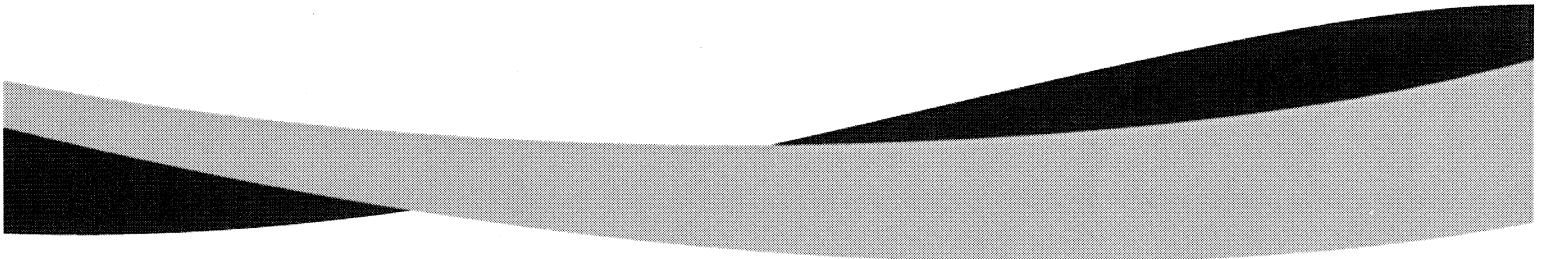




Report of: **Service Director, Public Protection**

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	3 rd February 2015		Clerkenwell

Delete as appropriate		Non-exempt
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Subject: PREMISES LICENCE NEW APPLICATION
CRFC Ltd, 59-61 Rosebery Avenue, London EC1R 4SD

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 on the premises only: 11:30 to 23:00 on Monday to Saturday and 12:00 to 23:00 on Sunday.
 - The following opening hours: 11:30 to 23:00 Monday to Saturday and 12:00 to 23:00 on Sunday.

2. Relevant Representations

Licensing Authority	No
Metropolitan Police	No
Noise	No
Health and Safety	No

Trading Standards	No
Public Health	No
Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes: three
Other bodies	No

3. Background

3.1 Papers are attached as follows:-

- Appendix 1: application form and applicant's response to representations;
- Appendix 2: representations;
- Appendix 3: suggested conditions and map of premises location.

3.2 Three local residents have submitted representations, including the Chairman of the Wilmington Square Society.

3.3 A former occupier was granted a premises licence in June 2008 to provide late night refreshment to 2:00 on Fridays and Saturdays and 01:00 on Sundays to Thursdays.

4. Planning Implications

4.1 Planning have reported that, "The application concerns the sale of alcohol at a ground floor fish and chip shop, which would fall under use class A5. There are no historical planning applications for the site, but historical photos suggest that, on the balance of probabilities, this is the lawful use of the land. There are no ongoing enforcement investigations relating to the land. As such, the planning department has no objections to the application."

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)

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 22 January 2015

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk



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 If your business is registered, use its registered name.

* VAT number Put "none" if you are not registered for VAT.

* Legal status

IP2/303335
£190-00
09/12/14

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

Section 2 of 19

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 (£)

Section 3 of 19**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

Section 4 of 19**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...

Limited Company

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

Section 5 of 19

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.

A small fish and chip shop with 12 covers.
Alcohol only to be served to eat-in customers who also purchase a main meal.

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...

Section 6 of 19

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

Section 9 of 19

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

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Yes No

Section 13 of 19

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

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Section 15 of 19

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...

Section 16 of 19

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.

Section 17 of 19

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.

--

Section 18 of 19

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.

Alcohol only served to customers who are seated and have ordered a main meal.
CCTV to be installed (in accordance with CCTV Code of Practice) and staff trained on its use.
Staff to be trained to only serve customers who can provide ID (Challenge 21 Scheme).
Nobody who appears intoxicated will be served.
A Refusals book to be kept and Staff trained in its use.
Customers will be asked to leave the premises quietly (Sign).

b) The prevention of crime and disorder

CCTV to be installed (in accordance with CCTV Code of Practice) and staff trained on its use.
The restaurant will have an alarm and secure locks.
Entry to the restaurant will be refused to anyone who appears intoxicated.
The restaurant will not stay open late.
Nobody who appears intoxicated will be served.

c) Public safety

First aid equipment to be kept at the restaurant.
There will only be c.24 covers and no-one will be served alcohol unless they are seated and also ordering a main meal.
Fire detection system will be installed in the restaurant.
An accident book to be maintained by staff.

d) The prevention of public nuisance

Alcohol only to be served to seated customers.
Recorded music will only be played at a background level.
Internal signage to request customers to leave the premises quickly and quietly.

e) The protection of children from harm

No-one who looks under 21 will be served alcohol (Challenge 21 Scheme).

Continued from previous page...

A refusals book will be kept.

Section 19 of 19

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 you 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, 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

Continued from previous page...

