staff shall be trained and regularly tested on all aspects of the policy.
2. The premises shall comply with current legal requirements for fire safety and health and safety, including periodic risk assessments.
3. The management policy at the premises shall be to welcome communication with any local person in relation to any issues which arise concerning the operation of the premises.
4. No strong beers, ciders, "alcohol pops" or cheap spirits.
5. All wine sold for consumption off the premises shall be wrapped and sealed with a branded sticker and sold in a branded sealed bag.
6. Entry to the shop shall be controlled by a door entry system with a buzzer to gain entry.
7. CCTV cameras shall be installed with full coverage both in the shop and exterior.
8. A shutter system shall be installed for security when the shop is closed.
9. Limited cash shall be kept on the premises and any cash shall be secured in a safe overnight and banked daily.
10. There shall be a minimum of two staff working at all times.
11. All staff shall be "Drink Aware" trained (or trained in a similar responsible retail of alcohol scheme) and trained in all aspects of wine retail.
12. Wine tasting events shall be in a very controlled environment promoting education around wine and wine knowledge with limited numbers at each event; these events shall be restricted to on-trade clients from the wholesale division or ticket only events.
13. The design of the shop shall allow a clear view of the door at all times with many of the wines stored in temperature controlled fridges and specially designed shelving with no baskets or bins with all spirits kept behind the counter.

Conditions suggested by the Noise Service

14. Doors and windows to the premises will be kept closed, so far as practicable, at all times when recorded music is being played and during the shop trading times.
15. No music emanating from the shop should be audible to cause a nuisance within any adjoining noise sensitive premises during the trading hours.
16. Any music played at the premises will be at a background volume.
17. Customers should not be allowed to consume purchased alcohol outside the premises.
18. No refuse in including bottles will be moved, removed or placed in outside areas between 22:00 and 07:00hrs.
19. Prominent, clear and legible notices must be displayed at the premises requesting customers to respect the needs of local residents and to leave the premises and the area quietly.
20. There will be no deliveries made to the premises between the hours of 20:00 and 07:00hrs.
21. The use of the door Buzzer entry system should not cause a noise nuisance within any adjoining noise sensitive premises during the trading hours.

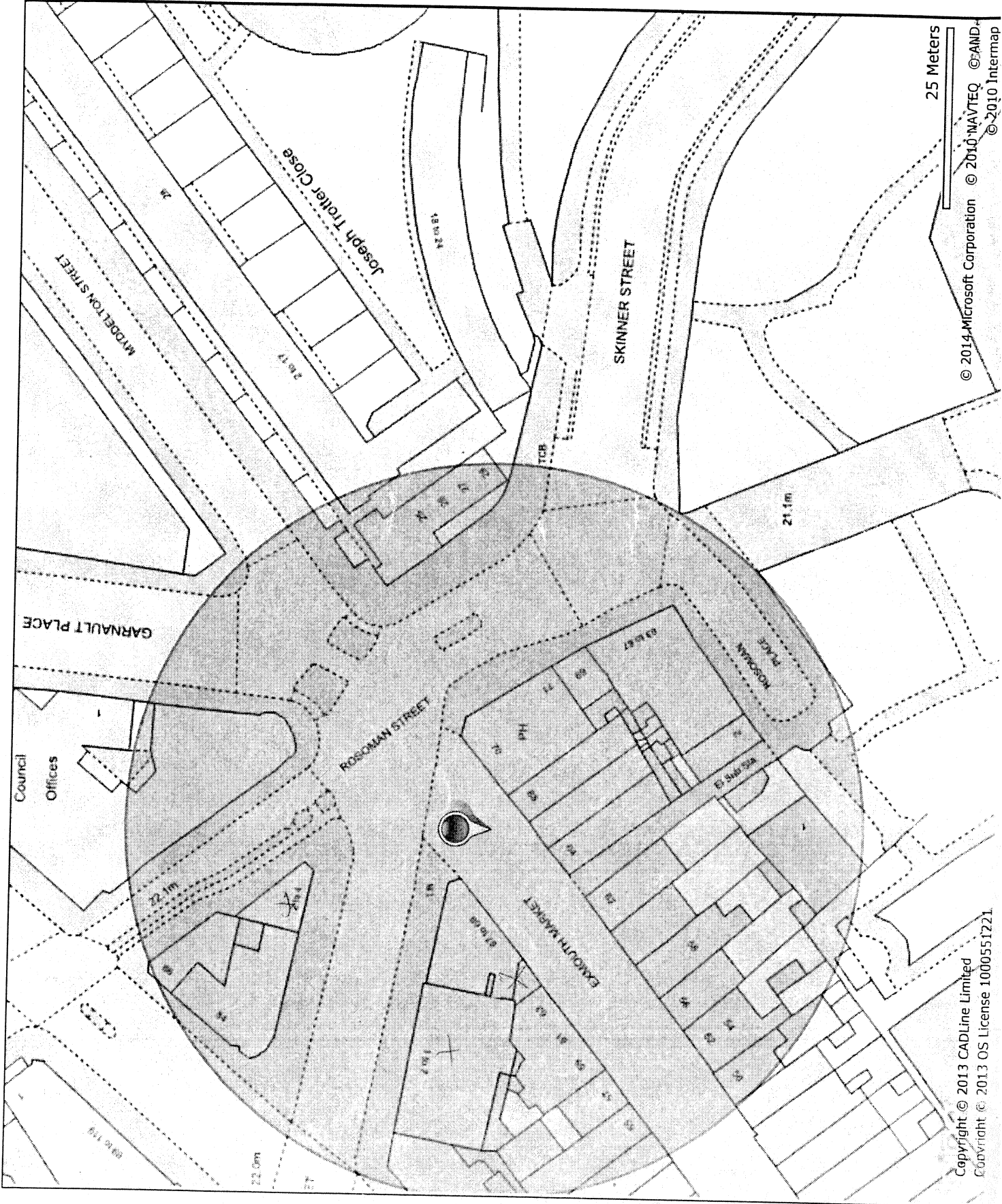
22. The security Shutter system, mechanically or manually should not cause a noise nuisance to any adjoining noise sensitive premises during operation.

Title : 63 Exmouth
Market

Islington Borough
Boundary

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