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

* Capacity

* Date / /
dd mm yyyy

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

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

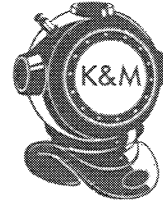
Date and time submitted

Approval deadline

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< Previous [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) Next >



16th January 2015

Re: CRFC Ltd, 59-61 Rosebery Avenue, London, EC1R 4SD

Dear Sir or Madam:

I write in response to the representations made concerning our application for a premises licence for the above property.

The property was formerly a fried chicken shop that traded as late as 3am some nights. We have taken over the lease and are opening an upmarket fish & chip restaurant/take-away.

We currently have 4 existing restaurants, trading under the name Kerbisher & Malt. They all have a strong reputation – you can read more about them on our website, www.kerbisher.co.uk

Our application is to allow us to serve alcohol (beer and wine, not spirits) to customers who dine in the restaurant. They will be required to be seated and eating a main meal. We do not have a bar area and we will not serve anyone who is not seated and eating a meal, nor we will we be licensed to sell alcohol to take away customers. We also operate a challenge 21 scheme.

We are not a drinking establishment (A4 property use) and, as a former resident of the area (Amwell St), I would concur with the representations that point out that there are enough of these type of properties in the area already.

We are simply a small restaurant that wishes to sell beer or wine to our diners. The restaurant will close at 10pm most evenings (11pm on Friday and Saturday).

I hope that this addresses some of the concerns raised.

Yours faithfully

Nick Crossley
Founder & Director
CRFC Ltd

CRFC LTD, registered in the UK as Co no. 7256294
11 Bedford Road, London W4 1JD
info@kerbisher.co.uk
www.kerbisher.co.uk

Hyperman <
Repl

Gallacher, Simon

From: Fitzsimons, Aiden
Sent: 02 January 2015 09:39
To: Gallacher, Simon
Cc: Senler, Yesim
Subject: FW: CRFC Ltd 59-61 Rosebery Avenue EC1R 4SD

-----Original Message-----

From:
Sent: 28 December 2014 10:37
To: Licensing
Subject: CRFC Ltd 59-61 Rosebery Avenue EC1R 4SD

- > Dear Sir/Madam,
- >
- > We have received correspondence from you, outlining an application for a new license at 59-61 Rosebery Avenue.
- >
- > We have lived in the area for 10 years and have witnessed the huge growth in anti-social behaviour as a direct result of the number of licensed premises in the area. We do not believe that the area needs any more drinking establishments. The community is already extremely well served by a large number of existing licensed premises - why do we need yet another?
- >
- > Many children live in the vicinity and it is becoming increasingly difficult to protect them from the effects of drunken and anti-social behaviour. All the surrounding streets are blighted by the public nuisance of people, leaving the licensed premises and then carrying on the party into the streets.
- >
- > Please do not grant another license in an area that is already over-stocked with drinking establishments.
- >
- > Yours sincerely,
- >
- >

- > Committee members of the Wilmington Square Society
- >

Rep 2

Gallacher, Simon

From: Fitzsimons, Aiden
Sent: 05 January 2015 11:22
To: Gallacher, Simon
Cc: Senler, Yesim
Subject: FW: CRFC Ltd 59-61 Rosebery Avenue EC1R 4SD

From:
Sent: 04 January 2015 20:40
To: Licensing
Subject: CRFC Ltd 59-61 Rosebery Avenue EC1R 4SD

Dear Islington Licensing

As the Chairman of our local residents association - The Wilmington Square Society, I have been made aware that a recent application for a new license has been submitted for 59-61 Rosebery Avenue.

As a committee we strongly urge you to reject such a licence on the grounds of there being far too many other such establishments in the area and there not being neither a demand or need for another.

The property in question is located in what we believe to be a very precarious location where one currently already struggles to pass a group of oncoming pedestrians or parents with children without the need to step onto the road to make way. Having an establishment that will attract drinkers and ultimately smokers who will congregate outside the premises will only increase the risk of a serious incident with pedestrians having to use the road to pass such an establishment. It is also very close to a busy pedestrian crossing.

As residents who are only a street away from the proposed site we have already had to deal with a high number of anti-social incidents in the area in which most occasions alcohol has been a factor. We urge you to speak with the local safer neighbourhoods team and Islington Parks Patrol who will be sure to inform you of the issues we have had to deal with over the last few years in regards to anti-social behaviour taking place in Wilmington Square after dark. Such an establishment will only be providing further individuals who will see it as a place to continue the party, something as residents we find would be ill-advised for Islington Council to allow.

We understand there was a decision by Islington Council to not issue further licences in the borough, is that no longer the case?

We really do hope you take the views of local residents into account and decide to reject the proposed license application.

Yours sincerely

Chairman
The Wilmington Square Society
TheWilmingtonsquaresociety.org

Gallacher, Simon

From: Fitzsimons, Aiden
Sent: 02 January 2015 09:39
To: Gallacher, Simon
Cc: Senler, Yesim
Subject: FW: 59-61Rosebery Avenue

From:
Sent: 28 December 2014 17:35
To: Licensing
Subject: 59-61Rosebery Avenue

Dear Sirs

We live in Wilmington Square and have heard about the application for a licence to sell alcohol at the above premises.

We urge the licensing authority to refuse.

The last thing the area needs is another licensed premises, more people encouraged to drink, more rowdy behaviour or more people wanting to 'spend a penny'.

There must be more beneficial uses for this shop and the local inhabitants deserve more consideration than simply being asked to put up with more of the same.

Yours sincerely

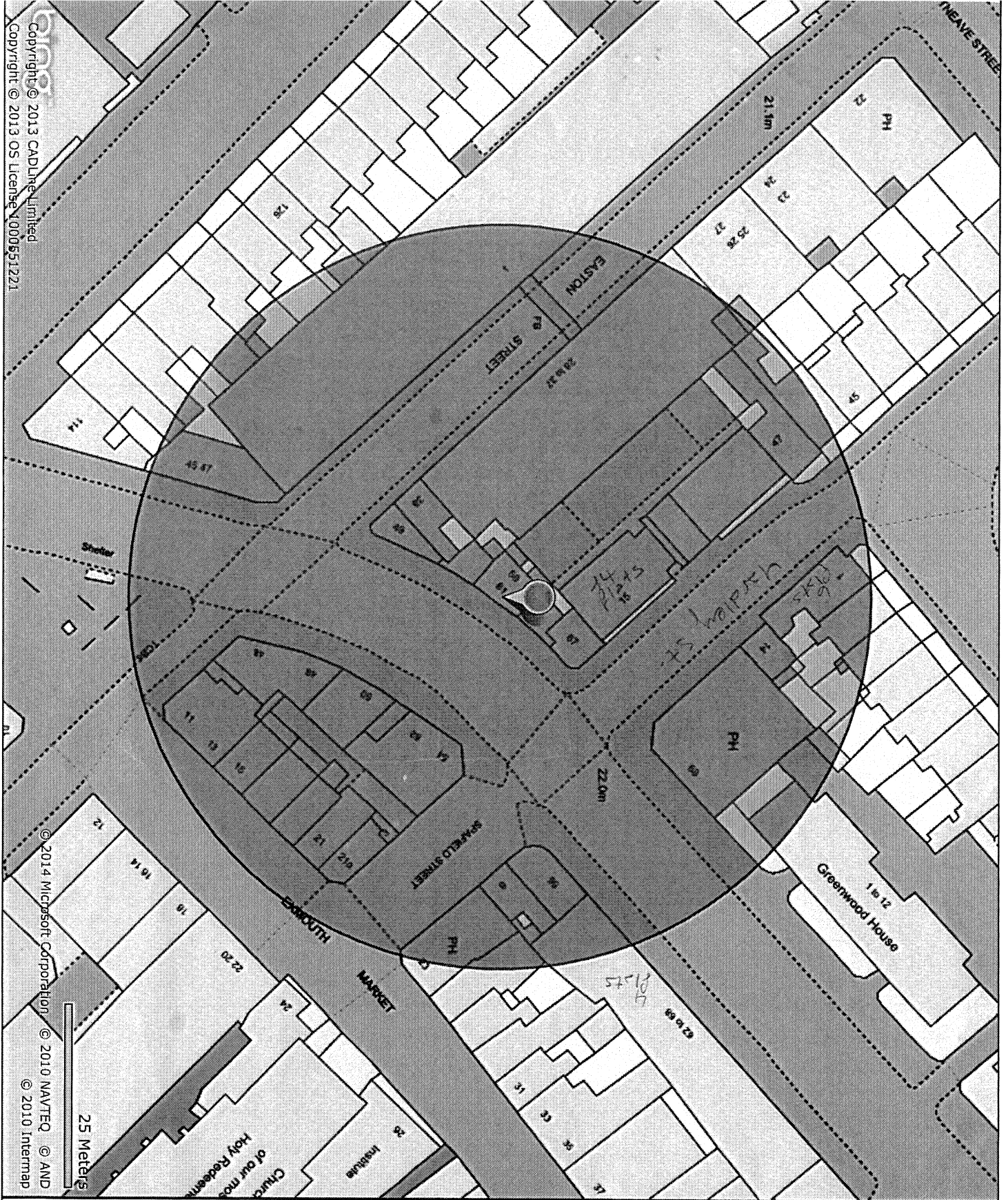
Appendix 3

1. Alcohol shall only be served to customers who are seated and have ordered a main meal.
2. CCTV shall be installed (in accordance with CCTV Code of Practice) and staff trained on its use.
3. Staff shall be trained to only serve customers who can provide ID and a Challenge 21 Scheme shall be operated at the premises.
4. No persons who appear intoxicated shall be served or permitted entry.
5. A refusals book shall be kept and staff trained in its use.
6. Customers shall be asked to leave the premises quickly and quietly by way of internally displayed signage.
7. The restaurant shall have an alarm and secure locks.
8. First aid equipment shall be kept at the restaurant.
9. There shall be a maximum of 12 covers.
10. A fire detection system shall be installed in the restaurant.
11. An accident book shall be maintained by staff.
12. Recorded music shall only be played at background levels.

Title : 59-61 Rosebery Avenue

Islington Borough Boundary

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Printed at :
16-12-2014



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